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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. 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.

HONORING RICHARD MACRAVEY OF COLORADO

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

Mr. SALAZAR. Madam Speaker, I rise today to honor my mentor and close friend, Mr. Richard D. ''Dick'' MacRavey. After 26 years of service as the Secretary and Executive Director of the Colorado Water Congress, Dick is announcing his retirement. Throughout his tenure, Dick helped enact a multitude of important legislation to protect water resources throughout Colorado. As Executive Director, Dick saw 350 of the 419 Colorado Water Congress supported bills enacted into law. In addition, only one of the 123 bills opposed by the Colorado Water Congress became law. This impressive record demonstrates Dick's effective leadership and dedication to protecting Colorado's water.

During my time in the Colorado State Legislature, Dick took me under his wing and taught me a great deal about water legislation. As a farmer and lifelong resident of the San Luis Valley, I understand the importance of water. This precious resource is our lifeblood and essential to maintaining our way of life. Dick understood the needs of everyone—from farmers like me in rural Colorado to those in towns like Aspen, Carbondale, and Telluride and cities like Denver, Aurora, and Colorado Springs. With his guidance, I helped craft a piece of legislation, ''The Basin of Origin Protection,'' which I am very proud of. Although this bill was never enacted into law, the lessons that Dick taught me during this experience were invaluable. I will always consider Dick a great mentor and a friend.

Dick's dedication to protecting water and serving Colorado started long before his involvement with the Colorado Water Congress. He served 3 years as Executive Director to the Larimer-Weld Council of Governments and 7 years as Executive Director of the Colorado Municipal League. While at Larimer-Weld COG, Dick developed and guided the early stages of the Larimer-Weld ''208'' Water Quality Management Planning effort. In 1970, Dick served as chairman of the Colorado Good Government Committee for the promotion of the State constitutional amendments 1, Governors Cabinet; 2, State Civil Service Reorganization; and 3, Local Government Modernization. All three amendments were approved overwhelmingly by the people of Colorado. In addition, Dick was involved in six other statewide initiative campaigns and was successful in all six campaigns.

In 1988, Dick was appointed to Colorado Vision 2000, and in 1989, he was appointed to become part of the 16-member Legislative Council Subcommittee on Long-Range Planning for State Government. From 1969 to 1971, Dick served on the National League of Cities Board of Directors. He also served as a member of the Boards for the Colorado Water PAC and the Colorado Water Education Foundation. Dick is a member of the American Society of Association Executives, Colorado Society of Association Executives, American Water Works Association, and International City Management Association. Dick is one of Colorado's great leaders. He has been involved in many aspects of Colorado life and has worked tirelessly to protect our current and future generations.

However, it is his tireless fight for water that has been most inspiring to me. In 1999, Dick was named the 19th recipient of the Wayne N. Aspinall Water Leader of the Year award. This is a prestigious award in Colorado named after a former Congressman of the district I currently represent. Mr. Aspinall was a water champion for Colorado and instrumental in helping to ensure that Colorado residents have access to a safe water supply.

After I was elected to the U.S. House in 2004, Dick gave me a biography entitled ''Wayne Aspinall: Mr. Chairman.'' On the inside cover he wrote me an inspirational and encouraging message. It read:

> To John Salazar. This book is about one of Colorado's great Members of Congress. You will some day also rank as one of the great members from Colorado. I have no doubts about your future achievement. Your friend, Dick MacRavey. January 27, 2005.

Madam Speaker, this note touched my heart, and I keep this book with me in my congressional office. While serving in Congress, I will continue to fight for Colorado's water, and I hope that my efforts will make Dick MacRavey proud.

I wish Dick well in his retirement, and I want him to know he will always have a special place in my heart.

HOPE FOR VISION

The SPEAKER pro tempore (Ms. RICHARDSON). The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize the extraordinary work of Hope for Vision, a wonderful organization in my congressional district, as well as their two newest goodwill ambassadors, Alex and Stacy Campos. Both Hope for Vision,

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as well as the Campos family, serve our community with tremendous distinction.

As a member of the Congressional Vision Caucus, I am proud to work towards elevating awareness and finding solutions to the problems that surround vision loss and vision impairment. In this pursuit, there is no better partner than that of Hope for Vision.

Started in 2005, it amazes me every day just how much Hope for Vision has accomplished. In just 4 short but very successful years, Hope for Vision has been able to raise millions of dollars for the development of treatments and cures for blinding diseases. Finding a cure for degenerative blindness and other retinal diseases holds untold promises for new treatments and all types of visual disorders and beyond, which is so important to reduce the massive cost that our Nation suffers due to vision loss.

Vision loss and impairment not only have an extraordinary financial cost, but it also carries a deep personal cost as well. When individuals suffer the inability to see clearly, they must depend on others for help. Simple tasks like locating keys or avoiding obstacles in a walkway become virtually impossible without assistance. Literally left in the dark, a person's blindness becomes an entire family's responsibility.

This is compounded by the fact that the health care costs related to vision alone are more than $67 billion annually, and this number will only increase as the population continues to grow and age. Hope for Vision understands these issues, and they know that the biggest challenge is ensuring that this crucial work is fully funded.

By far, the most impressive aspect of Hope for Vision is the fact that over 95 percent of the money raised is given directly to research at top academic institutions. And when it comes to the administration of success for Hope for Vision, few know better than that of Alex and Stacy Campos. These two champions of vision care have served selflessly for the benefit of our South Florida community. As well, they have truly afforded many in need the blessings of renewed sight.

As goodwill ambassador, Mr. Campos sits on the board of directors for Hope for Vision and utilizes his skills gained from the financial industry to make Hope for Vision as successful as it is today. Together with his wife, Stacy, and her continued participation in many charitable foundations, the work of the Campos family has provided Hope for Vision with the means it needs to grow and succeed even more.

Without a doubt, Mr. and Mrs. Campos satisfy the roles of goodwill ambassadors. Their relentless commitment to service and their passion to help families help themselves is truly worthy of distinction. It is because of their commitment to Hope for Vision and their fight against vision loss that countless families today enjoy the freedom of sight.

Alex and Stacy Campos have been a great resource for all at Hope for Vision, and our entire community has benefited from their partnership. Hope for Vision will be sure to maintain itself among the elite organizations working to fight against blindness and retina degenerative diseases through the actions of dedicated individuals like Alex and Stacy.

I again congratulate, Madam Speaker, Hope for Vision for the great work that this young organization has already done, and I look forward to hearing many good things in the years to come from Hope for Vision and all of the brave individuals involved in this fight for maintaining vision awareness for all of our community.

□ 1045

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

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

Mr. CONNOLLY from Virginia. Madam Speaker, I rise today to discuss the continuing success of the Recovery Act in righting our economic troubles.

We know all too well the results of the previous administration's, the Bush administration's, lack of oversight in the financial sector and lack of focus on the Nation's domestic needs. In December 2007, the Nation entered the worst recession since World War II. Almost 7 million Americans lost their jobs on the Bush administration watch. Housing foreclosures moved to record levels, and millions more struggled to keep their homes.

When Chairman Bernanke, chairman of the Federal Reserve, testified before the House Committee on the Budget in June, he stated that the Recovery Act, specifically the government funding for infrastructure, has had a positive effect on the economy, without which we would be in worse trouble than we are now. Imagine, Madam Speaker, that when critically needed transportation and other infrastructure projects receive funding, they actually create jobs, putting Americans back to work.

Chairman Bernanke also remarked that but for government action the Nation was mere days away from a collapse of the financial sector last fall. For those who have lamented the government's involvement, I would ask if collapse and the chaos that would have ensued would have been preferable to the actions that were taken.

The last time I discussed the Recovery Act on this House floor, I mentioned its positive impact in my district, specifically on the Greater Prince William County Community Health Center. Because of the Recovery Act, we're going to be able to keep that center open. We're going to be able to create new jobs and keep people working. We're going to be able to serve a population that otherwise would not have access to health care in my district.

Today, I want to discuss another positive aspect of that act on a number of critically needed transportation projects in my district.

The Recovery Act provided funding to expedite construction of the Dulles Metrorail project, one of the largest transit extensions in the United States currently. This extension has been in the works for 47 years and will help alleviate our traffic congestion by removing up to 93,000 vehicles off the roads each day. Although the Federal Government previously committed to fund the project, the expedition of the funds made possible by the Recovery Act will allow us to save $15 million in project costs. We hope we can accelerate funding even more.

The Recovery Act not only will allow jobs to be created more quickly but also the necessary project work to start faster and get this completed earlier than even anticipated.

The Recovery Act also provided funding for the purchase of additional buses for the Potomac and Rappahannock Transportation Commission in Prince William County. That funding will provide vital capacity for a currently crowded system, allowing workers a greater opportunity for commuting choices and taking cars off our congested roadways.

As the President highlighted when he visited Springfield, Virginia, in my district to announce the project's funding, the Recovery Act also provided funds for the completion of the long-awaited Fairfax County Parkway waiting decades to be completed. And thanks to the Recovery Act, we're going to be able to complete that parkway and make vital connections with Fort Belvoir, which was greatly expanded under the base realignment and closure process making it one of the largest employers in the region.

While the recovery is by no means out of the woods, we are beginning to see positive signs of recovery. The stock market's risen 40 percent since March. Although the total number of unemployed remains high, new filings for unemployment claims have, in fact, come down.

Retail sales rose 0.5 percent in May and 0.6 in June, the fourth month this year with gains. Consumer confidence is at a 9-month high. The meltdown in the housing market was one of the leading causes of the recession, and it's encouraging to see that housing starts in May were up 17.2 percent over April, and new housing sales, just released yesterday, are up 11.2 percent.

During the traditional business cycle over the past decades, recessions have tended to last 9 months. Madam Speaker, this recession began in December of 2007, 14 months before President Obama took office. While no one solution will cure the recession overnight, the Recovery Act is one piece of the mosaic of actions this Congress has undertaken to restore our Nation's economic health and protect the well-being of the American people. Through the Recovery Act we have seen the positive

results of our action, and we have been creating jobs in the 11th District of Virginia, providing critically needed transportation improvements to our region and putting our people to work.

I commend my colleagues for their support of this legislation and protecting the interests of all Americans.

EARMARKS IN DEFENSE APPROPRIATION BILL

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

Mr. FLAKE. Madam Speaker, later today, the Rules Committee will be promulgating a rule for the Defense appropriation bill that I believe we'll consider tomorrow. This is, in my view, quite remarkable that we will be considering the Defense bill that spends hundreds of billions of dollars, we will be spending less than a day debating that legislation.

What is remarkable about it as well is that there are 1,087 earmarks in the bill, more than 1,000 earmarks in the Defense bill that was considered by the full Appropriations Committee for a total of 18 minutes, not 18 minutes per earmark or per section of the bill or anything else, but the full Appropriations Committee considered that bill for 18 minutes, passed, done, markup finished, and now we've got that bill on the floor tomorrow.

And unfortunately, as is the case or as has been the case with the rest of the appropriation bills this season, it will come to the floor under a structured or closed rule where the Rules Committee, the majority party, will determine which amendments the minority party and members of the majority party get to offer. Breaking from tradition that has held for decades and decades and perhaps centuries in this institution where appropriation bills have come to the floor under an open rule, this will come to the floor under a rule that only allows amendments to be offered that the majority party wants to see, not those that the minority party necessarily wants to offer.

There are 548, at our count, earmarks in this bill that will go to private companies. These will be no-bid contracts for private companies. The majority party will say, well, we're inserting language saying that these earmarks have to be bid out. The purpose of an earmark is to ensure that that contract is not bid out. Otherwise, why earmark it? Why not just let the Defense Department decide where to spend its money?

So these are earmarks. These are no-bid contracts. They're going to private companies. In many cases, those private companies will turn around, and the executives from those companies will make sizeable campaign contributions to the Members who secured the earmarks. That has been the pattern in this place for years, not just with the majority party in power but when the minority power was in power as well. It's simply gotten worse over time.

Our Ethics Committee forces Members—and it's a good thing—to sign a certification letter saying that they have no financial stake in the earmark that they are securing, that a family member doesn't work for the firm receiving it, for example. But there's also guidance issued from the Ethics Committee that says that campaign contributions do not necessarily constitute financial interest. And so Members of this body are given a green light to basically earmark for campaign dollars. It's the so-called circular fund-raising that has become the norm around here.

And if this wasn't bad enough, there are investigations swirling outside of this body. Members' offices have been subpoenaed. Some people on the outside have already pled guilty and are working with authorities involving earmarks and campaign contributions. There are allegations of straw men contributions that have been set up where individuals reimburse for contributions they make to Members who secure earmarks. There are all these investigations swirling outside. Yet we're moving through this appropriation process as if nothing were wrong, and we'll consider a bill in one day and limit the number of amendments that Members can bring forward.

Now, this isn't the perfect way to scrutinize or to vet a bill, I recognize, on the House floor. But it's all we've got when the full committee Appropriations Committee takes a full 18 minutes to approve a bill that spends hundreds of millions of dollars and contains over 1,000 earmarks, 548 of which are no-bid contracts to private companies.

We do that all in a day and then tell Members, oh, but we're only going to allow the amendments that we want to see, not necessarily the ones that you want to offer.

In this legislation that we will consider tomorrow, there's an earmark going to a company called ProLogic, and it is reported that this company is under investigation by the FBI. The status of the investigation is unknown. Reports are simply out there that there are investigations. This company, the executives and lobbyists and those associated with it, have contributed more than $400,000 to congressional campaign committees. Yet we're still allowing this bill to go forward.

Let's have a new rule for the bill.

AMERICA'S AFFORDABLE HEALTH CHOICES ACT OF 2009

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Madam Speaker, this legislation, America's Affordable Health Choices Act of 2009, otherwise known as our health bill this year, will guarantee all Americans access to affordable health care without preexisting condition discrimination. Imagine that, getting health care insurance without being told that your preexisting condition is going to result in higher premiums, higher deductibles or higher copays. Imagine being able to change your job at will without having to worry that you're going to lose your health insurance. Imagine having no worry that you're going to have to exceed a lifetime cap. Imagine being able to know that you're going to have catastrophic health care coverage.

Imagine knowing that we're going to now move in our health care system from a sick care system that just is the most expensive that we know to actually a health care system where we actually pay for preventive care so that we actually get health care in this country, not sick care; where we pay for prevention, not sick care. We don't have to wait until an asthmatic gets an asthma attack before we get a doctor to that asthma patient. We don't have to wait until a diabetic gets an amputation before we get that critical care. We get prevention and chronic care management.

And what is so great about this legislation is that it includes full parity for mental health coverage. I was proud last year to author the Mental Health and Addiction Equity Act of 2008. What it required is that we finally recognize that mental health and addiction equity is part of our health insurance system, meaning insurance companies can no longer discriminate if you had alcoholism or addiction or depression. Imagine that, we finally acknowledge that the brain is part of the body.

Mental illness is a big part of our country's health care system. It accounts for over 50 percent of the trauma admissions in our trauma one centers and emergency rooms every single weekend. Suicides in our country exceed homicides by two to one, suicides do. And you know what, we don't have a mental health system in this country to speak of because, you know why, there's a stigma out there against mental illness.

We still believe in this country that it's your fault if you have a brain illness. If somehow you have a lower dopamine level or seratonin level, it's your fault. We think you ought to pick yourself up by your boot straps; it's your fault. It's a moral problem.

We forget the fact that now, even to this day, we can take brain scans and tell whether someone has a differing brain or not from a normal functioning brain. But today, we are enforcing what we know to be scientifically true, what the AMA said in 1955, and that alcoholism is a disease, that there is such a thing as brain disorders, substance abuse disorders, eating disorders, depression, bipolar disorder, and things of that nature.

In this legislation, in this health care bill, we require parity in health care coverage. We say that we ought to recognize these disorders for what they are, and furthermore, we say we ought to have prevention. And even more in

this legislation, we're going to say we're going to require medical school education to have education teaching all doctors to recognize this.

That is what is important in this legislation, and I am pleased to ask my colleagues that they ought to support this legislation so that we can finally have justice for all in health care in this country.

□ 1100

HEALTH CARE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DANIEL E. LUNGREN) for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, this week, it is still uncertain as to whether we are going to have an opportunity to vote on a health care proposal before we go home for the August recess. And I would just suggest, Madam Speaker, that what we do is ensure that we have absolute transparency, the capability of every Member to look at whatever bill comes to this floor—we have been told that the bill may be in excess of 1,000 pages—that we have an opportunity to have a full debate and full amendments to be debated on the floor.

And why do I say this? Because many people would say that would be what is to be expected. Unfortunately, over the last several months, we have had an experience in this House in which we have had major pieces of legislation brought to this floor, in some cases the bill itself with very little notice, in other cases huge 300-page amendments being dropped on us at the last minute.

We have had some suggest that it is unnecessary for Members of Congress to read the bill or have their staffs read the bill or understand the parts of the bill; rather, we are told, ''just trust us.'' Well, I remember Ronald Reagan's very important admonition, which was ''trust, but verify.''

If we are being asked to alter approximately 18 percent of the entire United States economy, if we are being asked to change in fundamental ways the delivery of health care to the men, women and children of this country, if we are being told that what we are going to do is going to inalterably change Medicare and Medicaid, if we are being told that what we are embarking on this week is to fundamentally change the manner in which men, women and children of this country receive their health care, if we are to be told that we must make a decision this week as to what the relationship between the doctor and the patient ought to be, if we are being told that we will have to make choices as to whether or not the government shall insert itself between the doctor and the patient, if we are being told that the President believes that there are doctors—the generalization was most doctors would require a tonsillectomy for a young person rather than continue treatment of a cheaper kind to take care of sore throats, if we are being told that we have to review the entire health care system of the United States, compare it to Canada, compare it to England, compare it to France, compare it to Sweden, compare it to the ideal, if we are being told that this week we have to make the decision as to whether or not the program we put forward will have government decide whether a 100-year-old woman who is in extraordinarily good health but needs a pacemaker ought to instead be told by the government that merely she should take a pain pill—as the President suggested on television not too long ago—then maybe we owe it to the American people to give ourselves sufficient time. Rather than have some sort of artificial deadline, maybe we ought to take the time to go back to our districts and present the arguments to our constituents and at least give them an opportunity to tell us in our town hall meetings, tell us in our tele-town halls, tell us in our meetings with various groups as to what they think ought to be done.

Why would we have a rush to judgment here, other than the fact that we have an August recess, other than the fact that the President said that we must pass it by a date certain? Shouldn't we take the time to do the work that the American people expect us of, particularly when it deals with something so precious, so personal, so important as their health?

And so I hope that, rather than meet some artificial deadline, we will take the time to allow the American people to see the bill in all of its glory, to see its good points and its bad points, to see whether we ought to change it, alter it in any way, and then come back and make a decision here for the American people. There are very few issues that are as fundamentally important as this issue. Let's make sure we do it right.

HEALTH CARE REFORM

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

Mr. YARMUTH. Madam Speaker, it is an honor for me to take the floor after PATRICK KENNEDY from Rhode Island, who, along with his father, Senator EDWARD KENNEDY, have devoted so much of their careers, their emotions, their passion to resolving the health care problems in this country.

And as we talk about health care and reforming our system, we talk a lot about billions and billions of dollars, we talk about government agencies, we talk about the politics of it, but at its core this issue isn't about any of those things. This is about human beings. This is about men, women and their families and trying to help them deal with health care crises, wellness issues, things that every American has to deal with.

Yesterday, in southern Indiana, right across from my district, a subcommittee of the Energy and Commerce Committee held a field hearing in which we were able to see the face of this issue, three people who came before us to tell their stories about how the health care system in America has failed them.

One of them was a constituent from my district, Patricia Reilling. Patricia is a small businessperson. For 20 years she was insured under a small business policy by the same company. She paid her bills every month religiously. The only claim she ever made was for some pain killers for a back injury. And then, last year she was found to have breast cancer. She had a double mastectomy. She contracted a staph infection while she was in the hospital. And while all that is going on, she received notice from her insurance company that they were not going to renew her policy as of June 30 of this year. She is still fighting that staph infection. She is unable to work. And she is still fighting without insurance because the only insurance available to her now is far beyond her means to pay. She is the real person, and someone whose situation could be replicated in any household across this country if we don't do something about reforming our insurance system.

Another woman who was at the hearing yesterday was Ms. Beaton from Dallas, Texas. Ms. Beaton is 59. She had an individual policy. She also contracted breast cancer, had a double mastectomy, except before she could have that operation the insurance company rescinded her policy, basically said we know we insured you, but because there was a notation in something in a medical chart years ago that referred to a skin issue—namely, pimples—and somebody misinterpreted it as saying it was precancerous, which the doctor denied, we are not covering your cancer treatment. Fortunately, Congressman BARTON from Texas intervened on her behalf and was able to eventually get her policy reinstated. But by the time it was, her tumors had grown by more than 300 percent in size, and the treatment that she got was vastly more complicated and more expensive than it ever needed to be. These are the faces of the insurance crisis, the health crisis that we face, and we have to change our system.

Fourteen thousand Americans lose their health insurance every day. It could be any one of us. And you know what? In that situation that we heard about yesterday, that has recurred. Three insurance companies testified before Congress a month ago; three insurance companies rescinded 20,000 policies over the last 5 years, did what they did to Ms. Beaton. They saved $300 million by doing that, but that was only the cost of the care they denied, the claims they refused to pay, not the prospective cost of covering and treating all of those illnesses, which would have been in the billions of dollars.

So as we debate health care over the next week, over the next few months, let's remember that it is more than about money, it is more than about government agencies, it is more than about process, this is about American human beings and their only simple desire to have quality, affordable care. That is what we are about, and that is what we intend to do.

RECESS

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

Accordingly (at 11 o'clock and 10 minutes a.m.), the House stood in recess until noon.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at noon.

PRAYER

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

How deep are the mysteries and the wisdom of Your presence, O Lord God. How inscrutable are Your judgments and how unsearchable Your ways.

For who knows the mind of the Lord? Or who has ever been Your counselor? Who has ever offered You anything that was not already a gift given by Your creation?

For all is from You, all is because of You, and all is destined for You. To You be all glory, honor and power both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Arizona (Mrs. KIRKPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mrs. KIRKPATRICK of Arizona 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.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. BACA. Mr. Speaker, President Kennedy once said, ''Ask not what your country can do for you; ask what you can do for your country.''

Immigrants take this question to heart. Not only do they ask what they can do for their country, but they also ask what they can do for their communities and for their families as well. Simply put, immigrants are one of the hardest working groups in America, regardless of legal status. Their willingness to work and to gain assimilation into American society and culture greatly benefits our country.

This month in Iraq, 237 foreign-born U.S. servicemembers became citizens of this country. This is a key example of the level of dedication—I state ''dedication''—and service that immigrants give to America.

I urge my colleagues on both sides of the aisle to work with President Obama and with CHC to pass comprehensive immigration reform.

HEALTH CARE

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

Mr. BOEHNER. Mr. Speaker, the Democrats in Congress don't want the American people to see this chart. This is the chart that outlines the Democrat proposal, which is moving through the House of Representatives, that contains as many as 53 new Federal programs, agencies and commissions. That's right. They're trying to restrict Members of Congress from showing this to their constituents. They say it's misleading. Well, there's nothing misleading about it. They just don't want anyone to see it.

Well, here it is. I'm using it. Are they going to turn out the lights? Are they going to turn off the cameras? Why don't they want the American people to see this?

Well, I think the American people deserve the truth about the Democrats' $1.6 trillion takeover of our health care system—more bureaucracy and more taxes, more mandates and more government involvement in your life. Guess what? It also means less jobs for Americans.

According to a model developed by the President's own Council of Economic Advisers' chairperson, this proposal will cost Americans some 5.5 million jobs over the next 10 years. The National Federation of Independent Business says that at least 1 million small business jobs will be lost. Over the weekend, even the Congressional Budget Office made it clear that this will cost low-wage workers an opportunity to get a job.

Listen, after the stimulus hasn't worked, most of my constituents are continuing to ask the question: Where are the jobs? We have a stimulus bill that's not working. We have a national energy tax bill that came through here last month that will cost millions of Americans their jobs. While this will ruin the health care system that we enjoy in America, let's not forget that it will cost us millions of American jobs when most Americans continue to want to know: Where are the jobs?

THE CONSTITUTIONAL AMENDMENT TO BAN THE BURNING OF THE AMERICAN FLAG

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of House Joint Resolution 47. This is the House joint resolution for the constitutional amendment to ban the burning of the American flag.

For 232 years, the Stars and Stripes have been a unique symbol of freedom and democracy across the world. It is the embodiment of all we are and of all we stand for as a Nation. Millions of our young men and women, including my father and uncles, bravely and selflessly defended their country under that flag. Every day, our servicemembers risk their lives in Iraq, Afghanistan and around the globe to protect the ideals it represents.

To burn or to desecrate our flag, even in political protest, is an affront to the men and women who have made the ultimate sacrifice for our freedom and to the many others who have served.

I am proud to be a cosponsor of this resolution. I urge all of my colleagues, regardless of party, to join me.

JOBS FIRST

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

Mr. CANTOR. Mr. Speaker, in these desperate economic times, Congress must undertake all of its actions with a watchful eye toward the effects on job creation; yet this, unmistakably, has not been the case.

From the stimulus bill that just did not get it right, to the cap-and-trade legislation, to now the ongoing effort to pass a health care bill on the backs of small business, the majority has put jobs on the back burner to muscle through an agenda, frankly, that is anathema to the American people. Slapping an additional 8 percent payroll tax on struggling small businesses that can't afford to pay for insurance doesn't create jobs; it kills them. Imposing a 5 percent surtax on small businesses, on America's producers, doesn't hasten our recovery; it prolongs it.

The American people deserve an agenda that puts jobs first. That is why we ask the majority to work with us. Republicans do have a plan that can expand affordable coverage in health care. It will allow you to keep what you have and not do it by squeezing small business.

I urge the majority to begin this with us. Let's start over. Let's get it right for the American people.

CRAFTING BIPARTISAN HEALTH CARE REFORM LEGISLATION

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

Mr. BUTTERFIELD. Mr. Speaker, I am disappointed that our Republican colleagues are refusing to work with us in crafting health care reform legislation.

Yes, you are.

Instead of working with us, you have cranked up your message machine. You have labeled our legislation with every label except ones that are accurate. Most disappointing, Republicans are frightening our seniors with false statements that they will experience a reduction in Medicare benefits. Wrong.

The truth is this legislation would not only maintain important Medicare benefits, but it will enhance them. We cannot afford to continue to do nothing about health care reform. There are 45 million who are uninsured. There are 14,000 Americans who are losing their benefits every day. Employer-sponsored group plans are getting more expensive. They have high deductibles and high copays, and they simply don't provide the security that families need. The cost of family health insurance will continue to rise five times faster than wages.

We must have reform and we must have it now. I urge my Republican colleagues to reconsider their strategy to block this legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to address their remarks to the Chair.

THE TRUE COST OF GOVERNMENT-RUN HEALTH CARE

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

Mr. PENCE. Mr. Speaker, Republicans do support reasonable health care reform that will lower the cost of health care and health insurance for every American family and for every American business, but the Democrat plan for health care reform amounts to a government takeover of health care in this country, paid for with nearly $1 trillion in higher taxes.

The American people know what government-run health care will mean: higher cost, bigger deficits, less coverage, less quality, less choice, and more bureaucracy.

House Republicans have led the fight against this government takeover of health care, and now House Republicans and a handful of Democrats are on the verge of a historic victory for the American people and for our American health care economy, but we need your help.

If you oppose government-run health care, call your Congressman today. If you oppose higher costs, bigger deficits, less coverage, and more bureaucracy, call your Congressman today. If you want real bipartisan health care reform that lowers the cost and that addresses the real needs of our health care economy with American solutions, call your Congressman today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to address their remarks to the Chair.

HEALTH CARE

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

Mr. PASCRELL. Mr. Speaker, I rise today to dispel misinformation that has been propagated about the health care system. I've heard many of my colleagues across the aisle claim that the Democrats' health care proposal will result in rationing. Let's address it.

How many millions of people have put off getting checkups, have avoided doing necessary followups, have delayed needed care or have failed to get the prescriptions their doctors have ordered for them?

Why? Because we ration care every day in this country now. If you want to talk about rationing, listen to these numbers:

Forty-five percent of Americans went without needed care because of costs in this country in 2007. That's rationing. Fifty-three percent of Americans cut back on their health care in the last year because of costs. That's rationing. Between 2000 and 2008, 5 million families filed for bankruptcy because of medical bills. That's rationing. About one-third of the uninsured have a chronic disease. They are six times less likely to receive care for a health problem than are the insured. That's rationing.

As many as 22,000 Americans die each year because they don't have health insurance. My brothers and sisters, that's rationing.

WORKING TOGETHER FOR TRUE HEALTH CARE REFORM

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, we were told time was of the essence when we were considering the economic stimulus package. We were told we didn't have time to waste in passing the President's budget. Yet, despite the hundreds of billions of dollars in additional spending and despite the trillions of dollars in additional debt, we must ask: Where are the jobs?

Now we're told we must rush to pass health care reform, which will cost you more jobs, which will increase taxes and which will put a Federal bureaucrat between you and your doctor.

House Republicans believe in true health care reform that will reduce skyrocketing health care costs while protecting that very special doctor-patient relationship. True reform must make health care more affordable by reducing costs by rooting out waste, fraud and abuse and by reining in frivolous lawsuits that cost families millions of dollars each year in higher premiums—true health care reform that challenges Americans to be healthy and to invest in health information technology.

Let's take the time, and let's work together to get the right prescription for health care reform.

THE AMERICAN RECOVERY AND REINVESTMENT ACT IS STABILIZING THE AMERICAN ECONOMY

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

Mr. ALTMIRE. Mr. Speaker, the Dow is back over 9,000, and new housing starts have seen their largest monthly increase in 9 years. While, overall, the Nation's financial indicators remain mixed, there is a growing body of evidence that the American Recovery and Reinvestment Act has helped stabilize our economy. Because of the stimulus, more than 95 percent of American families have seen their taxes cut, and 51 million seniors and veterans have received their $250 relief payments in the mail. More than 38,000 stimulus-funded projects are already under way, many of which have come in under budget.

The American people can visit recovery.org to see how every penny has been spent. Only 4 months into the 2-year recovery package, already we are seeing results. While the road to recovery is long, we have clearly taken the first steps, and we are finally headed in the right direction.

□ 1215

HEALTH CARE AND NEW JOBS

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

Mr. CARTER. Mr. Speaker, the Speaker of the House got up and said, jobs, jobs, jobs, jobs. That was when we were dealing with what they call the National Energy Tax. We called it cap-and-tax. But what was the reality? That particular bill passed by the Congress will result in job losses of 2.3 million to 2.7 million. It's predicted by 2035, 1.38 million manufacturing jobs will go overseas.

The number of job growths created by the Democrats thus far? Zero. None. What jobs was she talking about? Her job? We don't know. But we haven't seen the jobs. Where are the jobs?

And now we're looking at a health care plan which experts tell us between 4 million and 6 million more jobs will be lost and there will be no reduction in the cost to the American people. Let's get a health care plan that works and let's ask again, and again, and

again, Madam Speaker, Where are the jobs?

PASS HEALTH CARE REFORM

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

Mr. MURPHY of Connecticut. Mr. Speaker, we're going to hear a lot of rhetoric on this House floor and throughout this city of why we shouldn't do health care reform, but we don't have to listen to people here in Washington, D.C. We need to listen to our folks at home about why we need to pass health care reform.

I recently was contacted by a woman from Waterbury, Connecticut, who suffers from type 2 diabetes. She worked her entire life, paid her bills, mortgage, did everything right. But now she's on COBRA and is about to lose it. Even though her diabetes is under control, every company refuses to insure her based on her preexisting condition.

She knows that getting sick and ending up in the hospital could put that home that she worked so hard for in jeopardy; and she writes to me, Somebody has to stop the insurance companies from making decisions regarding life and death.

Mr. Speaker, doing nothing here in the House of Representatives as our friends on the Republican side would like says to her that her situation is unsustainable, she has no way out. We need to pass health care reform to answer her and the thousands of constituents in each one of our districts just like her.

NO MESSAGE MACHINE

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

Mr. DREIER. Mr. Speaker, it's absolutely outrageous to say the Republicans want to do nothing on health care reform. We want to expand medical savings accounts; we want to do everything we can to build associated health plans so that small businesses out there working and struggling trying to create jobs in the private sector can come together and, in fact, purchase health insurance for their employees. We want to do everything that we can to allow people to, on the Internet, purchase health care insurance across State lines.

The fact is, it's no message machine or talking point to realize that the Congressional Budget Office has said that contrary to Speaker PELOSI's line, This is going to dramatically increase the cost of health care, and Robert Samuelson, no Republican he, in The Post yesterday said, If you listen to President Obama, his reform will satisfy most everyone. It will insure the uninsured, control runaway health spending, subdue future health budget benefits, preserve choice for payments and include quality of care.

He said these claims are self-serving exaggerations and political fantasies.

SYNIVERSE TECHNOLOGIES AND WELLNESS

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

Ms. CASTOR of Florida. Mr. Speaker, through health care reform, we're going to ensure that families are healthy and that we put money back into their pockets. And here's a great example:

Yesterday when I was home in Tampa, I paid a visit to Syniverse Technologies, a global communications firm that employs 650 people. We unveiled Syniverse's new onsite health clinic and wellness initiative. The workplace clinic is staffed with a medical assistant and a nurse practitioner, and employees love it.

The Syniverse team explained that they expect to save $1 million over the next 5 years due to the convenient clinic and their wellness initiative that encourages employees to lose weight, stop smoking, and lead healthier lives.

Syniverse employees don't have to miss work for doctor's appointments or to run to the drug store for simple prescriptions. They can bring their families there with no copay. It is smart, it is convenient and less expensive for employees, and it's smart for the companies because the employees will be more productive. Syniverse expects lower health insurance costs because the company's employees will be healthier.

One of the goals of the Democratic health care reform is to encourage these innovative community clinics and wellness initiatives for families and businesses so that health care is more convenient and it's more affordable for others.

DEMOCRATS' HEALTH REFORM PREDICTS A DANGEROUS OUTCOME

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

Mr. SESSIONS. Last week I came to the House floor to discuss how this Democrat Congress is bankrupting America. They continue to force massive spending through this body that has led to record unemployment and record deficits for America. Well, they're set to do it again this week with health care reform.

Three years ago, Massachusetts set out to accomplish universal coverage just like what the Democrats want to do for all of America. So far, the facts are plain. Insurance prices are higher than expected, safety net hospitals are struggling more than ever, doctors cannot keep up with the increased demand, and some people without insurance still cannot afford care.

The State legislature is already exploring options for rationed care to control health care spending, which, in Massachusetts, is 25 percent higher than the national average. This is a dangerous precedent to follow.

Many in Massachusetts are still uninsured, costs are skyrocketing, and the State is going bankrupt.

Mr. Speaker, not a good prescription for America.

HOPE IS ON THE WAY

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

Mr. KAGEN. Mr. Speaker, I rise today to remind everyone on both sides of the aisle, whether you're Republican, a Democrat, a Libertarian or an Independent, that hope is on the way.

We have some things we can agree upon. Isn't it a fact that we all agree that it's time to end discrimination in health care where insurance companies are allowed to discriminate against you because of a preexisting condition? I think it's time.

We secured equal treatment at the lunch counter 50-some years ago; and this year, we're going to come to some agreement here in the House to end the discrimination in health care and bring equality to the pharmacy counter as well. We can all agree it's time to end the discrimination in health care due to preexisting conditions, to pass a bill that has a standard plan, an insurance plan that includes all Americans, a standard plan that each and every insurance company must sell to any citizen throughout the land.

In this House, at this time, we can agree on these things.

CHANGE HEALTH CARE SYSTEM INTERNALLY

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

Mr. BLUNT. Mr. Speaker, the gentleman is exactly right: there are things we can agree on. In fact, there are things we have already agreed on. The minority has never reached out on issues to the majority more aggressively than on this one, where we have said we want a plan where everyone has access regardless of preexisting conditions. We want more competition and more choice that we believe will impact price. We are not satisfied with the current system.

Internally, we think you change this system by medical malpractice reform, by more health IT, by more transparency of both results, cost and care. Those are the principles we ought to be advancing.

The administration insists that this be done their way. We are not for government takeover of health care. We're for a system that works better for the American people, and we stand ready to work together to make that system happen.

U.S. AND THE WORLD EDUCATION ACT

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to urge my colleagues to support the U.S. and World Education Act which I will be introducing today. My bill addresses the critical need to raise student achievement levels in the national education arena which is vital in order to compete in a world that is rapidly changing.

My bill will raise the international education competence and literacy levels of elementary and secondary students. My bill will also create an international education research repository which will greatly enhance the international education curriculum taught in our schools as well as teaching methods.

I firmly believe that our schools today do not focus enough on preparing our youth to interact and to communicate with other countries and cultures. And given the current economic crisis, future generations must be equipped with a skill set that will help them to excel academically and contribute to our Nation's economic recovery.

I urge my colleagues to cosponsor the U.S. and World Education Act.

GOVERNMENT SHOULD NOT COME BETWEEN DOCTOR AND PATIENT

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

Mr. LEWIS of California. Mr. Speaker, excellent health care begins with a great personal relationship between a physician and his or her patient. Government should not attempt to get between them. America has a health care delivery system second to none. Problems such as portability and covering preexisting conditions can be underwritten actuarially without throwing out a system that works for the vast percentage of Americans.

Every American family knows excellent care does involve some costs. While we pay our doctors fairly for their service, government should not get in the way.

NOW IS THE TIME

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

Ms. WATSON. Mr. Speaker, I'm so excited because now is the time for America's health insurance reform, and we got a report on Friday from the CBO that affirmed that the insurance reforms in our bill are deficit-neutral over the next 10 years and will even create a $6 billion surplus. More than 80 major groups have already expressed support for America's Affordable Health Choice Act, including the American Medical Association, AARP, Main Street Alliance—and it's a small business group—and numerous medical specialty groups.

I just spoke to 3,000 members of the National Medical Association. I went through the outline of our bill and there was no question that I could not answer for them and they are 100 percent supportive of it.

We need a uniquely American solution.

THE AMERICAN PEOPLE DESERVE A BIPARTISAN APPROACH ON HEALTH CARE

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

Mr. WILSON of South Carolina. Mr. Speaker, the House Democrat leadership remains opposed to working in a bipartisan effort to cure what ails our health care system. This is unfortunate because this has caused bipartisan opposition to their Big Government, job-killing, debt-producing, tax-hike health care plan. The American people deserve better to create jobs.

The American people know better than to believe that the government is best to run our Nation's health care system or keep costs down. The Democrat plan does not lower the cost of health care. It just raises taxes on small businesses and cuts Medicare by half a trillion dollars. Those tax increases and Medicare cuts do not even cover the costs producing an estimated $239 billion more added to the deficit. Taxing small businesses and knocking seniors off their current health care plan is no way to reform health care.

Republicans stand ready to work with our Democrat colleagues to develop commonsense reform.

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

UNIQUE SOLUTIONS TO HEALTH CARE

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

Ms. HIRONO. Mr. Speaker, we've been grappling with how to provide all of our citizens with access to affordable, quality health care since President Truman's time. With health care costs being 18 percent of our GDP and growing and 47 million uninsured, we need to take action now. My Education and Labor Committee spent 22½ hours in a 24-hour period debating H.R. 3200, a historic bill.

In 1974, the State of Hawaii enacted historic legislation of its own called the Prepaid Health Care Act. This law requires employers to provide health care coverage to full-time employees. After 35 years, the Prepaid Health Care Act remains the only employer mandate law of its kind in our country.

An economist at the University of Hawaii estimates that per capita, health expenditures in Hawaii have been about 7 percent lower than the national average. The economist believes that Hawaii's wider health insurance coverage and support for preventive health care led to this outcome.

Hawaii's Prepaid Health Care Act has been the major driver in the health and well-being of our residents.

HEALTH CARE

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

Mr. PITTS. Mr. Speaker, with Congress deep in negotiations over the substance of health care reform, I'm increasingly concerned about the President's recent unhelpful remarks.

In his remarks last week, he maintained that a pediatrician treating a child with a recurring sore throat may recommend removing tonsils merely to increase the reimbursement from an insurance company. To insinuate that doctors are ordering unnecessary surgeries on children for a few more dollars in reimbursement is deeply offensive to millions of doctors who work each day to help us raise healthy children. Over the weekend, I was approached by several constituents in the health profession who said those remarks were insulting to them.

I worry that the President may have an unrealistic view of the medical community and the overwhelming and vast number of hardworking doctors and nurses that are concerned first with the health of patients. While we're not trying to do nothing, we're not arguing for the status quo. As we reform our health care system, we should be careful. We're not trying to fix some things that aren't broken and in the process break other things that currently work for millions of American.

□ 1230

HEALTH CARE REFORM FOR OLDER AMERICANS

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

Mr. MAFFEI. Mr. Speaker, earlier today I welcomed to the Capitol Dr. Sharon Brangman from my district, who was recently named the next president of the American Geriatrics Society. This morning she told me and other Members how physicians who work with the elderly are spending an overwhelming majority of their time providing primary care often without appropriate compensation through the current Medicare formulas. The extra year of training and additional expertise actually mean less pay, which is one of the reasons why we have an acute shortage of geriatricians in America.

Mr. Speaker, baby boomers entering into the later stages of life will cause America's older population to double in the next few years. We must reform our health care system to adequately compensate doctors for providing preventative and coordinated care to patients in every stage of life. If we do it right, it will save money because many superfluous and harmful treatments will be eliminated and seniors will not only live longer but better lives.

HEALTH CARE BILL AN IMPEDIMENT TO JOB CREATION

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

Mrs. MILLER of Michigan. Mr. Speaker, many of my Republican colleagues and I have been coming down to this floor and asking the question, where are the jobs? Because the stimulus package has failed to deliver on the promise of 3 million jobs that it said it would, and instead our economy has actually lost over 3 million jobs.

And now we will soon be asked to vote on a health care reform package that places even more hurdles to jobs and growth of job creation. The health care plan being debated puts an onerous new tax on individuals and small business job creators through a surtax on income. It adds a new 8 percent tax on payrolls for companies that don't provide health care, Mr. Speaker.

Does anyone actually believe that the addition of this new tax will encourage job providers to either raise their workers' pay or to create new jobs when both of these actions actually lead to higher taxes?

In the rush to pass the stimulus, the Democrats put $1 trillion of new debt on our children and on our grandchildren and did not create the jobs that we need. In our rush to pass a new health care bill, we will now put new hurdles to job creation and economic growth.

Where are the jobs? Clearly not in this new health care package.

THE RECOVERY ACT IS WORKING

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

Mr. SCHRADER. Mr. Speaker, for the past couple of weeks, Members from the other side of the aisle have come to the floor, as we have heard today, and rhetorically asked, where are the jobs? Assertions have been made the Recovery Act was ineffective and hasn't created any jobs. Well, that simply isn't the case in my district. I would like to give one example, Mr. Speaker.

As Oregon families prepare to send their children back to school, let's talk about what the recovery dollars are doing in our local school districts, often the heart of our communities. In my district, recovery funds are saving the equivalent of 145 teaching and support jobs in one school district alone, the Salem/Keizer School District, in the 2009–2010 school year. These are positions that would have been eliminated without this critical funding and are crucial to the core academic growth and development of our students.

These same recovery dollars are also preventing the equivalent of a districtwide, class-size increase of 2½ students and preventing an 11-day reduction in the school year. Money well spent.

We don't spend enough time in this building talking about the jobs that are saved and families that are benefiting from these recovery dollars. Without the recovery package, more teachers would have lost their jobs and our students would have suffered.

SITTING ON THE SIDE OF THE ROAD

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

Mr. POE of Texas. Mr. Speaker, Sammy Mahan is a small business entrepreneur. He owns and operates Sammy's Wrecker Service in Baytown, Texas. He owns 7 trucks, employs 5 drivers, a dispatcher, and people who work the wrecker yard. His drivers work on a commission, and he cannot afford to furnish them health insurance.

He told me how the new government health care plan that mandates employers provide employee health benefits would affect him. Leaving out his colorful language, he said, ''I am worried to death. This government health care bill and the new taxes on energy and small business will ruin me. I will have to lay off my drivers. They're all young, some with young families, and then they will have no jobs. I will be the lone survivor of the business. Then I won't be able to sell the wreckers I can't use. Who would buy them? I will be putting the trucks on the side of the road next to the kids who have signs saying 'free kittens' and offering 'free wreckers.' ''

Now, Sammy has a point. The government-run health care plan will cost jobs and put workers on the street or, shall we say, sitting on the side of the road.

And that's just the way it is.

THE GENOCIDE IN THE DARFUR REGION

(Ms. MOORE of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to draw awareness to the unconscionable human tragedy that is still taking place in the Darfur region. It has been 5 years since the United States Congress declared genocide in Darfur, but thousands continue to perish.

Today I join activists in 34 countries who started fasting in April when eight organizations were kicked out of Darfur by the Sudanese President, leaving 1.1 million innocent civilians without basic access to food, water, and medicine.

From sunrise to sunset today, I will consume only water to demonstrate solidarity with the people of Darfur. It is an insignificant act relative to the magnitude of the tragedy unfolding there. But I join thousands in this simple act and hope that a critical mass will prick our global consciousness, keep us focused on the hundreds of thousands who have lost their lives.

I especially want to thank the Plymouth United Church of Milwaukee, Wisconsin, members of the Faith Darfur Coalition, who are joining me today.

My fast won't stop the tragedy unfolding in Darfur, but I hope it will carry me deeper into thought and to help me reflect on how to end this tragedy.

DON'T RUSH HEALTH CARE; GET IT RIGHT

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

Mr. PAULSEN. Mr. Speaker, health care is one of the most important issues that Congress will address this year. We need to make sure we take the time to get it right.

However, congressional leaders have other plans. Rather than taking the time to get it right, they want to spend another $1.6 trillion on a government health care plan that includes $500 billion in cuts in Medicare for seniors. And regardless of any arm twisting, no one can change the fact that this plan will slide our Nation deeper into debt. In fact, just 2 days ago, the nonpartisan Congressional Budget Office ascertained and confirmed that the proposed health care plan would cause a massive spike in the Federal budget deficit, adding as much as $1.6 trillion over the next 10 years.

Mr. Speaker, more runaway deficits are something that Americans cannot afford. Let's reform our health care system the right way without raising taxes on small business and without adding new debt on our children and our grandchildren.

HEALTH INSURANCE REFORM

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

Mr. ELLISON. Mr. Speaker, the time is now. Members on the party opposite say we need more time, slow down.

But what about six decades of demanding that we fix health care in America? What about the 45 hours of bipartisan debate in three separate House committees on this legislation? What about the 79 House hearings that we've had? What about those people who today face being turned down because they have a preexisting condition? What about those folks who got a

$10,000 deductible and who are being told that they have got to spend up all that money just to get procedures to maybe perhaps deal with a bladder infection or something like that?

The time is now. The fierce urgency is now upon us. Mr. Speaker, let those who want to delay the care and well-being of others do something else. But for us who care about and have heard the calls of the people, let's pass health care now.

MAKING AMERICANS COMPETITIVE AGAIN

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

Mr. BOUSTANY. Mr. Speaker, this week congressional Democrats will continue to try to rush through a sweeping overhaul of American health care. And this follows the President's expensive stimulus plan currently mired in bureaucracy that has not prevented a national recession despite his pledge to save or create 3.5 million jobs. So, Mr. Speaker, I ask President Obama, where are those jobs?

Now their plan for health care overhaul includes a government-run bureaucracy that would put red tape between patients and their doctors. Far too often patients in our current government-run programs lack real access to a doctor, leaving them no recourse other than to seek emergency room care. Now Democratic proposals suggest lumping millions more Americans into these government-run systems to somehow improve the quality of care. This defies common sense. Instead, health care will be delayed and rationed, leaving millions of Americans without access to a doctor or quality health care.

Republicans have a plan to reduce health care costs for families and businesses and taxpayers and also maintain quality, and that's the best way for Americans to be more competitive and to spur job creation.

HEALTH CARE REFORM AND THE INSURANCE INDUSTRY

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

Mr. McDERMOTT. Well, Mr. Speaker, we're being treated today to the mass choir from the insurance industry telling us that we must be afraid and we must go slowly. They've been singing that song since 1935, and we have been trying and trying and the American people are deeper and deeper and deeper in trouble.

Now the insurance choir is really worried, Mr. Speaker, because if we got a public option, they'd have to compete, and they can't stand it.

For the last 12 years or 15 years since Mr. Clinton tried to bring us health care, they have done nothing, not one single thing. They ran the House for 12 years. Not a single proposal, not a single time did they come out here with any way to deal with the people who don't have health insurance. And now we come with a public option and they say, Oh, God, wait, wait, folks, don't be afraid, we will get to it some day.

Now is the day.

THE DEMOCRATS' HEALTH REFORM PLAN: A TRILLION DOLLAR GOVERNMENT TAKEOVER OF OUR NATION'S HEALTH CARE INDUSTRY

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

Mr. COFFMAN of Colorado. Mr. Speaker, it is unconscionable that Democrat leaders have put forth legislation under the guise of health care reform that will result in the direct loss of 5 million jobs from crippling new pay-or-play taxes on small businesses.

Our economy is hurting, and Congress should be creating jobs. The Democrats' health care proposal will do the exact opposite. It will take away jobs.

The Democrats have chosen to try to fund a trillion dollar government takeover of our Nation's health care industry in the midst of the worst recession in half a century. Worse than that, they have chosen to make small businesses, long the lifeblood of our economy, bear the brunt of these costs.

The simple fact is that the Democrats' rhetoric is deceptive. It does not match the legislation they have proposed. They use words like ''reform'' and ''choice,'' but all their plan does is tax and spend to fund new government mandates.

Mr. Speaker, my Democrat colleagues are presenting the American people with a false choice by comparing their proposal with the alternative of doing nothing.

We deserve better. We deserve real reform.

THE HEALTH CARE REFORM PLAN AND WHY WE NEED IT

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

Mr. MORAN of Virginia. Mr. Speaker, I can understand why our friends and colleagues on the other side were very much concerned over the cost estimate that the Congressional Budget Office came up with for this health insurance plan. But there are some things in the CBO report that we also need to be aware of.

First of all, over the next decade, there will actually be a $6 billion surplus. So in terms of adding to the deficit, it doesn't. It actually adds a surplus. But they also estimate that only about 3 percent of Americans will actually choose the public option. So 97 percent of Americans will continue to be in their private plan. They also estimate that the amount of employer-provided coverage is going to increase. So this is hardly some kind of socialized government takeover of health care when 97 percent will continue to be insured by their own employer.

Now, the real reason why I think this needs to be done is that health insurance premiums have gone up by 3 fold in the past 9 years. And that is why we need health care reform.

□ 1245

WHERE ARE THE JOBS?

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

Mr. REHBERG. Last week, I joined my colleagues on this floor asking an important question: Where are the jobs? Well, I have found more than 1,300 of them shipped to South Africa and Russia.

General Motors, the company that took millions of tax dollars to save American jobs, recently canceled its contract for domestic palladium with the Stillwater Mine in Montana. Why? Because our environmental laws and regulations are higher, our wages are higher, and our safety laws make domestic palladium a little more expensive in the United States.

So GM, that is ''government motors'' these days, chose to buy its palladium from mines in South Africa and Russia, mines that pollute the environment and treat workers unfairly. Just this month, an accident in South Africa killed 61 miners.

The government owns GM and could prevent this, but the President's car czar sees no problem sending U.S. jobs to Russia. Maybe that is why he is called a czar.

BROKEN HEALTH INSURANCE SYSTEM NEEDS REFORM NOW

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

Ms. GIFFORDS. Mr. Speaker, I rise today to address our single most important domestic issue that faces our country, reforming our broken health insurance program.

We spend too much, we receive too little, and we are left worrying that the insurance that we have won't be enough. Nationwide, premiums have doubled in the last 9 years, increasing three times faster than real wages.

Arizona's Eighth Congressional District is especially burdened. In 2008, we had over 950 personal bankruptcies due to health care problems.

We can't perpetuate the status quo. Arizonans need reform that protects us from being denied coverage based on a preexisting condition. We need reform that guarantees care if we lose our job or move. Arizonans need reform that

fosters competition and delivers us, the customer, the lowest cost and the best service. Arizonans need reform that puts the power back into the hands of patients and doctors.

Mr. Speaker, we can do this, and we must do this. If you like your plan, you should be able to keep it and your costs should go down and not up. There are savings to be had in our current system, and we must focus on squeezing out every drop.

TORT REFORM NEEDED TO PRODUCE HEALTH CARE SAVINGS

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

Mr. ROYCE. Mr. Speaker, tort reform would create tens of billions in health care savings. There is no reform of the insane cost and arbitrary rewards of our malpractice system in this bill, because lawyers on the other side won't allow that in the bill.

Instead, according to the Congressional Budget Office, we have the Democrat proposal, with its public option, which will increase costs in excess of $1 trillion and will cover millions of individuals here illegally, which will drive additional illegal immigration and will drive future costs for health care in this country.

With the subsidized public option and existing businesses shifting out of their current plans into this subsidized public option, as many as 114 million individuals could lose their current insurance, leading to Federal bureaucrats, not patients and doctors, making important decisions about their treatment options.

I urge we revisit this proposal.

PROVIDING ADEQUATE HEALTH CARE

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

Mr. POLIS. Mr. Speaker, I rise today to talk about one of the most important reasons to pass Obama's health care plan, and that is the current discrimination that Americans with preexisting conditions face.

Through no fault of their own, perhaps because of a genetic disability passed through by their parents or a childhood disease or a disease later in life, many Americans are uninsurable or only insurable at a very high rate.

That is fundamentally unfair. America is a fair country. We should only have to be responsible for actions that we undertake. Most Americans who suffer from preexisting conditions suffer those because of no fault of their own. It is not fair to make them or their employers pay more simply because of a preexisting condition. This could be you. This could be your son or daughter. This could be any of us who suffer from preexisting conditions.

What the Obama health care reform plan does is it pools the risk together and prevents discrimination against those who, through no fault of their own, have a preexisting health care condition and ensures that they, too, have access to adequate health care.

HEALTH CARE REFORM WITHOUT GOVERNMENT CONTROL

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

Mr. CHAFFETZ. Mr. Speaker, the United States has the best health care in the world, but if you don't have insurance, you have that sinking pit in your stomach that is scary. It is very scary.

But I think I feel like most Americans. I want insurance that I can own. If I lose my job or move to another job or my job leaves me, I want to be able to make sure that I have something that is portable. I am willing to pay my fair share. I want to be able to be covered for catastrophic events.

But I also want to make sure that others pay their fair share. I want to find insurance, even if I have a preexisting condition, and I want the freedom to choose the insurance that best fits our family's needs.

But, most of all, I don't want a Washington, DC, politician making decisions that should be made between my wife and our doctor. When our sons or daughters need help, I don't want somebody in Washington, DC, to deny it. If my mother or father needs help, I don't want to wait for a government bureaucrat to decide whether or not they are going to be cared for.

In other words, we must stop the government takeover of health care. We need reform, but we don't need more government.

PROVIDING QUALITY HEALTH CARE

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today because, for six decades, we have debated about how to fix health care reform, and now it is time to stop the debates, the denials and the deceit.

We have a uniquely American solution that includes a robust public plan that will lower costs, increase coverage and provide quality care. And for the American people, let's repeat that again: lower costs, increased coverage and provide quality care.

This is really just about what the insurance companies want to fight. Everybody watching the daily news, the evening news, knows that to be true, and the insurance companies will pull no stops to try to defeat health care reform, but we are not going to let them.

Premiums for Americans have doubled in 9 years, three times faster than wages. An American family pays an extra $1,100 a year in premiums. It is time for that to stop. Each day, 14,000 people lose health care, and today 60 percent of small business owners, their workers and families have no health care. That is 28 million Americans.

So we can create a plan here that eliminates copays, eliminates the high cost of deductibles for preventive care, caps out-of-pocket expenses and ends the discrimination against preexisting conditions.

WHERE ARE THE PROMISED JOBS?

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BROWN of South Carolina. Mr. Speaker, August will be 6 months since the signing of the administration's so-called stimulus plan. Since February, we have been waiting for the jobs that were promised with this bill. We have been waiting so long that my constituents in South Carolina are beginning to wonder if they will ever come.

The President insisted that to save or create up to 4 million jobs, Congress must support this stimulus. Unfortunately, today we continue to lose jobs and pass legislation that will further increase unemployment around the country.

We were told by experts in the administration that unemployment would peak at 8 percent, but, as we all know, national unemployment is now at 9.5 percent. In my home State of South Carolina, it is over 12 percent.

It is a shame that while my constituents are desperately waiting for jobs, the Democratic leadership has made job creation second after bigger government, more borrowing, and ever-increasing spending. They must join Republicans in making our number one priority getting America back to work. My constituents are getting tired of waiting. Where are the jobs?

HEALTH CARE REFORM URGENTLY NEEDED

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

Mr. GENE GREEN of Texas. Mr. Speaker, our country urgently needs health care reform. Health insurance premiums have more than doubled in 9 years, growing three times faster than our wages. The average American family pays an extra $1,100 per year in premiums to support a broken system, and we still have 47 million people uninsured. Soaring costs have harmed competitiveness with American businesses in the global economy. I know in my own district, I had one company say they moved part of their production to the Netherlands because health care was cheaper in the Netherlands than it was in the United States.

For six decades America has tried to debate what we can do to fix this broken system. We have had 45 hours of bipartisan debate in three separate

House committees and 79 House hearings on health care reform in just over 2 years.

If you have Medicare or employer-based insurance, you shouldn't be affected. You will have real choice. You will have the freedom to choose your insurance. If you don't have employer-based insurance, then we need you to have an option, and today you don't have that option.

ACHIEVING MEANINGFUL HEALTH CARE REFORM

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

Mr. WITTMAN. Mr. Speaker, as I traveled throughout my district this past weekend, from Middlesex to Caroline to Fredericksburg, the one thing I heard from folks is they are deeply concerned about the health care reform package that we have before us.

They said, ROB, we see that there is a problem and we need to do something, but we need to do the right thing. We need to take the time to make sure that we craft solutions that control costs, that maintain the relationship between patients and their doctors, to make sure that we keep what is good and what works about this system and we work on those things that are broken.

I hear many ideas from both sides of the aisle that I think accomplish that, and I think it is high time for the majority to make sure that they incorporate ideas from the minority which I believe we have in common to make sure we come up with reasonable, practical, workable solutions for the American people to make sure that we have that access to quality health care reform here in the United States that I know we can achieve.

MAKING TOUGH DECISIONS ON HEALTH CARE

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

Mrs. CAPPS. Mr. Speaker, CBO projects that the public plan option would likely attract around 10 million patients. That certainly puts to rest the assertion that private insurance would go out of business.

Not surprisingly, the estimates that opponents of the public plan are citing to prove their mistaken point were arrived at by the Lewin Group. Guess who owns the Lewin Group? An insurance company.

I urge my colleagues to stop repeating the false message of the health insurance industry. The insurance industry opposes a public option because they know it would force them to be honest, to keep their premiums down for patients.

I urge my colleagues to pay attention to the facts, not the rhetoric, and I urge you to join me in reiterating our strong commitment to true health reform. Let's pass a bill with a strong public option before we adjourn.

We were elected to make tough decisions and take important votes. We must fulfill this obligation.

ASKING FOR JOBS TODAY

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

Mr. LATTA. Mr. Speaker, America and Ohio are hurting. Ohio has an unemployment rate of 11.1 percent. My district, the Fifth District, is the number one manufacturing and number one agricultural district in the State of Ohio.

One of my counties, Williams, has an unemployment rate of 11.6 percent. I was up there this past weekend and the people were all asking me the same question: Where are the jobs? Where are the jobs? They want jobs today.

The President said this past year that with the stimulus bill, America wouldn't have an unemployment rate of 8 percent. Now it is 9.5 percent. Ohio is 11.1 percent. Since January, America has lost over 3 million jobs. Three million jobs.

This last month, the Democrats passed the cap-and-tax bill. It is estimated it is going to cost millions of American jobs. Millions. Now the Democrat House bill that is before us on health care could cost over 5 million jobs. Five million jobs.

My folks are scared, and they want to know where the jobs are.

Mr. Speaker, we ask for jobs today.

PROVIDING HEALTH CARE THAT AMERICANS NEED AND DESERVE

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

Mrs. CHRISTENSEN. Mr. Speaker, we Democrats have been explaining the health care bill, but our colleagues on the other side of the aisle seem not to have heard. The truth about our bill is that it does not create a government-run health care system. Instead, there is one public plan. Individuals and families can keep the plan they have, or they are free to choose—free to choose—the public plan or one of the private plans in the exchange.

As a doctor, I support the bill, and I want it passed out of Energy and Commerce this week because it gives family doctors like me the support we need to spend time listening to our patients and managing their care. It actually removes the barriers between doctors and their patients.

For those in this country who have never had full access to quality and comprehensive care, we welcome the bill, even though we know it will cost a lot to begin to close the health care gaps that our dysfunctional system has created. We cannot afford not to do it. Lives are at stake. There are enough savings in this bill from prevention to help pay for it.

To everyone who is holding this bill hostage, please get out of the way and let us pass H.R. 3200 so that everyone in this country can have the health care they deserve and they need.

□ 1300

CALLING ON DEMOCRATS TO WORK ON A BIPARTISAN HEALTH CARE ALTERNATIVE

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

Mr. LANCE. Mr. Speaker, for the second time this month, nonpartisan congressional budget analysts have told Congress the Democratic health plan would increase, not decrease, our Nation's burgeoning long-term health costs. On Saturday the Congressional Budget Office said the proposal to give an independent panel the power to keep Medicare spending in check would, in reality, save almost no money. The bill's proponents had touted the panel as critical to pay for the massive $1.5 trillion health care legislation. CBO's recent analysis comes on the heels of an earlier budget report, showing that the Democratic health care proposal would add to our already tremendously growing debt of $11 trillion and rising.

I once again call upon the Democratic leadership to put aside its proposal and work with the centrist Republican Tuesday Group on an affordable and effective alternative that we have proposed in good faith.

ONE OF THE GREATEST BENEFITS FOR SMALL BUSINESS IS HEALTH CARE REFORM

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

Mr. YARMUTH. Mr. Speaker, one of the myths that's being perpetrated by those who are trying to stop health care reform is that this is going to be somehow dangerous to small businesses. Well, small businesses know what it is to feel the pain of the dysfunctional health care system. They know that 60 percent of their owners and workers and their families are uninsured. They know that their premiums have gone up 129 percent in just the last 9 years. They know that they pay 18 percent more in premiums and their deductibles are twice as much as somebody working for a large firm.

Our reform measure creates competition so that small businesses have the same bargaining power, the same opportunities as the largest companies in this country to provide health care for their families and their owners.

We also know that we're providing a tax credit to help those small businesses do what they want to do, which is to provide their employees with health care.

So forget the myths. Rely on the facts. This is one of the greatest benefits for small business that we could

possibly provide, helping them help their families and their employees provide stability in their health care situation.

WHERE ARE THE JOBS?

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

Mr. AUSTRIA. Mr. Speaker, as I travel across my district, whether I'm talking to our good farmers, small business owners or manufacturers, what they're asking me is, What are you doing to bring back jobs to Ohio? What are you doing to save jobs? What are you doing to turn this economy around?

Mr. Speaker, the stimulus bill certainly has not yet improved our economy. This chart next to me shows what the administration projected would happen with unemployment numbers as a result of the stimulus. And what's really happening, as you can see, the dark line is what would happen with the stimulus package; the light line without the stimulus package; and most importantly, this dotted line, which is what's really happening and that is skyrocketing unemployment.

In Ohio our unemployment rate has reached 11.1 percent in June, the highest it's been in decades; and this is unacceptable. Now if we don't do this health care reform package correctly, it could hurt small businesses and may cost jobs. We're going in the wrong direction.

Mr. Speaker, I ask you, Where are the jobs?

WE MUST PASS HEALTH CARE REFORM NOW

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

Mr. LEWIS of Georgia. Mr. Speaker, I rise today because we cannot wait another moment to pass health reform. We need health care, and we need it now. The American people cannot wait. Health care delayed is health care denied. It is our moral obligation to lead the way. Every day that we wait, 14,000 Americans lose their health insurance. People losing their health, their homes or their very lives because our health system does not work for them. This is not right. It is not just. It is not fair.

And we can do better. We can do much better. At the March on Washington 46 years ago, I said, ''They tell us to wait. They tell us to be patient.'' We cannot wait. We cannot be patient. I say, today, we want health care reform, and we want it now. We must answer the call of history and pass health care reform, and pass it now.

100,000 SUPPORT HOUSE RESOLUTION 615

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

Mr. FLEMING. Mr. Speaker, a couple of weeks ago I launched House Resolution 615 that simply says that if you vote for a government-run system, you should be willing to sign up for it. So far I've had a number of Republicans sign up, but not one Democrat. Since launching H. Res. 615 that calls for Members of Congress to sign up for government health care if they vote for it, it has received tremendous grassroots response. We now have over 100,000 Americans who have signed up in support, and the signatures represent all 50 States with supporters of the bill adamant about its demand for accountability of congressional lawmakers to the people.

This message has resonated across America for one simple reason, and the people of this country are sick and tired of being the victims of bad laws while their elected Representatives are exempt from the same laws. It is obvious that nobody in Washington wants for themselves a bureaucrat standing between them and their doctor, nor an expensive, inefficient health care delivery system, and certainly not to be abandoned when thought to be too sick, too old or too expensive to care for.

So why should Americans? I ask that Americans continue to hold us accountable by signing up to support House Resolution 615 by going to my Web site at fleming.house.gov.

YOU CAN'T BEAT SOMETHING WITH NOTHING

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

Mr. INSLEE. Mr. Speaker, our current health care system—and it really is not a system—is not up to the standards of America. I want to address the issue of cost. Our wages have been going down a black hole of health care costs. Health care costs are rising two to three times faster than our wages. If we want to know why we're having trouble making ends meet, it's because our money is going into health care much faster than our wages are improving.

Now what does the other party have to solve this problem? Nothing. We are offering some suggestions on ways to have higher quality health care costs, reduce the cost, and reduce the rate of medical inflation. There is one principle that we ought to have on a bipartisan basis: you can't beat something with nothing. I am encouraging our Members across the aisle to join us to bring change to this system so we can restrain the rate on medical inflation and pass health care reform.

NO LOAN GUARANTEES TO CONSTRUCT THE AMERICAN CENTRIFUGE PROJECT IN PIKETON, OHIO

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

Mrs. SCHMIDT. Mr. Speaker, I rise today to ask a simple question: Where are the jobs? My constituents along with folks from all over Ohio and the Nation want to know where are the jobs. In my home State of Ohio, unemployment has risen to more than 11 percent. We have the seventh highest in the Nation. Every single county in my district has unemployment equal to or higher than the national average, and Pike and Adams Counties have above 15 percent.

Last night I was given even more devastating news: the Department of Energy has determined that it will not provide loan guarantees to construct the American Centrifuge Project in Piketon, Ohio. While campaigning last fall, then-candidate Obama pledged to support those loan guarantees. He wrote, ''Under my administration, energy programs that promote safe and environmentally sound technologies and are domestically produced, such as the enrichment facility in Ohio, will have my full support. I will work with the Department of Energy to help make loan guarantees available for this.'' I guess that promise is equivalent to the promise to save or create 3 million jobs.

Mr. Speaker, I am asking you, Where are the jobs?

LET'S COME TOGETHER TO REFORM HEALTH CARE

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me tell you very clearly: Medicare in 1965 saved lives. Can you believe it has been six decades, 60 years, since we have been able to come together around the common goal of getting a public option with health care reform? Now six decades later, America has debated this broken system, but we're closer than we've ever been before, and the American people understand 83 percent, high numbers. They want a public health insurance option. They get it.

Premiums have doubled over 9 years. You ask yourself the question, Can I afford to pay $1,800 a year more every year for a family of four? Health care reform will keep Americans from financial ruin. Go to the bankruptcy courts. Catastrophic illnesses have shoved Americans into these courts. They've lost all that they have. We have to stop it now. We want to leave doctors in charge of their patients and not the insurance companies, whose main opportunity is to say, N-O, no.

The American people get it. The public health insurance option, that is what we're doing; and we're doing it now.

DON'T DESTROY THE HEALTH CARE SYSTEM WHILE TRYING TO IMPROVE IT

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

Mr. BONNER. Mr. Speaker, last week one Republican after another asked a very simple yet relevant question to the House Democratic leadership: Where are the jobs that you and the President promised almost 6 months ago when you passed that gigantic $787 billion stimulus bill?

You see, the answer to that question is important if the American people are to have any confidence in the Democrats, who not only run the House but are now in control of this entire city, when they boldly promise a new government Federal health plan costing $1.6 trillion, financed by $818 billion in new taxes on individuals and small businesses; and at the end of the day, all that new spending and all those new taxes are only going to just create more debt and more concern.

Mr. Speaker, the American people know better; and they have genuine concern about what they're seeing come out of their Federal Government. Republicans know our health care system needs repair. We just don't want to see it destroyed all in the name of making it better.

TRANSPORTATION SPENDING WILL CREATE JOBS

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

Mr. ARCURI. Mr. Speaker, we certainly can appreciate the passion on both sides of the aisle with respect to health care. This House has not debated a bill of this importance in many years. But one thing that we can't forget is that we need to continue to focus on transportation. We have before us right now a surface transportation authorization bill that must be reauthorized by the House of Representatives. We have bridges that are collapsing throughout the country. We have roads that are deteriorating. I hear my colleague from the other side of the aisle say, Where are the jobs? The jobs are out there now from the stimulus bill where money was given to the States, and they're repairing the roads, and they're fixing the bridges. We need to continue that.

There is no better way to create jobs and no better way to keep our infrastructure the best in the world than to spend money through transportation. I strongly urge my colleagues to continue to work on reauthorization of the surface transportation bill.

FREEDOM OF SPEECH SHOULD APPLY TO ALL MEMBERS OF CONGRESS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I stand in support of freedom of speech. Democrats are telling Republicans that we are no longer allowed to use the words ''government-run health care'' in communication with our constituents. Yes, that's correct. Republicans will be forced to use only Democrat-approved language when describing their attempted government takeover of health care to our constituents, or else.

Democrats told Republicans that if we do not use the words Democrats give us to describe their health care reform bill, then Members will have to pay the postage personally. Apparently, the Democrats feel they can control what the public thinks about their bill by dictating how we talk about it. I know America is smarter than that.

Call the Speaker at 202–224–3121 if you think this censorship should stop. The last time I checked, this was still America where freedom of speech is our hallmark.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

PUBLIC HEALTH CARE WILL COMPETE WITH PRIVATE PLANS

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

Ms. DEGETTE. Mr. Speaker, anybody who says that we don't need to reform our health care system is ignoring the fact that we have the most expensive health care system in the world, but we have some of the worst results among industrialized nations.

We have one of the worst results in maternal and child safety. We have one of the worst results in infant mortality. Yet at the same time, our costs continue to go up. Health care premiums doubled in 9 years, growing faster than wages. Health care costs are the leading cause of bankruptcy in the United States right now; and in the next 10 years, $1 out of every $5 will be spent on health care.

The bill that we are looking at in Energy and Commerce is a good bill. It allows people who like their health plans to keep them; but it also puts forward a public option that will compete with those plans, not government-run health care but it takes the insurance companies' profit margin out of it and makes them compete on behalf of the American people. We need to pass health care now.

□ 1315

REPUBLICANS PROPOSE A BETTER HEALTH PLAN

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

Mr. MCCLINTOCK. Mr. Speaker, in order to support the Democrats' health care plan we are asked to accept three arguments that are fundamentally absurd. First, that the same government that pioneered $400 hammers and $600 toilet seats is somehow going to control our health care costs. Second, that the same government that runs FEMA is going to make our health care system more efficient and responsive. And third, that the same government that runs the IRS is going to make our health care more compassionate and understanding. Frankly, I doubt it.

Instead of putting government in charge of our health care decisions, let's put patients back in charge. We can do that by using tax credits to bring within the reach of every family a basic health plan that they can choose, that they can own, and that they can change if it fails to meet their needs. That is what the Republicans are proposing, and it is a much better way.

WILL WE ACT OR WILL WE NOT?

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

Mr. BOCCIERI. Mr. Speaker, a fine Republican President, Teddy Roosevelt, said, ''The worst thing you can do in a moment of decision is nothing.'' And we are charged with measures of action or inaction. That is why the American Recovery and Reinvestment Act was about investing in our people, in our country, in our roads, our bridges, our schools, and they are already starting to show the difference.

I see signs all over my district saying ''This job was created by the American Recovery and Reinvestment Act.'' And I must say that we have sent billions of dollars overseas to build brand new Iraqi roads, Iraqi schools and Iraqi buildings, but it is time to invest in our people.

Will we put America back to work? Will we delay or make a difference? Will we lead or will we block? Will we invest in our country, in our people, our way of life, or we will send that money overseas? We have the decision. Will we act or will we not?

OPPOSING GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. SMITH of Nebraska. Mr. Speaker, I heard from a small agribusiness owner in my district. His business is growing, and he actually wants to hire new employees. However, he is concerned the new mandates and taxes imposed on him as an employer by the government's takeover of health care would mean he wouldn't be able to create new positions. He is not the only small business owner concerned about

the economic well-being of our country.

Mr. Speaker, we have already passed a massive bill we called a stimulus, but which failed to create jobs, and a cap-and-trade bill which will cost us at least 2.5 million jobs. While every Member of this body wants to ensure Americans have access to affordable health care, it is vital we oppose a government takeover which destroys the ability to create jobs. Let's not kill jobs before small businesses even create them.

THE TIME FOR ACTION HAS COME

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

Mr. PAYNE. Mr. Speaker, the American people voted for change last November. My New Jersey constituents voted for change. Now we have a historic opportunity to bring about change as we deal with one of the Nation's most daunting challenges, the need for health care reform for over 46 million uninsured men, women and children throughout our Nation. In addition, we need to help working people and middle class people who in many cases have to pay huge out-of-pocket expenses or have been dropped when facing serious medical conditions.

This debate has been going on for six decades, and the time for action has come. Here in the House of Representatives we have already held 79 hearings on health insurance reform in just over 2 years. We cannot put this problem off indefinitely.

I urge those who stand in the way of progress to either step aside or to join us in coming up with a solution to help mend a broken system.

JOIN THE REPUBLICAN PLAN

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

Mrs. LUMMIS. Mr. Speaker, the President of the United States has said that if you like your health care plan, you can keep it. But that is simply not the case.

I was in Wyoming over the weekend in my home district, and I talked to small business people who have health insurance, who have calculated what will happen if the Democrats' plan takes effect. And if it takes effect, they will be able to pay the 8 percent penalty in the bill and shift their employees onto the government plan and save money. It will cost them less money to take their private insurance, jettison it, take their employees off it, pay the 8 percent penalty, and put them on the government plan. The government plan will be less comprehensive, and their employees will suffer.

Mr. Speaker, this is not health care reform. I ask you to join the Republicans with a plan that will address affordability, portability, and accessibility in a way that will not cost the taxpayers trillions of dollars.

DEMOCRATIC PLAN: CHOICE, AFFORDABILITY, LOWER COST AND LOWER TAXES

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

Mr. WEINER. Ladies and gentlemen, you are going to hear a lot of people that are opposed to the Democratic plan to reform health care, and a lot of them are on this side of the House of Representatives. Why? They already have health care. They've got a pretty good plan, like all other Federal employees. They have choice already.

If you want to make a phone call, Mr. Speaker, dial 202–224–3121 and ask for your Congressman and say, Will you give up your health plan? You've got choice already. And some of them are old enough to have Medicare, which is, that's right, a government-run plan. Are you prepared to give up that? I don't believe that they are.

The fact of the matter is that some in the Republic Party don't want these problems fixed because they are already doing just fine. They've got choice, they've got the Federal plan—that I have, by the way—they have Medicare, a government-run plan, and the rest of the country can be damned.

Well, we in the Democratic Party are saying something else. We want the American people to get at least as good as my friends in the Republic Party have. We want at least the benefits that we have here in Congress—choice, affordability, lower cost and lower taxes for all Americans. That is the Democratic plan.

IT KIND OF MAKES YOU WONDER, DOESN'T IT?

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

Mr. KLINE of Minnesota. Mr. Speaker, as we all know here today, the Democrat leadership in this House is bringing forth a health care reform bill with a public option for the stated purpose of instituting competition with the private sector and making the private sector insurance business better. At the same time, they are bringing forward legislation to reform student lending.

Today, there is a private option preferred by 80 percent of the colleges and universities in this country and a public option, where the government takes over the student lending business. The legislation that we are going to bring up perhaps this week in this House eliminates the private option and leaves only the public option. It kind of makes you wonder, doesn't it, about the designs on the future of the public option in health care?

IT IS TIME TO ACT NOW FOR THE AMERICAN PEOPLE

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

Mr. LUJÁN. Mr. Speaker, we come here today and we continue to hear this important debate as it surrounds health care. Well, I hope that there is not any disagreement that the health care system we have today is broken.

We continue to hear from our friends on the other side of the aisle that we need to contain costs, that we need to extend coverage, that we need to be looking after people. Well, we have a plan, Mr. Speaker. We have a plan on this side of the aisle with our Democrats that has come forward that will say to insurance companies, No more taking away health care from those that are sick—that can happen today. No more keeping insurance from those that are sick today because they have something called a preexisting condition.

As I travel across the district, across the great State of New Mexico, and we get to hear from people, you look them in the eye and they tell you they're sick, they tell you that they can't afford their health coverage, they tell you that they lost their job. And where do they go today? What about their kids?

Well, it is time that we look those people in the eye, those people that have entrusted us to do a good job on their behalf, and tell them that we're here to act for them, that we are going to fight for that public option, we are going to fight to give them choice. We are going to help keep those health care costs down. It is time to act now for the American people.

HEALTH CARE PLAN OUGHT TO FIRST DO NO HARM

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

Mr. CONAWAY. Mr. Speaker, there is no one on our side of the aisle who would argue that we have necessary reforms for this medical health care system that we all enjoy and we are mostly all alive because of. The comments to the contrary that this is totally broken, totally unworkable, as you know, are hyperbole, simply done to try to set a riot, I suspect.

4.7 million jobs are estimated to be lost by this health care plan. That is a big number. But four or five of those jobs are at a long-term health care plan company in Llano, Texas.

Steven Lange sent me an e-mail that says if he is required to put this 8 percent tax on his business, because it is a low-margin business, because he gets Medicare reimbursement for 90 percent of his revenues, he will be unable to pass that 8 percent increase for the cost of doing business along to his major customer, i.e., the Federal taxpayer. Because of that, he will have to cut his employee base.

His employees take care of the most vulnerable, frail, and least capable people in our society, folks at the end of life, and cutting the service to them should be not something that we ought to do. Physicians in the group say ''first do no harm.'' I would argue that this health care plan ought to do the same thing.

HEALTH CARE BILL IS GOOD FOR YOU IF YOU'RE OVER 65

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

Mr. GRAYSON. Think about what this health care bill will do for you if you are over 65 years old, or if you love somebody who is over 65 years old. If you are over 65, or you love someone who is over 65, a mother or father, then take a minute to think about that.

Here is what it will do for you: First of all, it will dramatically reduce—and in most cases eliminate—copayments for you. That's right, for you. Because the Democrats understand that a $10 or $20 or $50 copayment, that is a lot of money for you. And if it keeps you from going to the doctor when you need to get help, when you need medical care, that's a shame, it shouldn't happen. So this bill takes care of that.

The second thing that the bill does for you is that it eliminates the doughnut hole, that's right, the doughnut hole that torments people into choosing between paying for their rent or paying for the medicine that they need to stay alive. That will no longer be true. The doughnut hole is eliminated.

This bill is good for you if you are 65 or over; it is good for your mother or your father if you're not. That matters a lot because the Democrats care about you.

JOBS, JOBS, JOBS, JOBS: TAKE 2

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, the administration and this Congress spent over $1 trillion on a so-called stimulus bill, and they laid down a benchmark for what would constitute success. They did it. And according to their own benchmark, that was that unemployment would be capped at 8 percent, and that there would be an immediate creation of 3.5 million jobs.

So where are those 3.5 million jobs that we were promised? Not only have they not been created, an additional 2 million jobs or more have been lost since that bill was passed. And unemployment wasn't capped at 8 percent, it is over 9.5 percent. Again, their own numbers. So, what has been the response to this obvious dismal failure? More of the same, unfortunately; more borrowing, more spending of your hard-earned money.

Now, their health care bill will cost Americans an additional $1.2 trillion, additionally, cut Medicare for senior citizens by hundreds of billions of dollars—that's in the bill—and will result in the loss of an additional 4.7 million jobs.

You know, again, common sense; it's time to stop wasting taxpayers' money, stop irresponsible borrowing. It's time to focus on jobs creation.

HEALTH CARE EFFECT ON SMALL BUSINESS

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

Mr. HALL of New York. Mr. Speaker, skyrocketing private health insurance costs are already crippling small businesses. Last week, I sat down with one of my constituents to hear about her situation. Kristine Effaldana is a small business owner and employs nine workers at her company. She has been paying the full cost of premiums for her employees because she knows how important health insurance is.

Unfortunately, Kristine recently got a call from her broker saying the premiums for covering her nine employees are going up 20 percent in August. Now Kristine is forced to pass on part of that cost to her employees, hire fewer employees, or stop offering them health care altogether. That is the status quo we're dealing with, and it is unacceptable.

We must do more to help small business owners who are trying to do the right thing by providing for their employees. Congress must pass comprehensive health reform to ease their burden.

□ 1330

A MISGUIDED HEALTH CARE EXPERIMENT

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to strongly oppose efforts by the majority to rush through this Chamber a misguided health care experiment that will cost jobs and put the government in charge of health care. The Democrats' bill will tax small businesses, raise already sky-high unemployment in my State, and cut health care for seniors to pay for government-run health care. This will limit consumer choices, lower quality, increase wait times and imperil the doctor-patient relationship by empowering Federal bureaucrats to make health care decisions. The trillion-and-a-half pricetag will increase the already crushing debt some in Congress have been piling on our children and grandchildren over my objections.

The best way to help expand health coverage to the uninsured is to make health care more affordable. Two of the easiest and most effective ways to do that would be to encourage preventive care and enact medical liability reform. I urge my colleagues to reject this government takeover of health care.

AMERICA'S RECOVERY

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

Mr. TONKO. Mr. Speaker, many commissions who have advised Congress advise that the unemployment rate would continue to climb even after the American Recovery and Reinvestment Act were approved, simply because neglect and measures that put us into a deep hole where an administration spent down a surplus into a deep deficit was going to take a while to recover from. And so now with the investments made through that Recovery Act, I am very hopeful that in my district we will get good news, as GE, which is corporately headquartered in my district, has made application for some of the DOE moneys.

Because of accountability and transparency, the President is right to make certain that all of these moneys being released are greatly accounted for. Battery investment, battery advance manufacturing in battery worlds, will allow for a diversity of battery manufacturing that will allow us not only to have these batteries used for energy generation purposes, but for actually providing for the resources for transportation fleets, both large and small, and certainly working on investments that will restore intermittent energy supplies.

COMPROMISE ON HEALTH CARE REFORM

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

Mr. ROE of Tennessee. Mr. Speaker, the Democratic leadership is reportedly trying to find a compromise on health care reform. The only problem is they're compromising with themselves rather than with Republicans. Democrats have been trying to blame their failure to find broad consensus on health care reform on Republicans, but this ignores the facts. The facts are three committees and the House Democratic leadership sat down and drafted a bill with no Republican input. These same Democratic leaders have then made changes to the bill based on concerns raised by other Democrats. Now, Democratic leaders are continuing their negotiation with a different group of Democrats in an attempt to secure 218 votes in their own caucus.

Since Republicans aren't invited to these negotiations, here's some free advice from the House floor: If you're having this much trouble getting the majority of your conference to support

your bill, then you're going to have an even bigger problem with the American people, particularly when they find out that this bill undercuts the President's promise to allow them to continue their health care if they like it.

Republicans have many ideas on how to reform health care and make insurance more affordable for small businesses and families and reduce costs across the system. Let's scrap this partisan plan and start over with what we all agree on and get health care right for the American people.

SMALL BUSINESSES ARE DROWNING UNDER THE RISING COSTS OF HEALTH CARE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it's interesting what I'm listening to. This sounds like 15 years ago when President Clinton tried to reform the health care system. This time we must do it. The increase just for small businesses to cover their employees has gone up 129 percent since the year 2000. Workers pay more. Small business workers pay an average of 18 percent more in premiums. How far does this have to go before we have the common sense to change it?

If anybody disagrees with the bill, read it. That's the first thing we must do. Read the bill. I have read the bill. It's a good bill. It's so unfortunate that the influence on this House is coming from insurance companies who have been in control of health care for the last 30 years. We must change that. They've given out $100 million around here. We must change it. The people need this health care reform right now.

READ THE HEALTH CARE BILL

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

Mr. MCKEON. Mr. Speaker, the Democratic leadership has been demanding that we pass health care reform this week. That's very, very important, even though the bill doesn't take effect for 5 years. This is the bill. My constituents have been asking me to read the bill and I've been working on it. We now have three iterations of this bill. I would like to advise my senior friends at home to read it. Let me tell you, page 331, read about Medicare Advantage reforms and how they're going to take $168 billion out of Medicare Advantage to help pay for some other people. Read a little bit on page 425, 424, start reading about how they're going to have you, at 65, go in and have a planning session with a health care consultant on how you're going to die. Please, read the bill.

HEALTH CARE IS A RIGHT, NOT A PRIVILEGE

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

Ms. LEE of California. Mr. Speaker, 47 million uninsured in the wealthiest and the most powerful country in the world is unconscionable. Health care should not be a privilege, which is what it is right now; it should be a right. The average American pays an extra $1,100 a year in premiums to support a broken system. Premiums have doubled in 9 years, growing three times faster than wages. Our health care reform plan does not, mind you, it does not call for a government takeover. We intend to lower cost, have no more copays or deductibles for preventive care, and an annual cap on out-of-pocket expenses. If you like your doctor or your plan you can keep it. And yes, a real robust public option keeps health care costs down for those who choose private insurance.

It's time to take the profit-making insurance industry out of making health care decisions. Medical decisions should be made between a patient and a doctor. Medical decisions should not be made based on who profits. Profit motives and making health decisions will not provide for affordable health care for every man, woman and child.

RUSSIAN ROULETTE

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

Mr. HUNTER. Mr. Speaker, I rise today to ask why the Obama administration and the liberal Democrats in this Congress are playing Russian roulette with the welfare of the American people. This administration and the Democrats in this Congress seem not to care about jobs but put all of their time into spending as much as possible in as little amount of time as possible. Cap-and-trade, or the national energy tax passed by Democrats last month is the equivalent of a $3,000 annual tax on every single American family. And it's estimated that over 2.3 million jobs are going to be lost because of it.

And the liberal health care gamble, it's not even Russian roulette when it comes to government-run health care. It's like jumping off a 20-story building and thinking it's not going to kill you. The Democratic health care is economic suicide. The health care bill would impose a 5.4 percent surtax on 1.2 million small businesses, and it's going to increase the Federal deficit by $239 billion over 10 years, and most devastating, it's going to kill up to 4.7 million jobs because of the burdens it places on small business.

If you want to get every American health care, then get every American back to work. America runs on jobs and small business. Less government, more Americanism. That's what will save this country.

WHAT'S MORE IMPORTANT, DOLLARS AND CENTS OR LIFE?

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

Mr. JOHNSON of Georgia. Mr. Speaker, there are some Republicans and some Blue Dog Democrats who care more about protecting the profits of insurance companies than they do about bringing health care reform to the Nation. Health care premiums have doubled in 9 years and are growing at three times the rate of wages. Meanwhile, 46 million people remain uninsured, and they can't see a doctor to take care of their chronic condition like breast cancer, like diabetes. So what's more important? Dollars and cents or life? I am pro-life, and that's why I support health care reform.

HEALTH CARE THAT DOESN'T KILL JOBS

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

Ms. FOXX. Mr. Speaker, I agree with my colleague. I'm pro-life too. That's why I oppose the Democrat health plan. Mr. Speaker, in the midst of a major recession, the House is considering health care legislation that will place new punitive taxes on small businesses. We need job creation, not job destruction. And small businesses are our best hope for emerging from this economic downturn, but not if we tax them out of their job-creating potential. I've heard from scores of small business owners in North Carolina who are struggling to keep their businesses running, and who want nothing to do with the taxes and burdensome government mandates in the House health care legislation.

Mr. Speaker, we need health care reform in America. I support reform that puts patients first and that won't destroy small businesses. Republicans have a better solution that won't put the government in charge of people's health care, that will make sure we bring down the cost of health care for all Americans, and that ensures affordable access for all Americans and is pro-life because it will not put seniors in a position of being put to death by their government.

THE RECOVERY ACT IS GOOD FOR NEVADA

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

Ms. TITUS. Mr. Speaker, families in southern Nevada have been hit hard during this economic recession. Unemployment is at a 25-year high and our tourism industry has struggled as the national economy has slowed. But already, the economic recovery package that Congress passed is beginning to

provide assistance to 95 percent of Nevadans in the form of tax cuts.

Over the past few months, the Making Work Pay tax credit has put extra money in the pocket of workers. Nevada has already received more than $75 million to extend unemployment benefits for those struggling to find work. Seniors and veterans have received a $250 recovery payment, and schools in Nevada got $340 million to keep teachers from being laid off and to develop programs. Funding through the recovery package has also helped Nevada's efforts to create a clean energy economy. Just yesterday, $13.8 million was announced from the Department of Energy to help fund energy initiatives that will lead us to the next steps to creating clean energy jobs. Clearly the Recovery Act has helped the people in Nevada.

WHERE ARE THE JOBS?

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. For months now my constituents in western New York have been asking, where are the jobs? Well, take a look around. Are they in the recently passed national energy tax that devoted more than 50 of its 1,300 pages to lightbulb regulation and just two paragraphs on carbon-free nuclear energy? Or are they in the thousand-page, government-sponsored health care proposal without so much as a mention for malpractice liability reform to dramatically reduce premiums on struggling Americans? Or maybe they're in the recently passed $700 million welfare program for wild horses.

The majority has shown it doesn't know how to create new jobs, outside of those for new Federal bureaucrats, but it certainly knows how to create new burdens for our children and grandchildren. This week alone, our Treasury is set to sell off a record $205 billion in debt. Let's start working together to implement responsible solutions to the serious challenges facing our Nation.

□ 1345

WHO DO YOU TRUST MORE, POLITICIANS OR DOCTORS?

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

Mr. JORDAN of Ohio. Mr. Speaker, last week at the President's press conference, the American people got a firsthand glimpse of the attitude they can expect if, in fact, there is a Federal takeover of health care.

When the President made this incredible statement, when he said in that press conference that some doctors will take out a child's tonsils not because it's in the best interest of that patient but because they make more money, it makes you think about this:

If you go out and talk to any 100 people across this country and ask them the question, ''Who do you trust more, politicians or your doctors?'' my guess is 100 percent of them would say their doctors. Yet the President made that statement.

What we need in this health care debate and what we need in health care reform is a model that says that you and your family and your doctor will make your health care decisions, not some Federal board in Washington that thinks they're all-knowing.

WHERE ARE THE JOBS?

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

Mr. GOODLATTE. Mr. Speaker, where are the jobs?

They're certainly not in the so-called ''stimulus package'' that passed this Congress and that hasn't created any jobs. In fact, we've lost millions of jobs since that package passed. They are certainly not in the cap-and-tax legislation that passed this Congress 6 weeks ago. That legislation will cost millions of American jobs. Mr. Speaker, they most certainly are not in this so-called ''health care bill'' that the Democrats are offering today, which will cost an estimated 4.7 million jobs as employers find they can't pay the taxes being imposed upon them and as we see those jobs going overseas to countries where they can afford to do business.

This is not the right way to preserve the choice for the American people in their health care. This is not the right way to make sure that our health care in this country is available to the many, many hundreds of millions of people who receive it today. We need to reform our health care system with legislation that deals with medical malpractice reform, with association health plans, with things that cut down on the cost before we address this massive tax increase.

ASSUMING NO RESPONSIBILITY

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, in the debate that we've had over health care, we Republicans have attempted to try and communicate our concerns to the American people. We have developed a simple chart that explains the bureaucratic morass that will exist between you, the individual—the patient—and your doctor, but we've been told we can't send this out because the majority party objects to it.

First of all, they said they didn't know whether it was true. Secondly, they said we didn't somehow substantiate everything. Thirdly, they don't like ''House Democrats' health plan'' here. So they suggested that maybe we should put on some sort of disclaimer, so I've come up with a disclaimer. We've tried to figure out what will work:

''The Democratic Party assumes no responsibility for providing this information to the American people.'' Maybe they don't like that. ''The majority party assumes no responsibility for providing this information to the American people.'' ''The House Democrats assume no responsibility.'' Finally, maybe this is what we ought to put up here, Mr. Speaker: ''The President and the House Democrats assume no responsibility for providing this information to the American people because they know, if the American people knew this is what would happen to them and that this is what would be put between them and their doctors, they wouldn't support it.''

HEALTH CARE REFORM

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

Mr. SCHAUER. Mr. Speaker, while we can argue over the details of health care reform legislation, we know one thing for sure: Costs are guaranteed to increase if we do nothing. The status quo is unsustainable and unacceptable. Unfair trade deals and skyrocketing health care costs have devastated manufacturing in my State of Michigan over the past decade.

Last month, in my district, I heard from a small manufacturer at a health care forum in Tecumseh, Michigan. Karalyn Roesch told me that her manufacturing firm employs seven people in Lenawee County and that it covers 100 percent of her employees' health care insurance costs.

She said, ''We are trying to do the right thing for our employees. Yet we have to compete with those who provide little or no health care.''

She said that a quality, affordable health care system that covered every American would not only provide needed care for the uninsured but that it would also help level the playing field for small business owners like her.

It's time to put partisan politics aside on this issue and put companies like Roesch Manufacturing first. We need a uniquely American health care system that costs less and that covers more to help small businesses compete in our global economy.

A GOVERNMENT TAKEOVER IS NOT THE SOLUTION

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

Mr. WALDEN. Mr. Speaker, I was a small business owner for 21 years. There is no question that it's time to reform the health care system, but a government takeover is not the solution. Putting a government bureaucrat

between your family and your doctor is not the solution, and losing the health plan you have today is not a solution. Yet the Democrats' bill would do just that. It puts a bureaucrat between you and your doctor. It doesn't have real reform. According to independent analysis, two out of three Americans won't be able to keep their plans, and it does nothing to bring down the costs. In fact, it drives up the deficit by over $239 billion.

Meanwhile, if you're out in places like Oregon, rural Oregon, the CEO of Asante Health System, Roy Vinyard, in southern Oregon, said the government option under the Democrats' plan would be the death knell for hospitals since it pays Medicare rates. Currently, Medicare only pays 76 percent of their hospital's costs, and yet 52 percent of their patients are on Medicare. If the percentage of Medicare-like payments increases to 75 percent of their patients, the hospital will have to close its doors.

So that plan does nothing to rein in costs. It does nothing to keep the doors open. We need to reform health care, but let's do it in a way that puts patients first and that doesn't destroy small business.

SHOW US THE BILL

(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, when it comes to passing a health care bill, leadership insists ''this will happen.'' Speaker PELOSI claims to have the votes to get it passed on this floor.

If that's true, Madam Speaker, then show us the bill. If the rhetoric coming from the Democrats is true and if they're planning to steamroll a $1 trillion health care experiment through this body before August, let's see it. Let's debate it. Let's let the Americans see it.

The American people deserve to see a bill with plenty of time for an open and honest debate about exactly what is in store for them if this partisan experiment is passed. The American people have seen enough smoke and mirrors about the Washington bureaucrat who will be inserted directly between patients and physicians. They've seen enough smoke and mirrors about how many people will be forced off of their current health care plans. They've seen enough smoke and mirrors about the real cost of this plan. If you have the votes, then clear out the smoke. Show us the bill, and finally give hard-working Americans answers to their questions.

Show us the bill, Madam Speaker.

THE AMERICAN RECOVERY AND REINVESTMENT ACT

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

Mrs. HALVORSON. Mr. Speaker, this Congress is responsible for putting in place one of the largest tax cuts in American history as part of the American Recovery and Reinvestment Act.

We can see this benefit of the plan throughout all communities in our country. Because of this legislation, 95 percent of working Americans are receiving tax cuts through the Making Work Pay tax credit, which is a refundable tax credit of up to $400 per worker and up to $800 for couples filing jointly. This is an immediate tax relief for over 110 million working families at exactly the time they need it. Because of this legislation, families can also find tax relief through an expansion of the child care tax credit and through a new $2,500 tax credit for families to help send more of our children to college.

In addition to this tax relief, the recovery plan has provided tens of millions of dollars of investment for improvement projects, like the improvements that have been made to infrastructure and to roads throughout our country.

WHO IS GOING TO PROVIDE THE HEALTH CARE?

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

Mr. AKIN. Mr. Speaker, the Democrats are proposing that they're going to take over 20 percent of our economy. They're proposing they're going to spend at least $1 trillion, probably $2 trillion, in doing that, and they're going to put bureaucrats in charge of health care decisions. Now, this is not really a new idea. This has been tried a lot by other countries. It's called socialized medicine. So the question before us is very straightforward. It is this:

If you get sick, where do you want to be treated? Do you want to travel to Europe? Do you want to travel to Canada or do you want to stay in the good, old USA?

I had that experience 9 years ago here. I had newly been elected as a Congressman. I got the first physical I'd had in 10 years because I'd had lousy health care. They told me, Yeah, you're doing great, Congressman AKIN, except for one thing: You have cancer.

When you hear the word ''cancer,'' it causes you to stop and think. Because of the American health care system, I'm standing here today, but I'll tell you the statistics of what would happen if you were in the United Kingdom. There is a 50 percent chance you'd be dead with the type of cancer I had. That's the question: Who is going to provide the health care?

LET'S GET THE AMERICAN PEOPLE WORKING AGAIN

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

Mr. GUTHRIE. Mr. Speaker, I am here today to talk about what I mentioned this last week.

Back in the 1982 recession, in my State of Kentucky, we had unemployment rates at the level of over 11 percent. My father lost his job. He was one of those who'd worked for Ford Motor Company, and they closed the plant. Because of what happened in this House back in 1982, that being cutting taxes, cutting spending and putting faith in the American people, my father went from one who had lost his job to one who was starting a business and was becoming a job creator.

What has this House done, this Democratic majority, in the last 6 months? They've made it easier to sue businesses; they've raised energy rates on businesses if it has passed the Senate; also, they've put mandates on businesses for health care coverage; and they've instituted an 8 percent payroll tax.

I believe we need to cut taxes, cut spending, put faith in the American people, create jobs, and get people working again.

THE SYSTEM IS WORKING

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

Mr. BARTON of Texas. Mr. Speaker, I have news for the American public. The system is working. The Congress is working. The Energy and Commerce Committee is working. The reason that the Speaker and the President can't get their health care bill through is that there is not consensus on it.

I want to congratulate the other 22 Republicans on the Energy and Commerce Committee who are united against this bad piece of legislation. I want to also congratulate the 7 to 10 Blue Dog Democrats and conservative Democrats on the same committee.

The reason we're not supportive of the President and the Speaker's plan is that it's bad for America. It doesn't solve the problem. It costs too much. It has got too much bureaucracy. The word ''shall'' is mentioned almost 2,000 times. It's a $1 trillion hit on the economy, and it doesn't solve the problem.

We, the Republicans on the committee, have over 80 amendments that we wish to offer. Our Blue Dog friends have over 20. I asked the Speaker and Chairman WAXMAN to bring the bill up for markup. Let it be an open and transparent markup. If it takes us until September or October to get it done right, it's better to get it done right than to do it badly. The system is working.

HEALTH CARE REFORM

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

Mr. LOEBSACK. Mr. Speaker, I am proud to be part of an effort to improve

health care in this country. I have heard from countless Iowans about the need to change the current system. I have also heard from Iowans that we need true reform.

Just today, the University of Iowa, the Iowa Health Care Collaborative, and the Concord Coalition sent me a letter. They stated, ''We believe that the primary focus for all policymakers should be improving the value in health care.'' I agree.

Last week, the Iowa Democratic delegation, along with many others, reached a compromise with leadership that improves the value in health care. I want to thank leadership and their staff for their work. The compromise will provide a significant cost savings, and it will fix a broken Medicare payment system so that we are rewarding quality of care and not quantity. Iowa has been a leader in quality care, and I am glad that Iowa and other high-quality, low-cost regions will be rewarded for doing what is right for patients.

HEALTH CARE

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

Mr. MILLER of Florida. Mr. Speaker, over the last few weeks, my office has been flooded with letters, faxes, phone calls, and e-mails from all types of citizens throughout northwest Florida. The messages all say the same thing: stop the government takeover of our health care system.

Now, the majority party's proposed legislation costs over $1 trillion. It would increase the deficit by $240 billion. It would actually raise the cost of health care for an American family.

Mr. Speaker, this is not the way to reform the American health care system. Americans want more choices for health care, not fewer choices. They want to choose the doctors they see and when they want to see them, and they don't want their medical decisions made by a faceless bureaucrat here in Washington, D.C. Floridians are not willing to have their health care rationed, and they do not want the government takeover of health care that the majority in Congress is proposing.

□ 1400

HEALTH CARE PURCHASING EXCHANGE

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

Mr. COURTNEY. Mr. Speaker, when a Member of Congress is sworn into office, you get a pin, you get a voting card, and you get access to a health care purchasing exchange that's operated by the Federal employees health plan. Every Member of Congress has the ability to buy into or to choose a plan through the Federal employee health plan which, when you boil down the health care reform bill that has passed the Ways and Means Committee and the Education Committee, is exactly what is going to be before this House.

For example, the minority leader from Ohio has, as a Member of Congress, the opportunity to choose 13 different plans under the Federal employee health plan. That's what the Obama health care proposal plans to do for all Americans. So when the time comes for the vote, ask your Member of Congress whether they're prepared to give to the people of America exactly what the people of America give to Congress, and that vote should be ''yes.''

TIME FOR WASHINGTON TO GET OUT OF THE WAY

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

Mr. DENT. Mr. Speaker, the issue this week is health care and jobs, jobs, jobs. You know, a friend of mine who employs many people in my district, and he also provides very good health benefits, said to me recently that the policy proposals coming out of Washington are impeding job creation and scaring people. He's right. And there are five issues that are driving his concern:

First, a stimulus bill that spends too much, borrows too much and delivers too few jobs; two, a budget that doubles the national debt in 5 years and triples it in 10 years; three, a card check bill that is undemocratic and imposes binding arbitration which will increase health care and other costs; four, a national energy tax cap-and-trade that will cost 66,000 jobs in Pennsylvania and jacked-up electric bills, natural gas bills, and prices at the gasoline pump for consumers; and, five, now a House health care bill with enormous tax increases and mandates on all businesses and businesses of all sizes.

Enough is enough. Time to let Washington get out of the way and let job creators do what they do best: create jobs.

TIME TO MOVE NOW

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

Ms. RICHARDSON. The American people know something for sure, and that is premiums have doubled over the last 9 years growing three times faster than what we've seen in wages. The American families know that they're spending more than $1,000 a month than what they have had to do in the past.

So let's talk about what really the American solution is. It's having lower costs for consumers to no longer have copays or deductibles for preventative care, to have an annual cap to end that cap on out-of-pocket expenses, to end the rate of increases for preexisting conditions and, of course, looking at group rates.

We're ready for action. We've had six decades of discussions; we've had 45 hours of bipartisan debate, and 79 House hearings. It's time and it's time to move now.

STOP THE RACE TO GOVERNMENT-RUN HEALTH CARE

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

Mr. FORBES. Mr. Speaker, last night I made thousands of phone calls across my district in a tele-town hall meeting, and I listened to my constituents, and two phrases emerged. The first one was ''fear.'' They're afraid of the recklessness that would allow us to begin a massive new program the experts agree will not reduce health care costs and will devastate the economy before we fix Medicare, which they know will be bankrupt in just 8 years.

They're afraid of the arrogance that leads some to conclude that a government committee or bureaucrat will make a better decision about an individual's health care than that individual can make with their doctor.

And they're also afraid of the shortsightedness of creating a plan that will result in rationing health care to seniors and creating longer lines and waits for the procedures they need.

But they're also grateful. They're grateful for those of us who will listen to them to bring some common sense and balance to the health care debate by stopping this race to a government takeover of their health care system and that will work instead for a system that finally puts our patients first.

THE ''HEALTH'' IN HEALTH CARE

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

Mr. FORTENBERRY. Mr. Speaker, we must put the health back into health care. Building a culture of wellness, including good nutrition and incentivizing prevention, moving from system-centered care to patient-centered care, and creating new insurance models can help meet this goal. These are the right solutions for strengthening America's health care, and they should be the basic components of an honest national debate.

The current debate is framed incorrectly, focusing on a loosely defined public option. This vast new government arrangement of our health care system may transfer millions of Americans against their will, Mr. Speaker, from their current insurance to a government plan and will add to our unsustainable fiscal conditions. It will

not resolve the underlying problems driving costs for small businesses and families.

We have the opportunity in the next few weeks to do something right and good for the American people, to strengthen our Nation's health care by improving health outcomes while reducing costs and protecting vulnerable persons.

READ THE BILL

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

Mr. SCALISE. On the heels of the failed stimulus bill that added another roughly $1 trillion of debt to our Nation's debt, also leading to about another two million people losing their jobs in this country and then that cap-and-trade energy tax proposal that literally would run millions of jobs out of our country, most Americans across our Nation are saying, Where are the jobs?

And, instead, the latest proposal by President Obama and Speaker PELOSI is this attempt to mandate a government takeover of our health care system.

And, you know, the President goes out and he gives these speeches. And he says under his plan if you like the plan that you have, you can keep it. Well, unfortunately, I don't think the President has read his bill because if you look right here in section 102 of the bill, it says that the government health care czar is going to be able to take away your health care plan even if you like it. It's right here in the bill.

Another part, Mr. Speaker, of what the President says is anybody who makes under $250,000 a year won't pay anymore in new taxes. Once again, maybe the President hasn't read his own bill, but in his health care bill right here in section 401, tax on individuals without acceptable health care, $29 billion in new taxes.

Read the bill.

AMERICAN PEOPLE WANT REAL HEALTH CARE REFORM

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

Mr. ROGERS of Alabama. Mr. Speaker, I rise in strong opposition to the Democrat majority's government-run health care plan. That is a phrase that the Speaker of the House does not want us to use. She's told us we can't use it in our mail. We're supposed to use the ''public option.''

Well, to use the word that the President apparently likes, the American people aren't stupid. They know it's government-run health insurance, and they don't want it. They know the Democrat majority proposes to cut costs by rationing care by deciding whether or not you get to go to the doctor, which doctor you get to go to; if you need a specialist, which specialist you need to go to, when you need to go; if you need surgery, when you get to go, if you get to go.

And most importantly, end-of-life care for our seniors. The government wants to decide whether or not certain seniors will get procedures they need to enhance their quality of life and whether or not the computer model determines that that's not the highest and best use of their health care dollars.

American people don't want that. They want real reform just like the Republicans do. We want to have cost control, we want quality, we want access with real reform like tort reform.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SALAZAR). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of the proceedings or other audible conversation is in violation of the rules of the House.

HEALTH CARE AND TAXES

(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. Mr. Speaker, we all agree that real health care reform is a necessity; but in the haste to get this done, the wrong approach to achieve this worthy goal would be to increase taxes, especially on our small businesses. These vital small business owners are already straining not to cut jobs and wages. Most small business owners want to offer health insurance to their employees, but they simply cannot because the already-inflicted costs just continue to increase.

What we need is true health care reform that brings down the cost of care in our country. We find creative ways to hide the actual costs of taxes and mandates. That makes no sense for Americans, no sense for our small businesses, and certainly no sense for our future generations who will be saddled with a lot of debt.

THE AMERICAN PEOPLE HAVE A RIGHT TO KNOW WHERE ARE THE JOBS

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, the American people have every right to ask where the jobs are. They know we are losing a half million jobs each month, and yet they saw this Democratic majority pass an energy bill that will raise utility rates for every American. Now they see the Obama White House and the Democrats pushing to drastically cut Medicare and massively raise taxes on small businesses to pay for their government takeover of health care. The people know that will mean millions more jobs lost.

We need tax credits, Mr. Speaker, to help make health care more affordable and accessible, not massive tax hikes. We need job creation. We need more jobs, not massive layoffs caused by massive tax increases.

PROTECTING LIVES, KEEP IT OUT OF THE GOVERNMENT'S HANDS

(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 agree that the cost of health care has become expensive for my constituents, too expensive for my constituents and all Americans. What we need is to reform the current system and not turn it over to the government.

Letting patients choose the coverage that reaches their health care needs should be the focus. This is not a one-size-fits-all conclusion. Just ask my constituents Brad and Christy Norwood. They became the proud parents of Brycen in May of 2008. At birth, he appeared to be a healthy baby boy, but during a routine exam, a nurse discovered a heart murmur that was keeping blood from reaching his lower extremities. One week later, he underwent surgery to correct the problem; and thankfully today, Brycen is a happy, healthy 1-year-old.

His parents hate to think that if the proposed health care plan had been in place, the decision about Brycen would have to go through a government bureaucracy and could have possibly taken too long to save his life.

Let's not put Brycen's life or anyone else's in the hands of a government bureaucrat.

HEALTH CARE MONTH

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

Mr. MCHENRY. The Democrats' health care bill is bad legislation. But don't take my word for it. All you have to do is look at the chaos on the other side of the aisle as their leadership freely admits August would be like kryptonite to their proposal. If they truly believe this legislation was a cure-all for health care reform, they would relish the opportunity to send their Members home to build public support for it. But, no, the Democrat leadership is in desperation mode because they know their bill will not hold up under public scrutiny.

So let's tap the brakes, let's engage our constituents and the American people in this discussion about our goals for health care reform. August can become health care month in America if only the Democrat leadership will listen to reason and we can engage our constituents in the debate.

The Democrats' goal should not be to get this done fast, but to get it right for the American people. That's what I'm fighting for, and that's what this debate should be all about.

HEALTH REFORM INITIATIVE

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

Mr. SARBANES. Mr. Speaker, I wanted to just take a moment and speak about two very important elements in the health reform initiative that we are considering in the House. Both of these are things that will help to strengthen the relationship between the physician and the patient.

The first is something called medical-loss ratio. That's a technical term, but it basically means how much does that insurance company use of the premium you give them to actually spend on medical care. If they don't spend at least 85 cents on the dollar, it means they're not giving the kind of care to the patient that they deserve.

The second important thing is the investment in preventive care that we're going to make in this bill so that a physician can spend more time with the patient. There are elderly patients all across the country who wish that their physician could spend a little bit more time with them to really understand their situation. We don't reimburse for that right now. But going forward, we can do that, and that will promote the relationship between the physician and their patient and lead to overall better care for that patient and a better relationship with that patient's family.

□ 1415

HEALTH CARE

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

Mr. HERGER. Mr. Speaker, House Republicans have a plan to make health care more affordable and promote choice and competition among health plans. Unfortunately, the House Democrats' health care bill is light on cost control and heavy on government control.

A recent New York Times editorial expressed support for the House bill, but described the prospects for lower health care premiums as ''unclear'' and ''distant.''

Mr. Speaker, if that's the best the bill's supporters can say about it, it's time to start over. We need a bill that gets health care costs under control without bankrupting our country or setting the stage for a complete government takeover of our health care system.

WHERE ARE THE JOBS?

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

Mr. SHUSTER. Mr. Speaker, the Obama administration and congressional Democrats promised us that the trillion dollar stimulus that they passed and put into law would create jobs immediately. Well, last month alone we lost almost a half-million jobs, unemployment stands at 9.5 percent and going higher. It's clear that the stimulus package didn't work.

And their response has been, first, they passed an energy tax that's going to make America less competitive and drive American jobs offshore.

They're now in the process of increasing spending in the appropriations process by 12 percent.

And now this week they're trying to ram down a health care plan that's going to raise taxes on American business, cost jobs, and force people into a government-run, rationed health care plan.

All one has to do is look at this chart to understand the complexities and the inefficiencies they're going to put into this system. I might add this is a chart that they won't allow Republicans to mail out to our constituents to try to explain the complexities that they're going to put into health care.

The height of hypocrisy, though, was when in committee Republicans offered an amendment that would force all Members of Congress to participate in their health care plan, and what did they do? They voted it down. They won't allow the Congress to be in the health care plan that they're trying to pass.

JUST WHO ARE THE ''UNINSURED''?

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

Mr. FRELINGHUYSEN. Mr. Speaker, as the House majority presses hard to force-feed to Congress a government takeover of health care in the next few days, it would be very instructive to answer the question: Just who are the ''uninsured''?

The most recent Census Bureau report of 2007 said that there were roughly 46 million people in this country labeled as ''uninsured'': 9.5 million were noncitizens; 18 million were between the ages of 18 and 30; 12 million people had household incomes less than $25,000, which means they already qualify for existing public health care programs; 7.3 million had annual incomes higher than $84,000, putting health coverage within their own financial reach; and 9.1 million were uninsured for less than 1 year—and half of these people regained their health coverage within 4 months.

This leaves 7.8 million lower income Americans who can be characterized as the long-term uninsured. Yet the majority is promising trillion dollar legislation that ''significantly expands the Federal responsibility for health care costs.''

And how do they pay for it? Taxes, more taxes, more taxes.

THE DEMOCRAT PLAN: A GOVERNMENT TAKEOVER OF PRIVATE HEALTH CARE

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

Mr. RADANOVICH. Mr. Speaker, if the need to reform our health care system wasn't so serious, the Democrat government takeover of health care might actually be humorous. It's laughable that their idea of ''cost-cutting reform'' is a bill that will increase the Federal deficit by $239 billion over 10 years and includes a $1.3 trillion spending increase. Only in Washington, D.C., does cutting costs mean spending more money.

America's small businesses, including our Nation's farmers, are going to be hit the hardest by this huge expansion of government through billions of dollars in new taxes and mandates, and yet the bill doesn't even address the seasonal workforce that farmers rely on to harvest their crops. Once again, small business and rural America are swept under the rug and forgotten, but not before they get a huge tax bill.

The bottom line is that the Democrats' public option is a sneaky plan to take over private health care.

Mr. Speaker, get me a doctor. The idea of government taking over health care is enough to make you sick.

THE HOUSE HEALTH CARE BILL SETS THE TONE FOR A GOVERNMENT TAKEOVER OF THE HEALTH CARE SYSTEM

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

Mr. ALEXANDER. Mr. Speaker, we all know that the health care system that we have in America is the best that the world has to offer. Do we need to improve it? Absolutely. But the question is how far do we go?

Do we tax the employer, who is now struggling to make ends meet, increase payroll taxes by 8 percent? No. We give that employer an advantage, an incentive to provide health care. Give him a tax break. Give the employee a tax break so they can go out and buy their own insurance. So give them an incentive.

But if we go and pass this bill, the government-run-all health care plan, we are going to break the backs of small businesses across this Nation that are the backbone of this Nation. Then we will hear a cry, Where are the jobs?

THE NATIONAL DEBT

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

Mr. WOLF. Mr. Speaker, the national debt has topped $11 trillion, unemployment has reached a 26-year high of 9.5 percent in June, and some believe it

may go to 11 percent; $56 trillion in unfunded obligations. Countries like China and Saudi Arabia are buying up America and the future of our children; a $1.84 trillion deficit this year and it may actually go to $2 trillion; and Standard & Poor's said we may lose our AAA bond rating by 2012.

Now the House Democratic health care reform bill moving through the committee at lightning speed does not include, as CBO said, ''the sort of fundamental changes that would be necessary'' to reduce the skyrocketing cost of health care spending under Medicare.

This is not going to create jobs; this is going to kill jobs.

THE CURRENT DEMOCRAT HEALTH CARE BILL IS NOT THE RIGHT SOLUTION TO REFORMING HEALTH CARE

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

Mr. BARTLETT. Mr. Speaker, health care costs are increasing at two and three times the rate of inflation. If this continues, it will obviously ultimately consume us; so we have got to do something to reform health care.

But the bill making its way through the committee process can't be the right solution. According to economic modeling by the President's own chief economic adviser, the business tax hikes alone would destroy up to 4.7 million jobs. An independent analysis by the nonpartisan Lewin Group found that 114 million Americans would lose their current health insurance. And the CBO recently noted this health care plan would ''probably generate substantial increases in Federal budget deficits.''

Mr. Speaker, this can't be the right solution. We can do better. We need to keep working. And please include Republican ideas in this work product.

IN THIS RECESSION AMERICANS ARE CUTTING BACK TO MAKE ENDS MEET; CONGRESS SHOULD BE DOING THE SAME

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

Ms. JENKINS. Mr. Speaker, this recession has forced Kansas families to change their ways. Folks are cutting back just to make ends meet. Now that's what Congress should be doing here in Washington.

But we aren't cutting back. In fact, the majority says we need a health care plan that will cost us jobs, when actually what we need is to take responsibility for our actions.

We need to rein in spending. We need to reduce the deficit. We need to stop legislation that will add hundreds of billions of dollars to the Nation's debt. We need to empower families to purchase health care that is the best fit for them, without waiting lines and without mountains and mountains of debt.

I will continue to fight for commonsense solutions. Americans deserve no less.

HEALTH CARE AND PUBLIC OPTION

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

Mr. SCHIFF. Mr. Speaker, as a Nation, we spend almost twice as much per person on health care as any other country, or about 16 percent of our gross domestic product. And for all the money that we are spending, our health care system does not produce the best outcomes.

Millions of Americans have no health care insurance and receive their care at the emergency room. Millions more must make the difficult choice of whether to pay their medical bills or pay their mortgage because they can't afford to do both.

I support reforms in the health care package that will bring down health care costs by tying payments to outcomes rather than the quantity of tests being run, by ending the government's overpayment for prescription drugs, by empowering an independent commission to put health care cost reductions before the Congress for up-or-down votes, and by investing in prevention and primary care.

One of the choices that should be made available in the health insurance exchange is a public health insurance option. I strongly believe that the advent of a public plan alongside private insurance coverage would achieve a number of beneficial goals, providing a greater choice to families and much-needed competition with private insurers. The new plan would also use its inherent advantages to control costs over the long term through lower administrative overhead and the ability to bargain for volume discounts.

In order to make sure the public plan has the legs to compete with private insurers, I believe it needs to be available now, not as a fallback, and that we need to allow it access to an established provider network, like Medicare, that will ensure the plan competes on a level playing field.

As a nation we spend almost twice as much per person on health care as any other country or about 16 percent of our gross domestic product. And for all the money we are spending, our health care system does not produce the best outcomes.

Millions of Americans have no health care insurance and receive their care at the emergency room. Millions more must make the difficult choice of whether to pay their medical bills or pay their mortgage because they cannot afford to do both.

I support reforms in the health-care package that will bring down health-care costs by tying payments to outcomes, rather than the quantity of tests being run, by ending the government's overpayment for prescription drugs, by empowering an independent commission to put health care cost reductions before the Congress for an up-or-down vote, and by investing in prevention and primary care.

One of the choices that should be made available in the health insurance exchange is a public health insurance option.

DEMOCRATS' HEALTH CARE TAKEOVER—BAD FOR SENIORS

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

Mr. BURTON of Indiana. Mr. Speaker, this is the Democrat health plan, and this over 1,000 pages of legalese is the Democrat health plan.

This thing is really bad for America, but it's even worse for seniors. It's going to result in cuts in Medicare benefits. It's going to destroy Medicare Advantage. It's going to end up rationing health care. And if you don't believe that, listen to what the President said:

''The chronically ill and those toward the end of their lives are accounting for potentially 80 percent of the total health care bill out there. There is going to have to be some very difficult democratic conversation to take place on this.''

He's talking about rationing health care and talking about how we're going to deal with these people who are getting a little bit older who need care. But you know what they're going to do to make sure that the seniors are going to be happy? They are going to give them end-of-life counseling. Take away benefits but tell you how you're going to die.

INSURANCE COMPANY PROFITS

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

Mr. STUPAK. Mr. Speaker, right now just about 60 percent of Americans receive their health insurance from their employer. But from 2000 to 2007, the annual health insurance premium for employers and employees rose from $6,628 to $12,153. The average worker's share of premiums grew by 116 percent, and the average employer's share rose by 75 percent, while wages only went up 4 percent.

Americans can no longer afford health insurance through the insurance company. In fact, a recent study found that 73 percent of all Americans who seek an individual insurance policy do not end up purchasing one, either because they were turned down due to preexisting conditions or their premiums were unaffordable.

Mr. Speaker, all Americans should be entitled to health insurance. But according to the SEC, Security and Exchange Commission, filings from 2000 to 2007, profits at the top ten publicly traded health insurance companies rose an astonishing 428 percent, from $2.4- to $12.9 billion.

Get the excessive profit out of health care. Provide health care for all Americans.

□ 1430

AMERICANS LOSE CONTROL OF THEIR OWN HEALTH CARE UNDER DEMOCRAT PLAN

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

Mr. HASTINGS of Washington. Mr. Speaker, Democrats in this body are negotiating behind closed doors the most sweeping changes to American health care since the 1960s. An article on CNN's Web site today explains the dangers of what happens when one party negotiates with itself in secret.

Entitled ''Five Freedoms You Would Lose in Health Care Reform,'' it explains that under the plan drafted by House Democrats, families will lose choices and control of their health care. According to the CNN story, Americans would, one, lose the freedom to choose what is in their insurance plan; two, lose the freedom to be rewarded for healthy living or pay their real costs; three, lose the freedom to choose high deductible coverage; four, lose the freedom to keep their existing plan; and, five, lose the freedom to choose their doctors.

Americans need more health care choices, not fewer. House Democrats should scrap this plan and negotiate in a bipartisan effort to help increase choices and reduce costs.

COLLUDING TO KEEP HEALTH CARE COSTS HIGH

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

Mr. DEFAZIO. Mr. Speaker, while the Republicans are mounting a fabulous defense of the health insurance industry, the party of do nothing is saying reform and health care is not needed.

They talk about competition, except they ignore the fact that the health insurance industry is exempt from antitrust law, so they can and they do collude to jack up the rates—two times the rate of inflation. Profits are up 250 percent in the last 10 years, while wages and earnings are down for most Americans and small businesses. But they ignore that little fact when they talk about we can't have a public plan. That would hurt competition. No, it will bring competition for once to the health insurance industry.

Then they forget about a few other things. They collude also to exclude individuals from coverage because you have been sick or you might get sick. Preexisting conditions or anything an insurance company doesn't like, they can deny you coverage, even if you are willing to pay their full premium.

They can and do, insurance companies, their friends, deny people renewals because they had the temerity to get sick after paying their premiums.

The SPEAKER pro tempore (Mr. SALAZAR). The time of the gentleman has expired.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must ask all Members to bear in mind that the principle of heeding the gavel that sounds at the expiration of their time is one of the most essential ingredients of the decorum that properly dignifies the proceedings of the House.

No Member should labor under a misapprehension that ignoring the gavel at the expiration of one's time can be a demonstration of civil disobedience. To the contrary, such a willful discourtesy is an act of stark incivility and has been the object of a formal call to order.

The Chair enlists the understanding and cooperation of all the Members at this point.

WHERE ARE THE JOBS?

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

Mr. HELLER. Mr. Speaker, August 17th is an important date. Yes, it is my wife's birthday. Thanks for remembering that. But it is also the six-month anniversary of the stimulus. Let's go back six months.

Mr. Speaker, remember when the President promised that unemployment, if this bill passed, would not go above 8 percent? Maybe that was hope.

Remember when the Speaker said jobs, jobs, jobs? Maybe that was hope.

Remember when the majority leader said we would see immediate results if this particular piece of legislation passed? They were all hollow promises, hollow promises for bad legislation.

This August 17th, my wife is going to ask: Where are the jobs? I am going to ask: Where are the jobs? Nevadans are going to ask: Where are the jobs? Americans are going to ask: Where are the jobs?

Happy birthday, sweetheart.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to address their remarks to the Chair.

HEALTH CARE REFORM WANTED, NOT A REVOLUTION

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

Mrs. BIGGERT. Mr. Speaker, I rise today to discuss the health care concerns my constituents shared with me last night at a town hall meeting.

Overwhelmingly, I heard from those who legitimately worry that this proposal will force them from the private insurance they enjoy now. One caller told me that she was able to provide for her medically fragile child only because of her employer-provided health care, which she described as ''expensive, but worth every penny.'' She fears that under this so-called reform bill, her coverage options would be limited and her child will be denied the care that she needs.

Many of my constituents who are remarkably well informed about this complex legislation are also outraged by its cost. They question how $1.6 trillion in new spending and 53 new bureaucracies will make health care better. One caller, a Federal employee, was dismayed at the thought of dealing with the same sort of bureaucrats at his doctor's office that he dealt with at his job.

Mr. Speaker, my constituents have spoken. They want commonsense solutions to lower costs, increased accessibility and improved care, and they know that this bill is not it. In short, they want health care reform, not a revolution.

PROPOSED HEALTH CARE REFORM A JOB KILLER

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

Mr. ROSKAM. Mr. Speaker, a few years ago I was at a famous Cubs game and watched as the Chicago Cubs were leading up to this crescendo. They were playing the Florida Marlins, and it actually looked for a minute as if the Chicago Cubs were going to go to the World Series. The announcer began to say, Well, there are five outs left and the Cubs are going to go to the World Series, and it got incredibly exciting. And then there was a bobble over in left field, and the rest is history. I mean, the air went out of Wrigley Field like nothing I had ever seen before. Just whoosh.

Well, that is exactly what happened in the Ways and Means Committee when the Director of CBO, the Congressional Budget Office, came in and said, and I am paraphrasing now, the following about the Democrat majority's plan:

Number one, you are rushing this. You haven't given us time to evaluate it; but, number two, there is nothing that indicates that this is going to save money. In fact, it looks like a budget buster.

Again, whoosh, all the energy left the room.

Americans know that we can do better. Americans know this is a job destroyer. Let's do the right thing.

FIXING HEALTH CARE

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Now, imagine if you called your doctor because you were very sick and immediately he wrote a prescription and scheduled you for surgery and sent you on your way. And you said, But, Doc, I have got a medical file that is three

inches thick. It is 1,200 pages long. Don't you want to examine me, read it, ask some questions, order some tests? And your doctor says, No, I don't have time for this because I am working on a deadline.

We all need to agree and work together. Our health care system does need reform and we want to reform it. Let's work together to fix it, not just come up with an arbitrary deadline.

We have to allow you to buy insurance from anywhere in America, have basic plans that cover what families really need and worry about, have transparency about quality and cost, and provide some financial assistance to those that need it. And, finally, let's make insurance personal, portable and permanent.

PUTTING PATIENTS FIRST

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

Mr. BACHUS. Mr. Speaker, throughout the year there has been a drumbeat, a relentless drumbeat of expensive stimulus packages, takeover of the car companies, financial bailouts, and cap-and-trade. And the drumbeat continues today, more government control, more government spending, higher taxes, fewer choices, especially for small business.

Now the Democratic leadership wants to take over one-sixth of our GDP, our health care. They want government to take over health care. It is a recipe for economic disaster. Even worse, it is a disaster for patients, because a government-run system will always ration care, reduce quality, and raise costs. It will put a Federal bureaucrat between you and your doctor.

Let's put patients, not the government, first. As long as we continue this government-knows-best approach, we are not going to get health care reform or the kind of economic recovery the American people need. We will only get bigger government, rationing, and diminished quality of care.

Stop the drumbeat of more government. Stop the takeover of government health care.

A BIPARTISAN APPROACH TO HEALTH CARE REFORM IS NEEDED

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

Mr. GINGREY of Georgia. Mr. Speaker, Members on both sides of the aisle are in favor of health care delivery reform. We want universal access. We want universal coverage. But what the Democratic majority has given us in their rush to get something through this body by the end of the week is 1,100 pages of universal nightmare, and this is not what the American people want.

They don't want these long lines, these long queues, this rationing of care. They don't want nonelected government bureaucrats telling health care providers what they can give and what they can offer and what they can prescribe to take care of their patients.

Mr. Speaker, we can come together in a bipartisan way and rewrite this H.R. 3200 and do it for the American people, bring down the cost of health care, and promote universal access. That is what we need to do. We need to do it in a bipartisan way, and I recommend to the Democratic leadership, let's go back to the drawing table.

GIVE AMERICANS A HEALTH CARE PLAN THAT WON'T MAKE THEM SICK

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

Mr. GOHMERT. Mr. Speaker, the latest numbers we have are for 2007. You divide the total number of households in America into the total amount of money spent on Medicare and Medicaid, it is $9,200 for every household in America.

We are not getting our money's worth with this government-run health care. And now the President wants to spend another $1 trillion? Well, there is a Republican plan that we can't get from legislative counsel to bring to the floor or even have CBO score it that would say, you know what? For the first time ever, we are going to give senior citizens complete control of their health care. We are going to give them cash money in a health savings account they control with a debit card, not the government, not an insurance company, and then we will buy them the best private insurance you can have for everything above that.

That gives them complete coverage; no wrap-arounds they have to buy, no surplus insurance. That is a plan that won't make America sick.

STOP THE GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. HENSARLING. Mr. Speaker, recently I met with dozens of doctors in east Texas to discuss health care, and, with only one exception, every one of them said that they had recommended to their children that they not follow in their footsteps and practice medicine. Health care is losing our best and our brightest due to its threatened takeover by the Federal Government.

Republicans have commonsense solutions to our health care challenges to ensure that all Americans have access to the high quality health care they need, when they need it, at a price they can afford.

When it comes to health care decisions, no government bureaucrat should ever come between you and your doctor, and if you are happy with your current plan, Republicans want you to be able to keep it.

In contrast, Speaker PELOSI has proposed a government-run health care rationing system paid for by higher taxes on small businesses and borrowing yet more money from the Chinese, while sending the $1 trillion bill to our children and grandchildren.

Mr. Speaker, if you loved the government takeover of our banks, of our auto companies, of our mortgage companies and AIG, you will love the takeover of your family's health care.

INITIATE REAL DEBATE ON HEALTH CARE REFORM

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

Mr. CALVERT. Mr. Speaker, right now we are debating one of the most important issues facing our country today, health care reform. There is no doubt that our current system must be reformed.

Unfortunately, rather than conducting a meaningful debate on how to improve access and quality and lower the cost of health care, the majority is making deals behind closed doors and going through the yellow pages to figure out who they can tax in order to pay for the $1 trillion bill they propose.

The majority asserts that their bill will insure more people, but the cost to America will not only be in dollars and cents; the bill will dramatically alter our health care, which is 20 percent of our economy, through the creation of a government-run public option. For those with private insurance in the short time before they are forced into a public plan, a government plan will still dictate what government service they can and cannot have.

This is unacceptable. The only people in the room making health care decisions should be you and your doctor, not a Washington bureaucrat.

I urge my colleagues to reject this misguided and dangerous proposal and initiate a real debate on health care reform.

□ 1445

WHERE ARE THE JOBS?

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

Mr. LOBIONDO. Mr. Speaker, we are rapidly coming up on the 6-month anniversary of the stimulus bill. The question all across America, the question in New Jersey, and the question in my district in south Jersey is, Where are the jobs? We had jobs that were promised, good jobs that were promised, jobs that were going to be available. The unemployment rate was going to come down. The families in New Jersey are hurting. The families in south Jersey are hurting. Our unemployment rate in the State of New Jersey is 9.2 percent; and in most of my counties, it's well above 11 percent.

Most of the stimulus money has been financed by the Chinese. And people are asking, Where is the help going to come from? But there is one category that has had a dramatic rise in employment, and that is in the category of czar. So if you are a czar, make application. Your day is coming.

CONCERNS WITH THE DEMOCRATIC HEALTH CARE BILL

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

Mrs. CAPITO. We all share a desire to enact health reform that lowers costs and improves care, but I am less convinced that the plan being developed across the aisle is the most responsible approach. We're talking about a bill with a $1.5 trillion price tag. We have the Congressional Budget Office saying the bill fails to control costs. We know it doesn't address legal reform; we know that a government-run health care plan threatens the insurance of millions of Americans; and we know that the bill's push to tax small businesses threatens jobs all across the country.

I just talked to a small business owner from Calhoun County. Her quote is, ''This scares me.'' This is not the time to risk more jobs. I urge my colleagues on the other side of the aisle to join us in real dialogue. This is an issue too important for one party to go it alone.

WHOSE SIDE ARE THEY ON?

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

Ms. SHEA-PORTER. Mr. Speaker, whose side are they on? Whose side are they on? This is the same party that in the 1960s told the country that Medicare would destroy the country. Whose side are they on? We are on the side of the American people. In 2007, three out of 10 young adults had no health insurance, none. Whose side are they on?

We will eliminate the doughnut hole with this bill, the doughnut hole that sticks so many senior citizens with full prices for their prescriptions. We'll take care of that with this bill. Whose side are they on? We'll end medical bankruptcies. So many people have lost their homes because of illness. We'll take care of that. Whose side are they on? They are making these false claims that the government will come between you and your doctor. Insurance companies come between you and your doctor right now.

They say that you'll wait in line. Don't believe it. Don't believe it. We're finally putting people in line and saying, You can walk in and make an appointment just like they can. Before I yield back, I have one last question: Whose side are they on?

PATIENTS AND THEIR DOCTORS SHOULD MAKE HEALTH CARE DECISIONS, NOT WASHINGTON BUREAUCRATS

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

Mr. BISHOP of Utah. Mr. Speaker, last week the President accused doctors of performing unneeded treatment just for money. I received a call today from Dr. Mobley. He is the ear, nose and throat residency director at the University of Utah who oversees the training of doctors, and he was disappointed at the President's remarks.

He appropriately thought the President should apologize for two reasons: Number one, his baseless accusations against the profession; but also the second reason is because of the underlying message of the statement. And I don't know why the President decided to become involved in kids' tonsils; but for some reason, he thought it was within his jurisdiction.

His statement implies a time will come when the government bureaucracy will deem it in their realm of power to decide what a doctor and a patient may or may not do. A government big enough to provide for our basic needs has historically found themselves increasingly comfortable in regulating other behaviors regulated to that health care need. In other countries they've told one how to exercise, how and when to eat, to sleep, what kinds of cars to buy. What we need is a system that allows the patient and the doctor to make decisions, not a Washington bureaucrat.

MORE JOB LOSSES UNDER THE DEMOCRATIC HEALTH CARE BILL

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

Mr. CAMPBELL. Mr. Speaker, this is a flow chart which the Democratic leadership doesn't want you to see, but this is a flow chart of the Democratic socialized medicine—I will use that term—but government-run health care plan. You see, you are here, your doctor is here, and all this stuff is somewhere in the middle. Now this plan adds 53 new departments, agencies and commissions.

Mr. Speaker, this plan is going to tax more. It is going to cost more. It is going to spend more. It is going to borrow more. But there is one thing we're going to get a lot less of, and that's jobs, by some estimates, nearly 5 million less jobs. Why would we want to do this? This isn't health care reform; this is just nuts.

HEALTH CARE REFORM NEEDS TO GET DONE RIGHT

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

Ms. GRANGER. Mr. Speaker, I rise this afternoon to express my deep concern about the debate over health care reform. This debate is not about whether reform is needed. The debate is about ensuring that health care reform is done right. I was a small business owner. I owned my business for 20 years. I can speak with a certainty of experience that the tax increase that's been proposed to pay for the Democrats' health reform bill will have a devastating impact on businesses and their employees.

Not only will the impact of the Democrats' bill be felt by business owners; but as individuals, the relationships we have developed with our doctors could be jeopardized. As an individual, I don't want anyone coming between me and the advice of my doctor. It's as simple as that. Choosing a doctor is one of the most personal and most important decisions we can make. Our health care options should be decided between doctor and patient, not by a health choices commissioner.

Mr. Speaker, my constituents want this process done right. They want options; and they want access, not mandates by government bureaucrats. They want affordable health care, not trillions more in debt. We owe it to the American people to get this right.

TOO MUCH BUREAUCRACY IN THE DEMOCRATIC HEALTH CARE BILL

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

Mr. PUTNAM. Mr. Speaker, with just 1 week left before we return to our districts, it is alarming that we do not have a final health care bill to read despite the Speaker's determination to have a vote on it this weekend. To get a head start though, I decided to look through the incomplete version available to the public online.

No further along than page 16, there is a provision that essentially says, A private insurance provider cannot enroll new beneficiaries into a health care plan. In short order, government-approved health care will be the only option. Current nonpartisan estimates project that as many as 114 million people will lose private health insurance. Nearly 5 million jobs will be lost due to the new taxes and mandates, and a whopping $1.3 trillion will be added to Federal spending over 10 years.

The bill creates 53 new commissions, councils, bureaus, advisory panels, and offices. If the American people think it's difficult to navigate the current health care system, just wait until more bureaucrats are involved. Why have the authors of this bill declared war on small business only to grow the Federal Government? Americans do not need more government. They need private sector jobs and affordable, quality health care. This bill provides neither.

THE GOVERNMENT IS AN UNFAIR COMPETITOR TO THE PRIVATE SECTOR

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

Mr. INGLIS. Mr. Speaker, there is much to agree on in health care reform. There is also something that we very much disagree on. The disagreement has to do with the public option, and it has to do with the question about whether private insurance companies need the discipline of the competition from a public sector plan or a publicly provided plan. If you've ever been in business and you've watched the government come into competition with you, you know that it is an unfair competitor because the government has the ability to subsidize its operations. The result is that when government enters an area that the private sector is working in, the government ends up becoming the provider there.

That's what we fear would happen in the midst of a public option: the private insurance companies would be forced out; the public option would become really the only game in town. And the result would become pretty quickly a government system of providing insurance and health care. But there's much else that we can agree on.

So the question is, Can the folks who control this House leave aside just one thing and then we cooperate?

UNEMPLOYMENT WOULD BE HIGHER IF IT WAS NOT FOR THE ECONOMIC RECOVERY BILL

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

Mr. FRANK of Massachusetts. Mr. Speaker, I know that there is a debate about when the world began; and there are some who think it began 4,000 years ago and some who think that it began earlier. We have a rare specimen today of people who think it began on January 20, 2009, who do not think anything happened before that, who do not remember the years of Republican rule where many things went wrong.

Now they're talking about the economic recovery bill. Ben Bernanke, who was the chairman of the Council of Economic Advisers, appointed by George Bush—that happened before January 20, so you may not have remembered it, I would say to my friends on the other side—but he told the House Financial Services Committee that unemployment would be higher if it was not for the economic recovery bill. That was Ben Bernanke. In his report, he twice cited examples of it.

And as to this argument that the bill was of no use, I debated this bill in February with Republican Members of Congress when they scoffed at the notion that there was something in it for police and fire. I was very pleased today to be notified that 23 police officers will be added to two of the communities in my district, Fall River and New Bedford, directly as a result of the economic recovery plan. Magnify that nationally, it's 10,000.

MEMBERS NEED TO READ THE HEALTH CARE BILL BEFORE VOTING ON IT

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

Mr. PRICE of Georgia. Mr. Speaker, what was one of the major concerns with the nonstimulus spending bill and the national energy tax that have flown through the House? Well, you know what it was, Mr. Speaker. Nobody read the bill. So what should we do with this health care bill? Well, I would suggest that we read the bill; and as somebody has said already, There is just a draft form.

But what's in that draft? It would raise taxes on individuals, small businesses, and employers by $818 billion and spend $1.6 trillion to create a system that even the Congressional Budget Office admits would raise, not lower, health costs. The bill would ban the purchase of private individual health coverage as part of a government takeover of health care that independent entities confirm would result in over 100 million Americans losing their private, personal coverage.

The House Republicans are for health reform that works. We have a plan for reform that expands access to affordable health care and gives families the freedom to choose health care that fits their needs, not government needs. House Republicans support patients. We will oppose any plan that puts Washington bureaucrats between patients and the care they need. Fewer choices, higher costs, I don't think so.

THE ACTIONS OF THIS CONGRESS ARE DESTROYING THE FUTURE OF OUR COUNTRY

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

Mr. LATHAM. Sometimes I wonder if anybody on the other side of the aisle ever goes home because I tell you, doing town meetings, we have three or four times more people than normal show up. And I will tell you what, they are scared to death of what they see happening in this country.

When they look at the $787 billion stimulus package that has no benefit to anyone today, when they look at people voting for cap-and-trade without even having read the bill, only to find out that in Iowa that would cost 17,000 jobs for each of the next 20 years and 2.5 million jobs nationwide for the next 20 years, they go, What's going on? When are we going to get our government back? When are people going to listen to us and be responsive?

What this debate is all about is our children and our grandchildren and what we're going to leave them for the future; what it's going to do for someone who wants an opportunity to start a small business, to grow and prosper and be part of this economy. We are destroying the future of this country with what this Congress is doing.

EVERY DAY MUCH IS LOST FOR PEOPLE WITHOUT HEALTH INSURANCE COVERAGE

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

Mr. HARE. Mr. Speaker, I was watching from my office and felt the need to come down. I don't have a fancy chart, as we've been seeing periodically. But let me give you some facts. We're going to be adjourning for 37 days at the end of this week. For 12 years, Mr. Speaker, our friends on the other side of the aisle had this Chamber; and the only thing we got out of it was the most miserable prescription drug program and nothing more than a boondoggle for seniors.

But while we're home and having our town hall meetings, here are the real facts that I hope not just my friends will listen to because they're important. Every day for the next 37 days, 400 people per day will die because they don't have health care—14,800 Americans, 34 people every day on an average every congressional district. Put that on a chart. For the next 37 days, 14,000 people every day will lose their health care, 518,000 Americans will lose their health care, 1,190 per day. We need to have more than town hall meetings.

□ 1500

PUBLIC OPTION WILL ERADICATE PRIVATE SECTOR

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

Mr. RYAN of Wisconsin. Mr. Speaker, I am sad that the Democratic majority is trying to rush this bill through before we've had a chance to go home to our districts to listen to our constituents, to share ideas with them, to get their views on this, one of the most important issues we will ever decide here in Congress.

One of the things that is being said really puzzles me. The President is saying, for the public plan, you have to have it to keep the private sector honest, to bring more competition. If that's the case, Mr. Speaker, then why don't we have government grocery stores to keep grocers honest? Why don't we have government contractors for car mechanics to keep car mechanics honest? Why don't we have government steel companies to keep steel companies honest? Why don't we have government car companies—oh, excuse me, that's the wrong example.

The point is, Mr. Speaker, the public option is not here to keep the private sector honest. The public option is here

to make the private sector go away. That is the purpose of this bill, and the American people should see it. And we, in August, ought to be given the opportunity to talk to them about it.

HEALTH CARE

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, today's Wall Street Journal cites a quote from then-candidate Obama while out on the campaign trail. Mr. Obama railed against a health plan that included drastic cuts for seniors, saying, ''If you count on Medicare, it would mean fewer places to get care and less freedom to choose your own doctors. You'll pay more for your drugs. You'll receive fewer services. You'll get lower quality. I don't think that's right. In fact, ''it ain't right'' was his exact quote.

Well, I couldn't have said it better, Mr. President. It is so troubling that this plan that your party is putting before us proposes to do exactly that. The plan would cut a total of $538 billion from Medicare, $172 billion from Medicare Advantage alone.

We need a plan that works with our seniors, not against them.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

LET'S UNDERSTAND REFORM BEFORE VOTING ON IT

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

Mr. PETRI. Wisconsin businessman John Torinus had a column in the July 25 Milwaukee Journal Sentinel which I commend to everyone.

Entitled ''Health care architects must face fiscal reality,'' Mr. Torinus pointed out six serious flaws in the health care reform plan. For example, the proposed 8 percent payroll tax on companies which don't provide coverage. Mr. Torinus' company, like many others, spends about 15 percent of payroll on health care. These businesses would save money by opting out of health care and instead paying the 8 percent tax.

President Obama promises that if you like your health insurance, you can keep it. Don't count on it. The House bill proposes a 2.5 percent penalty on people who don't buy mandatory insurance. For someone earning $40,000, that's $1,000, or about one month's premium for a family.

With insurance companies required to accept all comers, many people would skip insurance and instead pay the $1,000 penalty until a substantial medical need arises. That is what Mr. Torinus says is happening in Massachusetts under a similar plan.

LET'S LEARN LESSONS FROM HEALTH CARE FAILURES

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

Mrs. BLACKBURN. Mr. Speaker, tomorrow the President is going to be a stone's throw from the Tennessee border when he is out on the trail speaking with people. And I have no doubt he is going to have something to say about health care and say we can't put off health care reform any longer. And most people agree that we need some smart reforms on cost, on access, on insurance liability and on insurance accountability. I would also say that we need to heed the warnings that will come from some of the public option experiments that have taken place in our States.

My home State of Tennessee is home to one of these public option experiments. And our governor, a Democrat, has even called this a disaster. Now, 15 years after that experiment being put in place, our State is still digging out from a system that went horribly wrong, and it is a system that rationed care and cost billions more each year than anticipated.

I have asked the administration repeatedly for assurances if they understand what went wrong. I am still waiting. Let's learn these lessons from TennCare.

TRAVAILLE, TRAVAILLE, TRAVAILLE

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

Mr. LATOURETTE. Mr. Speaker, a lot of the problems in this country can be alleviated with a good job. There's nothing like a good job. And that's why the folks in southwest Ohio were so excited last fall when a fresh-faced young Senator from Illinois came to town and promised that he would fully support the enrichment plant down in Piketon, Ohio, creating 8,000 new jobs. People had parades, they were excited.

The Senator, now our President, sent a letter to our governor on September 2 reiterating his promise. Big groundbreaking on July 15, one of our colleagues, ZACK SPACE, was there, and said there are thousands of jobs at stake. Our Democratic Governor, Ted Strickland, wrote to the President in March—Without timely approval of the loan guarantee, the many thousands of new jobs being created will be delayed or perhaps lost.

But as it says in my daughter's favorite bedtime story, Chicka Chicka Boom Boom, ''Oh, no.'' What happened today was the Department of Energy said there will be no loan guarantee, $2.5 billion will be lost, 8,000 jobs will not be created. But fear not, Mr. Speaker, they have not yet rejected the application of a French company, and the French company, no jobs, no investment, and rather than jobs, jobs, jobs, we should say travaille, travaille, travaille.

STOP THE INSANITY AND FIX THE ECONOMY

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

Mr. MCCOTTER. Mr. Speaker, I come from Michigan where we have a 15.2 percent unemployment rate. And the thing that we hear in Michigan is where are the jobs?

We come to Washington and we now hear that we are going to have a radical socialization of America's health care system, that we are going to rush to misjudgment, that we will not allow the American people's voices to be heard over the August break so that their Members can come here and accomplish health care reform, not merely in a rush, but most importantly, correctly.

When I go home this August, I would like to be able to converse with my constituents about the best way to do this in our hard-pressed State. And I know for a fact that they will want health care done right, and they will tell this body to stop the insanity and fix the economy and do the job we sent you to do.

ADVICE FROM A SURGEON REGARDING GOVERNMENT-RUN HEALTH CARE

(Mr. GARY G. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARY G. MILLER of California. Last week, I received a letter from a constituent, Dr. Harry Levine, who was a surgeon in the U.S. and Canada for 60 years. Dr. Levine said, ''As a surgeon who worked in Canada and the U.S. for 60 years with two of the highest degrees in the world of surgery''—he was a fellow in the Royal College of Surgery in Canada, in the United States he serves as a diplomat on both the American Board of Surgery and the National Board of Medical Examiners—''I have unparalleled experience in all levels of society, from grinding dirt-level poverty to the most privileged. Please take this advice from me. This medical insurance program now up for a vote in Washington will be nothing short of a national calamity in every respect involving everyone and sparing no one. I cannot stress to you the extent to which chaos, illness, and needless death will befall everyone.''

According to Dr. Levine, under government-run health care, people become numbers and lose their identity—

you're a pest, not a patient. Don't take my word for it, ask your doctor. Ask them how government-run health care will change your life or shorten it.

PROTECT GM WORKERS' HEALTH BENEFITS

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

Mr. TURNER. Mr. Speaker, my father retired from General Motors after over 40 years. When General Motors closed their assembly plant in Moraine, Ohio, thousands of lifelong GM employees lost their jobs. Now, due to the Obama administration's negotiated bankruptcy, the retirees are at risk of losing their health care benefits. Isn't it ironic that as this House tries to rush through a misguided health care bill, the Federal Government has denied IUE–CWA workers in my community their promised health care benefits?

With the Federal Government now owning over 60 percent of General Motors, it's time to honor the promises that were given to these workers, including my father.

I have joined my Ohio colleagues in asking President Obama to not discriminate between UAW and non-UAW retirees in protecting their health care benefits. I have also talked to the President of GM last week, asking for fair treatment of these employees. Now it's reported that GM will apply for more than $10 billion in additional government funding.

If President Obama is serious about health care, he should start by protecting the GM workers who are losing their benefits in this administration's acquisition of General Motors.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of the proceedings or any other audible conversation is in violation of the rules of the House.

WHAT IS BEING REFORMED?

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, when I hear the word ''reform'' in the same sentence as health care, I wonder what is being reformed.

Fact 1: Some 80 percent of Americans are satisfied with their present health care.

Fact 2: Do we know what we're reforming? No. According to the Washington Post, the Democrats jumped at a chance to brief on what is in their 1,700-page Democrat health care bill. ''The bill is so complex,'' said Ways and Means Chairman RANGEL, ''that when staff agreed to hold the session, response was overwhelming.''

Fact 3: The Democratic plan will not save money. The nonpartisan CBO projected $1 trillion in costs and mounting deficits, and they ''do not see the sort of fundamental changes that would be necessary to reduce the trajectory of Federal spending by a significant amount.''

Fact 4: The bill has harmful cuts to Medicare Advantage that will result in more than 10 million seniors losing the program on which they rely. This plan would have your money spent, your current health care gone, no guarantee of satisfaction, all in the name of ''reform.''

KILLER OF THE HEALTH CARE BILL IS NOT POLITICS BUT POLICY

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

Mr. WESTMORELAND. Mr. Speaker, Democrats have a 70-vote majority in this House. They have a filibuster-proof majority in the Senate. They have a President with high personal popularity ratings. They don't need Republicans to pass their agenda. They remind us of this often, changing the House rules whenever we manage to score a tactical victory. Yet, Democrat leaders would have Americans believe that Republicans are obstructing passage of their health care legislation for political purposes.

If we had the power to stop the health care legislation, why didn't we Republicans stop the stimulus bill that has run up debt without creating jobs? Why didn't we stop the cap-and-trade bill that killed hundreds of thousands of good-paying jobs and tax every American that owns a light switch? Why not? Because Democrats have the votes to pass whatever they like.

The health care agenda has hit the rocks not because of Republican politics, but because of Democratic policy. Americans know a government takeover of health care won't bring down costs; it will simply raise taxes, kill jobs, and lower quality of care. The killer of this bill is not politics but policy.

QUALITY HEALTH CARE AT A LOWER COST

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

Mr. CASSIDY. To achieve the three goals of patient-centered health care, we have to control costs to provide access to quality care. Now there are three imperatives to achieve this. We have to decrease the amount of money the patient is paying for administrative costs, increase the transparency so the patient knows what she's paying for, and lastly, address lifestyle issues so that a healthier patient has higher quality health care at lower cost. This is transformational.

The current plan, however, the CBO says, is not transformational and in fact is based upon things which are very old: Medicaid, which is a Federal program currently bankrupting the States; and Medicare, which is bankrupting the Federal Government. This new third entitlement program builds upon those models, which is supposed to rescue the two that are currently bankrupting us. At a minimum, the solution should not cost more than the problem.

Let's address the imperatives of lowering administrative costs, increasing transparency, and addressing lifestyle issues, and develop a patient-centered health care plan, not one built upon two programs going bankrupt. On a bipartisan basis, let's achieve quality, accessible health care at an affordable cost.

REPUBLICANS HAVE A POSITIVE HEALTH CARE ALTERNATIVE

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

Mrs. BACHMANN. Mr. Speaker, this weekend I had the occasion to speak with a businessman in Minnesota who employs 110 people in his business. And he told me, Michele, right now health care is the most expensive part of my business, and under President Obama's plan, it will cost me an additional $12,000 a month and I just don't have that money. We know that the President's own figures say that about 5 million jobs will be lost in this country if his bill goes through.

There are so many small businesses, Mr. Speaker, who would love to offer health care, but it is the Congress that has made it so expensive for small businesses to offer health care.

Jobs will be created, but this is where they're going to be created, in government bureaucracy. This is the picture of the bureaucracy that the Democrats will create if we get government takeover of health care. And remember, the American consumer stands on this side of the bureaucracy, the doctor stands on this side. This is like America's newest board game. You have to navigate all of these agencies to get to the goal of your doctor and your health care. We can do better. The Republicans have a positive alternative.

□ 1515

WE CANNOT WAIT

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

Ms. WOOLSEY. Mr. Speaker, at least 46 million Americans are uninsured. By

the end of the day, 14,000 more Americans will lose their coverage. Over the past decade, health care costs have risen on average four times faster than workers' earnings. We cannot wait. We must act now with reform that guarantees that everyone has access to high quality care, regardless of income, employment or preexisting conditions. We also must bring down the cost of care to make health insurance affordable for everyone.

That's why we must pass a bill with a robust public plan, a plan without a trigger. A robust public plan will increase competition. It will bring down costs. The public plan must be tied to the current Medicare provider network infrastructure and rates so that it will be able to start immediately. This connection will also increase the savings provided by a public plan. We must pass a health bill with a robust public plan, and we must pass it now. The American people cannot go any longer without high quality, affordable coverage.

HEALTH CARE REFORM

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

Ms. FALLIN. Mr. Speaker, this debate on health care reform is probably one of the most important debates this U.S. Congress has had, because this debate on health care could move us towards socializing our health care system and turning over our personal health to the Federal Government to make decisions about our health, and also turning over a large portion of our national economy to the Federal Government.

This debate on health care reform should only be about doing what is right for America. And limiting choices on the kind of health care plan a citizen of this Nation can have is not right for America. Putting a Federal bureaucrat between the patient and the doctor is not right for America. Moving 114 million Americans off private insurance on to a government socialized plan is not right for America. Exploding our deficit with huge, massive new tax increases for a government-run health care plan is not right for America.

We should not be taking away the freedom to control something as important as our own personal health care and our outcomes of our health care, to the Federal Government. We should not be taking that away. Health care reform is about doing the right thing, and it is going to be right for Democrats and Republicans to come together to reform health care.

THE NEED FOR HEALTH CARE REFORM

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

Ms. SCHWARTZ. Almost 50 million Americans are without health coverage. Many millions more worry about the stability of their coverage, that they will lose coverage or that at a time of accident or illness their insurance will not cover critical needs. In my home State of Pennsylvania, families have seen a 100 percent increase in their health premiums since 2000. Nearly one in five Pennsylvania families pay more than 10 percent of their income on health care, and American businesses are struggling with increasing premiums, forcing them to pass on more of the cost to employees or to drop coverage all together.

The Federal Government is the largest payer of American health care costs and currently paying nearly half of the $2.5 trillion health bill. And while costs keep rising at a rate faster than inflation, health outcomes for Americans are not improving.

The status quo is simply unacceptable. Inaction is unacceptable. We must move forward in offering a uniquely American solution to strengthening and reforming our health care system. Health care reform means making difficult decisions. Without congressional action, there will be higher costs and greater uncertainty for all of us. It's time to act.

HEALTH CARE

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Mr. Speaker, in an interview in The New York Times earlier this year, President Obama discussed the difficult decision that he and his family faced to replace his grandmother's hip after she broke it after she was terminally diagnosed with cancer. In that interview, he said, ''Whether, in the aggregate society making those decisions to give my grandmother or everyone else's aging parents a hip replacement when they're terminally ill is a sustainable model, is a very difficult decision. There is going to have to be a conversation that is guided by doctors, scientists, ethicists. And then there is going to have to be a very difficult democratic conversation that takes place.''

With all due respect, Mr. President, I think that this is a conversation that would be best left between the doctor and the patient. We don't need a government plan. We don't need government bureaucrats standing in the way of this relationship. We don't need them out their rationing out what care is best in this relationship. And so I, for one, reject the idea that government bureaucrats will make better decisions about health care than the doctors and the patient. So any proposal that seeks to ration care in such a way should be opposed, and I will do so every single time.

WHERE IS THE COMMON SENSE?

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

Mr. POSEY. Mr. Speaker, first Congress passed a multimillion dollar bailout to reward bad behavior on Wall Street. Next Congress passed a trillion-dollar-plus stimulus plan which Members were not allowed to read. It was sold on the promise that unemployment would not exceed 8 percent, but unemployment is now at 9½ percent and rising.

Next the House passed a national energy tax. They called it cap-and-trade so Members wouldn't have to say they voted for a new tax. Members were not allowed to read that either. It will cost every American family and every American business lots of money and drive a lot more jobs overseas.

Now Congress wants to pass a bureaucratic-managed and rationed health care plan, again costing Americans trillions of dollars and, worse yet, their medical freedoms. No doubt Members will not be allowed to read the final version of that either. Where is the logic? Where is the common sense? When will Congress think about the working folks, the seniors, and the savers who made this country great? Congress needs to look past the special interests and start listening to the people back home.

HEALTH CARE REFORM

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

Mr. ADERHOLT. Mr. Speaker, I'd like to make clear that there is not anyone in the United States Congress who does not want to make our Nation's health care system better. There is bipartisan agreement that Congress must help the American people by working to lower the high cost of health care and provide access and availability to the American people who are uninsured. This is not the time for Congress to rush to the President's desk in a reckless manner legislation which would amount to nothing short of nationalizing one of the best health care systems in the world.

Make no mistake, there are much-needed reforms that Congress can and Congress should address. We must solve this problem in a focused and in a bipartisan way and not allow some extreme proposal to make its way to the President's desk that will be another massive spending program. With Federal spending at the highest level in American history, the economy in a severe recession and unemployment rising every day, another massive government program with more spending, more borrowing and higher taxes will only hurt this struggling economy and the American people.

TRILLION DOLLAR DEFICITS NOT SUSTAINABLE

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

Mr. NEUGEBAUER. Mr. Speaker, I originally came down here to talk about the fact that when my two grandsons, Nathan and Noah, need to know whether they need their tonsils out, we're going to let the doctor make that decision, not the President of the United States or the Speaker of the House. But then the gentleman from Massachusetts got up and was quoting a comment that Chairman Bernanke made the other day about the stimulus package.

What he didn't talk about was the rest of the comment that Mr. Bernanke made when we said, The fact that we're borrowing 50 cents of every dollar that we spend, do you think that that would change your predictions down the road if we keep spending at this level?

This is to quote the Chairman: ''Down the road, it might. As I talked about in my testimony, I do think it's very important that we look at a medium-term fiscal sustainability, that we have a plan for getting back to reasonably low deficits and a sustainable debt-to-GDP ratio. Otherwise, we might see interest rates rise, which would be a negative for the economy.''

I said, Do you think we can keep spending and having these trillion dollar deficits and not put our country—is that sustainable? Chairman Bernanke said, ''No, sir. It's not.''

AMERICANS DESERVE BETTER

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

Mr. TIBERI. Mr. Speaker, we have before us this week, maybe, H.R. 3200, the health care reform bill. Those of us on this side of the aisle are for health care reform. We believe there are many who need insurance, many who need reduced costs for health insurance. Mr. Speaker, this isn't it. In fact, the President is fond of saying, if you have it and you like it, you can keep it. Not true.

On pages 16 and 17—and I would encourage the President to read pages 16 and 17, in fact, the entire bill—and he will see that we take a hatchet to private insurance, to employer health care, and, in fact, the Congressional Budget Office Director, a Democrat, said that the President not only doesn't bend the curve to reduce health costs, we increase it. And we create a $200 billion deficit. Americans deserve better, Mr. Speaker. They deserve a better bill than this one.

HEALTH CARE

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

Mr. HARPER. The health care reform proposal expected to come before the House contains provisions that include a tax increase of more than $500 billion on American small businesses and working families, as well as a tax on jobs of up to 8 percent of employer's payrolls. Additionally, individuals would be required to buy coverage or pay a 2.5 percent fine on their income.

This government-run plan proposed by the Democrats will force more than 100 million individuals to lose their current insurance. Knocking this many Americans off their current coverage is a clear violation of the President's pledge to allow individuals to keep their current health plan if they like it. We need preventive medicine, not defensive medicine. I want health care decisions to be between you and your doctor, not some Washington government bureaucrat.

If the President and the Democrats are serious about health care reform, then they will work with the Republicans toward a bipartisan plan. The American people do not need health care reform legislation that can only get 218 votes in the House. Let's come up with a plan that will get 435 votes.

CHANGE WE CAN USE

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

Mr. KINGSTON. Mr. Speaker, I just got this e-mail from JoAnne Lewis in Coffee County, Georgia. She's with the Economic Development Authority. She says that Wayne Farms is now closing down, another 165 jobs lost. This brings Coffee County, Georgia's, total job loss to 2,979, or an unemployment rate of 16½ percent. Mr. President, where's the stimulus package? Where are the jobs?

Now, on top of this comes Speaker PELOSI. She's planning to ram through a $1.2 trillion government takeover of the health care system. This will cause a $534 billion tax increase and a $208 billion tax increase on small business and farmers. Therefore, more layoffs, and more unemployed. Mr. Speaker, this is not the change the folks in Coffee County, Georgia, can use. They need jobs.

TRUE BIPARTISANSHIP

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

Mr. COLE. Mr. Speaker, since January, we've had a lot of talk about bipartisanship, and we've even had some of it. We had a partisan Democratic stimulus bill that created bipartisan debt and unemployment, but no bipartisan jobs. We had a partisan Democratic cap-and-trade bill that will create bipartisan higher energy prices, but no more bipartisan energy. And now we've got a partisan Democratic health care bill that will cost Democrats, Republicans and Independents alike their jobs and quality health care. Hopefully, Mr. Speaker, the Democratic majority will eventually create a bipartisan opposition that will stop their job-killing health care bill in its tracks.

□ 1530

THE DEMOCRAT PLAN DOESN'T REFORM HEALTH CARE

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

Mr. DAVIS of Kentucky. Mr. Speaker, we need to reform health care in this country, but the Democratic plan doesn't do that. The Democratic health bill doesn't reduce costs or inefficiency. In fact, it increases taxes by over $1 trillion, and it cuts provider payments substantially. Indeed, it forces tens of millions of people off of the private plans that they're satisfied with into a government-run plan. In fact, it creates 53 new Federal agencies or boards, tripling the size of the current government health care system. That is not a move in the right direction.

Is this plan good enough for Democratic leadership? Apparently not.

In the Ways and Means Committee, we offered amendments to mandate that all Members of Congress would have to be under the government-run plan. The response from Democratic leadership was that that wouldn't be fair to the families of Congressmen. Well, I've got something to say to this, Mr. Speaker. If it's not fair to the families of Congressmen, it's not fair to Americans who work hard and who actually pay their taxes to be forced into something like this.

What we need is a real plan with real reforms that the American people will accept and that will address their needs.

MOST SMALL BUSINESSES SUBJECT TO DEMOCRATS' 8 PERCENT PAYROLL TAX

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

Mr. CAMP. Mr. Speaker, despite unemployment fast approaching 10 percent—over 15 percent in my home State of Michigan—a new analysis shows the Democrats' health care plan could force as many as 61 percent of small businesses which already provide health insurance to pay a new 8 percent payroll tax. The House Democrats' bill mandates employers must pay a minimum of 72.5 percent of the health insurance premiums for individuals and 65 percent for families. If an employer fails to do so, then it will be subject to a job- and wage-crushing 8 percent payroll tax.

According to the Kaiser Family Foundation, the new mandate will hit small firms and their employees especially hard. The majority of those

small firms that don't meet the Democrats' standards, up to 61 percent of small businesses, will pay that tax.

The bottom line: more taxes and more costs that will hurt the very workers they are supposed to help.

MENTAL HEALTH PARITY IN HEALTH CARE REFORM

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

Mr. KENNEDY. Mr. Speaker, the health care bill that we are now considering contains a very important item, and that is mental health parity, requiring all health insurance plans to treat mental illness and addiction on the same grounds as other physical illnesses. If we are to do this and also to include prevention, it's important that we have the appropriate education and medical education for all doctors so that they may be able to properly screen and treat all patients. Irrespective of their specialties in some other areas, doctors ought to be able to identify and to treat, at least in the primary care setting, mental health challenges before referring them to specialists. This has been an issue within the Institute of Medicine report, and I encourage my colleagues to support this in a section for medical education and training within the base of the bill.

GOVERNMENT HEALTH CARE AND PERSONAL FREEDOM

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

Mr. STEARNS. Mr. Speaker, the government-run health care plan, or the Waxman bill, is being forced on Americans without a full debate. In fact, during the markup in Energy and Commerce, where I serve, we got the replacement bill, about 1,000 pages, just about an hour before the markup. The markup was discontinued after 1 day. Who knows what is in the bill today? But there are some basic principles that all Americans recognize.

As Thomas Jefferson has said with regard to the government and its insidious encroachment on everyday freedoms; If we can prevent the government from wasting the labors of the people under the pretense of taking care of them, we will be wise. This is the pretense that Democrats are using to push their healthcare bill.

Mr. Jefferson also said, Great innovation should not be forced on slender majorities.

It is clear, Mr. Speaker, that a lot is at stake here, not the least of which is our personal freedom.

AMERICA IS FAST BECOMING A EUROPEAN SOCIAL DEMOCRACY

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

Mr. BUYER. Mr. Speaker, the President and the Democratic leadership here in the House and in the Senate are on the fast track to transitioning our country's Republic into a European social democracy. There were many reasons that the ancestors of the people of America fled from where they were to come to America. It was because of the oppressions of the freedoms by the governments under which they had resided.

We have made our share of mistakes and have had successes throughout history, but when America embraces freedom and liberty, we have the ability to inspire and to lead the world through many industries, and we have done so. In health care, we attract the greatest minds of the world to come to America's marketplace. We attract at-risk capital to press the bounds of science that improve the quality of life of our people and of millions around the world.

So, when we talk about health care reform, we want to preserve that which is right, and we want to work on that which is wrong. When my Democrat colleagues of the leadership talk about health care reform, it's about a government-run, socialized health system. Let's reject that and let's work together.

THE IMPORTANCE OF PASSING COMPREHENSIVE HEALTH CARE REFORM

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

Mr. FATTAH. Mr. Speaker, there were those who doubted that we would pass children's health care or the budget or the stimulus. Well, I rise today to say that we are going to pass comprehensive health insurance reform because it's so vitally important for our Nation's economy.

As we see the stock market rising and as we see home sales regaining, we see the Richmond Fed report of a very positive manufacturing uptick in the economy, we know with certainty that health care is important. Not only do we need to have a robust private-sector health insurance option for the public, but we need to have an option for patients if they're turned away, so we need a public option.

The previous majority had 8 years to do something on health care and did nothing. We see a lot of energy today in their speeches, but when they were in charge and when they had the White House, they had no concern for the tens of millions of uninsured Americans and for those kicked off of private health insurance because of preexisting conditions.

We're not going to talk about it. We're going to vote about it really soon on this House floor.

HEALTH CARE REFORM

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

Mr. LUETKEMEYER. Mr. Speaker, as the American people struggle to make ends meet, too many also live with the challenge of affording basic health care for themselves and for their families.

When I was home this past weekend, I heard from my constituents on a number of issues, but health care was prime on their minds. They were concerned about the plan on the table. They have great concern with regard to the provisions in there and with regard to the rationing of care. They're very concerned about the possible loss of the doctor-patient relationship. Small businesses are concerned about the tax provisions in the bill that may cost them not only the employees they have but their businesses on the whole.

At a time when we need to be helping small business, we're adding another burden onto them. Our side, that of the Republicans, has a plan to address each of these concerns in a way that solves problems rather than creates a lot of government bureaucracy, which actually takes over 18 percent of our economy. My constituents believe that the administration's plan on the table is the wrong plan at the wrong time and that it will have the wrong outcome.

THE HEALTH CARE ADMINISTRATOR

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

Mr. SOUDER. Mr. Speaker, this 1,017-page bill passed in Labor. It passed in Ways and Means. It's only waiting on one committee at this point. What is clear is that it uses our tax money to kill innocent, little babies through abortion. It's clear that it uses our tax money to allow people to kill themselves. What's unclear is anything in between.

Part of the reason this chart is being censored, I've concluded, is that it actually oversimplifies this bill. As for this position here, that of the health administrator, I asked in our markup, What defines a full-time employee? Is it 40 hours, 35 or 30 hours? Well, that will be up to the health care administrator. What about seasonal employees? Are they counted? Well, that will be up to the health care administrator. What about if you're above the small business amount and then you drop below it because you've laid off people? Well, that will be up to the health care administrator.

This was all night long. We were in session all night long, marking up this bill. The committee kept saying, Well, we don't want the businesses to game this bill, so we're not going to put it in the bill that defines ''full time.'' They

had small, smaller, smallest. We're not going to define it because we're going to let the health care administrator do it. This 1,017 pages is just a start.

LISTEN TO THE HEALTH CARE EXPERTS

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

Mr. BRADY of Texas. Mr. Speaker, my constituents aren't the only ones concerned about the government takeover of health care.

Yesterday, health care leaders of Texas Medical Center, the largest medical center in the world, gathered at Ben Taub Hospital. They represent indigent public hospitals, nonprofits, private systems, and some of our cutting-edge research institutions. These nationally renowned leaders had three messages for lawmakers in Congress:

One, they have no idea what is in this massive health care bill nor how it affects the patients they treat. They've had virtually no input in health care reform, and it's too important to rush through the House in the next few days.

Dr. Larry Kaiser, a surgeon and the president of the University of Texas Health Science Center, said, ''I liken it to taking out a tumor. There's a time when there's an urge to get it done quickly, but that's when mistakes can be made. That's the time to take it slowly and carefully.''

Why aren't we listening to these health care experts? Now is not the time to rush this bill through.

GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. LAMBORN. Mr. Speaker, I rise today, troubled about the Democrats' proposed government takeover of our health care system. The Congressional Budget Office, the CBO, has confirmed that this legislation will not reduce costs but will, rather, drive costs even higher for American families. They confirmed this weekend that a mandate on business would tend to reduce the hiring of workers at or near the minimum wage. They also pointed out that employers would be expected to pass the costs of fees on to workers in the form of lower wages.

This government takeover will burden our economy, and it will stifle economic growth. Instead of a takeover, Congress should act on free market and Tax Code health care reforms to make our system better. The President and his majority in Congress failed to produce jobs with the so-called ''stimulus.'' In fact, things have only gotten worse. Why should we trust them with the government takeover of health care?

BIPARTISANSHIP IN HEALTH CARE REFORM

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

Mr. ISSA. Mr. Speaker, so many Members have come up to talk about this plan, the plan that, in fact, cannot get even all of the Democrats to vote for it, and it doesn't have so much as one Republican voting for it. Hopefully, the American people understand Republicans believe there is a problem. We know, in fact, there are uninsured and underinsured. There are Americans who are concerned about losing their insurance, and of course, we all know that the Federal program, such as Medicare, is fraught with waste, fraud and abuse.

What we don't hear is that we can attack the problems on a bipartisan basis. Lower the cost of health care by eliminating defensive medicine, by lowering the threat against every doctor, if he or she doesn't simply do every possible test, even if it's simply running up the tab.

We can, in fact, work on a bipartisan basis on health care. The first thing we have to do is agree to do it piece by piece and to attack those things which either cause people to be uninsured or, in fact, cause people not to be able to afford their insurance.

I urge you to think about that, Mr. Speaker.

MAINTAIN THE DOCTOR-PATIENT RELATIONSHIP

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

Mr. SHIMKUS. Mr. Speaker, 90 percent of all Americans have health insurance, the majority of whom like their plans. The Democrat bill, as drawn out, does a couple of things.

First of all, it doesn't keep the President's promise. The President promises that, if you like your health insurance plan, you can keep it, but as stated earlier on pages 16 and 17 of the bill, you're not going to be able to do that.

The other thing is the plan was to lower the cost curb, but the CBO testified that the costs for both plans go up. The cost for the private insurance plan goes up. The cost for the public option goes up. A public option will undercut private insurance, driving people into a public plan.

Now, in countries that have one public insurance plan, the only way they control costs is by rationing care. If you don't trust me, just ask the Canadians, the Brits, the folks in New Zealand, and in Australia where you have a bureaucrat deciding whether you get the care you need or not. This is not the type of plan we want. We want to maintain the doctor-patient relationship.

HEALTH CARE REFORM THAT EMPOWERS THE AMERICAN CITIZEN

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

Mr. PLATTS. Mr. Speaker, recently, I was asked during a radio interview if I thought legislation for health care reform would pass the House sometime this year. My answer was, ''I hope so.'' All of us want more affordable, better, more accessible health care for our citizens. The question is: How do we achieve this very important goal?

Unfortunately, the plan embodied by this diagram is not the way to do that. This plan will cost millions of jobs. It will cut almost a half trillion dollars out of Medicare, hurting seniors. It will raise taxes on small businesses, making it harder to provide health insurance. As the CBO has told us, when fully implemented, it will raise the cost of health care by over $200 billion. That's more than $2 trillion in 10 years.

Unfortunately, the House leadership who are promoting this plan and those who are supporting it have forgotten the physician's principle of ''first do no harm.'' This plan will do great harm to health care for each and every American citizen. We must defeat this plan, and we must enact legislation that will truly be about empowering the American citizen, and that will be about what is best for their health care.

□ 1545

PRICELESS

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

Mr. NUNES. Mr. Speaker, I'm going to draw your attention to the board here. Mr. Speaker, there are 435 Members of the House of Representatives. There are 256 Democrats in the House of Representatives. It takes 218 votes to pass the government takeover of health care. Mr. Speaker, it's priceless that the Democrats can't come up with 218 votes to pass the government takeover of health care.

MEDICAL MALPRACTICE REFORM

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

Mr. ROONEY. Mr. Speaker, you know, with all of the talk of health care reform over the last several weeks, we haven't heard anything from the majority with regard to medical malpractice reform. This is kind of interesting because if any of you actually walk into a doctor's office across the country and ask them what's the one thing that could really help with health care in this country with costs and care and coverage, they would say medical malpractice reform.

Today across this country, doctors do not look at patients as patients. They look at them as future lawsuits. If we

aren't careful, this country won't have doctors anymore because anybody that's interested in going to med school will go to law school.

The government takeover of health care fails to address the concerns of the people that we really should listen to the most, and that's the doctors.

HEALTH CARE TAX ON SMALL BUSINESS OWNERS

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

Mr. McCAUL. Mr. Speaker, today I would like to tell you about a constituent of mine by the name of Cathy Magill. She represents a personal side of this health care debate. Cathy is a small business owner in my district; she and her brother own a company that installs windows in new homes. In a difficult economy, she now has something else to worry about, a new tax she will have to pay if she doesn't spend thousands of dollars a year on health insurance for each of her employees. They have told her they would rather keep the money in their own pockets and pay for health care the way they see fit.

If the Obama health care reform bill is passed, Cathy told me she will have no choice but to fire two of her employees so she can provide health insurance for the remaining three.

Mr. Speaker, this bill is a job killer. We should make health care more affordable and accessible to every American, but this is not the way to do it. And people like Cathy Magill in my district deserve better, and so do the American people.

NEW TAX ON JOB CREATORS

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

Mr. REICHERT. Last week, I received a note from a constituent about the proposed government takeover of our health care. She said, As a small business owner, we are struggling already. We provide our employees and their families with insurance and cannot afford additional taxes. Please continue to fight this fight, keep up this fight, keep us from rising taxes, keep us from costing small businesses more taxes.

That's why I stand here today to give a voice to my constituents who are extremely afraid, frightened, worried about this massive $1.1 trillion proposal and a new 8 percent tax on their small business.

The stimulus isn't stimulating the economy. Unemployment continues to rise, and now we want to slap a new tax on job creators.

People are hurting in my district and across the Nation. This bill is out of touch with reality, out of touch with the American people.

SOMEBODY MUST PAY THE BILL

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

Mr. CRENSHAW. Mr. Speaker, we all know that America's got the best health care of any nation in the world. But when some people can't afford it and some people don't have access to it, then that is a crisis and we need some reform. But we need the right kind of reform. We don't need this Democratic plan that's being rushed through the House.

I've been talking to my constituents back home and they say, We want to make sure that we have the right to choose our own doctor. They say, We want to have the right to get the treatment we need when we need it.

And that's what the Republican reform does.

That's not what the Democratic reform does. In fact, stop and think about this: Democrats will tell you health care is expensive, but we're going to provide more health care to more people, and it's not going to cost anybody any money except maybe a few millionaires. Those numbers don't add up.

You better think about it because somebody's got to pay the bill. It might just be you.

THE CHANGE AMERICA DIDN'T VOTE FOR

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

Mr. SCHOCK. In the last campaign we heard a lot about if you don't make more than $250,000 a year, you won't pay any new taxes. So what does the new majority do? Their first act in Congress is to pass the $787 billion stimulus package meant to jolt the economy. Yet all it has done is jolt the national debt up to a new high of $11.5 trillion.

Next, the new majority comes forward and says, We want to decrease carbon outputs. We want to pass a cap-and-tax proposal meant to limit carbon monoxide. Well, that bill, if passed, will limit jobs in America by over 2.7 million fewer jobs, and now we're hearing that they want to limit costs on health care. In actuality, this plan, their health care proposal, will limit access to care. Their bill will actually decrease the number of jobs and will actually add a tax on every small business owner in America in the form of an 8 percent increase in payroll taxes.

More taxes, fewer jobs. I don't think that's the change America voted for.

FOR-PROFIT HEALTH INSURANCE SYSTEM

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

Mr. KUCINICH. Why are there 50 million Americans without any health insurance? It's pretty simple. It's because people cannot afford to pay the premiums. Why is it that half the bankruptcies in the United States are connected to people not being able to pay their hospital bills? It's because the copays and deductibles are through the roof and they threaten family financial stability.

Why do these things happen? It's because we have a for-profit health insurance system; $1 out of every $3 goes for the operation as a for-profit system—$800 billion a year for corporate profits, stock options, executive salary, advertising, marketing, the cost of paperwork. If we took that money and put it into care, we would have enough to cover everyone.

This is a battle between the insurance companies and our people. We're either going to have a government of the people, by the people and for the people, or we're going to have a government of the insurance companies, by the insurance companies, and for the insurance companies. I think we remember what Lincoln said at Gettysburg. He didn't say that the insurance companies were going to run the country.

WHERE THE JOBS ARE

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

Mr. SIMPSON. I repeatedly heard Members come to the floor to ask the question, Where are the jobs? The Obama administration and congressional Democrats told us that with the passage of their $787 Billion stimulus package that unemployment would not rise above 8 percent. Well, it now stands at 9½ percent.

It's a legitimate question: Where are the jobs?

Let me tell you where the jobs are. As reported on the news last night on the spending of the stimulus package, we are spending your tax dollars on building a living snow fence for $80,000; $31.5 million on a bike trail in California; $1.5 million on a deer underpass; $3.4 million on a turtle tunnel in Florida. That's right, a turtle tunnel in Florida. I hope some of the money from this stimulus is going to train the turtles as to the advantages of using a turtle tunnel.

These are the Democratic stimulus dollars at work, your tax dollars at work.

DO NOT PASS THIS BILL

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

Mr. ROGERS of Kentucky. You know, people come to the U.S. from all points of the globe to get the medical treatment that America is best at all across the world. It's the best system ever invented, and we've evolved it over these 200-plus years.

This experiment that the Obama administration is pushing the Congress to pass would rip out that system and put in its place what I think would be an inferior system. People don't understand why we need to do it. And, in fact, we don't have to do it.

Our proposal is essentially three things that would allow us to keep this great medical system that we have, bring down the costs and make it affordable to everyone. We would allow small companies to form co-ops and bargain for their insurance coverage, much the same as the Kentucky Farm Bureau does in Kentucky even today. We would do away with junk lawsuits that drive up the cost of practice and cause doctors to perform very expensive defensive medicine.

Do not pass this bill.

SLOW DOWN ON HEALTH CARE

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

Mr. HOEKSTRA. Mr. Speaker, it's time for us to slow down.

The second day in office, the President said within 12 months Guantanamo will be closed. He's now found out that rushing and making that decision was the wrong decision and that the teams that he has in place have clearly indicated they will not be able to make that goal.

Then we rushed into a stimulus bill, $787 billion on the backs of our kids and our grandkids. And it's not working. Rushing through this process doesn't work.

We then did an ill-advised cap-and-trade system which has further put the brakes on our economy. We rushed it through.

And now we're looking at rushing through a health care bill. People are talking about what's in the bill. No one really knows because they're still negotiating, and there are still some that say we should vote and we should vote this week, even though a bill isn't in front of us.

Let's slow down; let's do this in a professional way and make sure that we have a professional product.

HEALTH CARE REFORM

Mr. MICA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Also, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LUJÁN). The gentleman will state it.

Mr. MICA. Mr. Speaker, this chart that I have here, I have been banned, as a Member of Congress, from mailing this to my constituents or just disseminating it.

Is it within the rules of the House, an order of the House for me to be allowed to present this chart here at this time on the floor of the House of Representatives?

The SPEAKER pro tempore. The gentleman's chart has not drawn any objection.

Without objection, the gentleman is recognized for 1 minute.

There was no objection.

Mr. MICA. I made that parliamentary inquiry because Members of Congress have been banned from distributing this chart which shows the Obama Democrat health care plan. Now, anytime you can get a bill from Congress and it proposes creating new agencies or activities, and in this case a health care reform, and you chart it, it tells a lot.

Once we charted this health care proposal, Members of Congress were banned from disseminating this chart. So, Mr. Speaker, this may be the only opportunity my constituents have to see this.

Last week, we asked with the stimulus package, Where are the jobs? This week we ask with the health care plan, Where are the reforms? There are over 53 new agencies, bureaucracies, and bureaucrats added in this health care so-called reform. I want health care reform. The American people want health care reform. But I don't think this is the reform that they asked for.

LET'S BE HONEST ABOUT THIS HEALTH CARE REFORM

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

Mr. FLAKE. Mr. Speaker, some things just don't add up. We're told that the Democrats' version of health care reform will cost less in the long run. Haven't we heard this before?

When Medicare was instituted more than 30 years ago, for the first 25 years we were told that it would cost this amount. Instead, it costs nine times that much and that holds true for just about every government program that we institute.

There are multiple, multiple times that it costs more and more and more than we ever thought it would. How do you control costs when you have no money to spend, when you have to borrow money? You control costs by rationing. Markets control costs with competition, a ration by competition. But governments control costs by rationing. And so what will happen here inevitably is that the services that you are now used to receiving, the medical services will be severely circumscribed.

Let's be honest about this reform, at least, and tell people what they're going to get.

□ 1600

CONGRESS SHOULD NOT APPROVE A GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. SMITH of Texas. Mr. Speaker, the administration's plan for a government takeover of health care will raise taxes, ration care, extend wait times, and let a government commission make decisions that should be made by families and their doctors. This scheme will increase our national deficit by hundreds of billions of dollars and will increase, not decrease, the cost of health care.

During a recent health care telephone town meeting with 1,200 of my constituents, I asked them the question if the government should determine how much health care they received. More than 9 out of 10 said ''no.''

President Obama is intent on making the government too big, too intrusive, and too expensive. We should listen to our constituents. Congress should not approve a government takeover of health care.

VOTE DOWN THE HEALTH CARE REFORM BILL

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

Mr. KING of Iowa. Mr. Speaker, President Obama, in part of his campaign to be elected to office and part of his campaign after he had been inaugurated as President, said that we have an economic calamity, and we can't fix it unless we first fix health care, and that health care is broken.

Well, if you have a business that's broken, it doesn't take a $1 trillion to $2 trillion program to try to fix it. If the problem with health care is we're spending too much money on health care, why do we have to spend $1 trillion or $2 trillion more to fix it? I mean that is the number one question that doesn't seem to be answered by the administration.

And the second one, a statement that is not believable to the American people, is the idea that when the President promises if you like your health insurance program, you get to keep it. In fact, if they pass this legislation, they will take it away, and it says in section 102 of the bill that they're going to take it away. The American people are not going to be able to decide if they get to keep their health insurance program because the government will write new rules for every health insurance program, and the employers will decide whether the insurance is cheaper under the public plan, the government-run plan, or the private.

Vote this down.

IT'S THE ECONOMY THAT'S BROKEN

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

Mr. EHLERS. Mr. Speaker, I am very reluctant to criticize the President of the United States. He has the most difficult job, as do we, and we must work together. But I'm really confused because he keeps referring to our health system as broken. I don't know what

that means. What does it mean when you break a health system?

When I went to the doctor recently, no problem. I went in, saw him, got the prescription, and left. I needed hospital treatment, went in, had the surgery, and left. Everything worked fine. It was not broken.

I think the real problem is that our economy is broken. And I know in the State of Michigan, where I live, our unemployment rate for June is 15.2 percent. If people aren't working, they tend to lose their health care because they usually get it through their employer. Starting August 24 in Michigan, we expect an average of 18,000 people in Michigan to roll off unemployment insurance each month. By the end of 2009, we expect to have 99,000 people who have lost their benefits. That is the problem we must address.

We have to get people back to work, and when they get back to work, they will get their health care back.

PEOPLE ARE NOT WAITING IN LINE TO LEAVE THIS COUNTRY FOR HEALTH CARE; IT'S THE OTHER WAY AROUND

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

Mr. WAMP. Mr. Speaker, I have said it many times on this floor: Neither party has an exclusive on integrity or ideas. And these challenges are not Republican challenges or Democratic challenges; they are, in fact, American challenges.

But I have to tell you a few years ago, a Republican President with a Republican Congress, he proposed sweeping changes to immigration policy, but those changes kind of flew in the face of the rule of law, they threatened our sovereignty, and Republicans said ''no.''

Here we are today. All of us want our President to be successful. But the Democratic Party needs to look at the President and say, This is not what we need to protect our health care system. We need to change it. We need to reform it. We need to improve it. But we don't need government control of health care. It's too important.

Eighty-five percent of the people in this country today are satisfied with their health care, and they are afraid that this new proposal will put that in jeopardy.

This is a matter of life or death. People are not waiting in line to leave this country for health care; it's the other way around.

UNDER THE PROPOSED HEALTH CARE PLAN, MEDICAL CARE WILL BECOME EVEN MORE EXPENSIVE

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

Mr. DUNCAN. Mr. Speaker, in the early 1990s, I went to a reception in Lebanon, Tennessee, and the doctor who delivered me came and brought my records. I asked him how much he charged back then, and he said he charged $60 for 9 months of care and the delivery if they could afford it.

Before the Federal Government got so heavily involved in medical care, medical care was cheap and affordable by almost everyone, and doctors even made house calls.

Then the Federal Government got into the business and costs exploded. In fact, the predictions on Medicare and Medicaid, it costs about 10 times more after 25 years than what was predicted.

The same thing will happen on the health care plan that is before the Congress today. The costs will far exceed the predictions. Medical care will become even more expensive and more unaffordable. In fact, Mark Levin, the radio commentator, said a few nights ago that it will put massive costs over onto the States to expand their Medicare programs, and then States like mine of Tennessee, which don't have an income tax, will be forced into having one.

This plan is not good, especially for the poor and lower-income people.

AMERICA'S AFFORDABLE HEALTH CHOICES ACT

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

Ms. TSONGAS. Mr. Speaker, I rise today to discuss the important responsibility in front of us on health care reform.

The cost of inaction will undoubtedly bear a heavier burden on individuals, families, small business owners, and our economy the longer we delay. Without reform the cost of health care for the average American family is expected to rise $1,800 every year, with no end in sight. If we don't act, 14,000 Americans will continue to lose their health insurance every single day.

The America's Affordable Health Choices Act has helped our Nation begin to tackle this issue in a meaningful way. Already we have agreed that this bill must prevent insurance companies from denying coverage based on your medical history or dropping your coverage when you are sick. This is a key and needed reform that will stop insurers from gaming the system by covering only healthy people.

Right now insurance companies decide whether or not to cover you for a procedure. If a procedure is deemed too experimental, for example, it may not be covered. If it is too expensive, you are responsible for paying the costs of it after a certain point.

If we do not take the steps to regulate insurance industry practices now, American families will see their coverage shrink and costs go up.

OUR PRIORITY SHOULD BE TO GET HEALTH CARE REFORM RIGHT

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

Mr. MCCARTHY of California. Mr. Speaker, earlier today I was in a meeting with a microcosm of small businesses around the United States. We met inside this Capitol. We talked about health care. We talked about ways to reform health care, to bring the costs down, the quality up, to be able to have greater accessibility, to be able to have the ability to move from job to job and have health care coverage, to be able to have choice and quality.

And when I sat around this table with small business owners, one of the individuals owned a Kentucky Fried Chicken, one owned a pizza establishment, and he talked about going from 45 employees to 35. He said if this health care bill, as proposed, as is written today, his question will not be, will he have to lay people off; the question will be, will he shut down? He will have to close his business if this bill passes this week.

I ask that we spend our priority not on how much time we have to pick a dog but how much time we actually have to do health care right.

SHOP ACT/HEALTH CARE REFORM

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

Mr. GERLACH. Mr. Speaker, I rise today to express my concern about the House Democrat health care reform package and its impact on small businesses and jobs.

At a time when our Nation's unemployment rate is approaching 10 percent, this legislation would impose new surtaxes on high-wage earners to pay for reform. The reality is that this is not a tax on the rich, as many would claim, but rather a tax on small business owners, who provide 70 percent of the jobs in the United States. And if enacted, these taxes could cost 4.7 million more jobs to be lost.

Now is not the time to be pushing legislation that would cause even more Americans to lose their jobs. Instead, we need to focus our ways and our attention on ways to make health care more affordable for small business owners so that they can meet the needs of the health of their employees and stay in business. That is why we should allow small businesses to band together in statewide and nationwide pools to obtain lower insurance premiums and provide a tax credit for small business owners and the self-employed. We need to help small business owners with the right health care reform, not legislation that just raises their taxes in these tough economic times.

A GOVERNMENT-RUN HEALTH CARE PLAN WILL LIMIT THE CARE THAT AMERICANS CAN RECEIVE

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

Mrs. MYRICK. Mr. Speaker, I am a 9-year breast cancer survivor, and I believe that I'm alive today because I was able to access and get the early diagnostic tests that I needed.

In 1999 I knew something was wrong and I went to five doctors, had three mammograms, and they all said you're okay. Finally the sixth doctor said, Let's do an ultrasound. He found my cancer. Otherwise, who knows what would have happened?

Under a government health care system like they have in the U.K. and in Canada, I really wouldn't have had that opportunity to get those tests so quickly and they may have found out too late.

Survival rates for cancer in countries that have government systems are much lower. In the U.K. breast cancer survivor rates are 11 percent lower than they are here in the United States.

So we need to look at sensible policies. We need to not be creating a huge new program for health care that only limits the care that not only cancer patients but all Americans receive.

LET'S FIRST DO NO HARM; PROTECT THIS ECONOMY AND PROTECT THE WORLD'S GREATEST HEALTH CARE SYSTEM

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

Mr. CULBERSON. Mr. Speaker, we in Texas are very proud to be home of the Texas Medical Center, the world's greatest collection of medical institutions. I am proud to represent M.D. Anderson hospital, recognized around the world as the greatest cancer center in the world. And we in Texas understand better than I think almost anywhere else the importance of medical institutions that are driven by research, driven by the physicians, driven by the needs of patients and the desires of doctors. And we in Texas want simply to be left alone. We want Texans to run Texas.

The most important parts of anyone's life are our families and our health. And we want, as Texans, to make these decisions for ourselves. We need to be focusing as a Congress on protecting the magnificent health care system we have created, on encouraging job growth by giving small businesses tax credits, by allowing small businesses to pool their resources so they can negotiate with the big insurance carriers and bring down their rates. We need to focus on tort reform for doctors to protect them from frivolous lawsuits, as we have in Texas, that has worked so well.

Let's first do no harm and protect this economy and protect the world's greatest health care system.

□ 1615

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LUJÁN). 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 later.

WIPA AND PABSS REAUTHORIZATION ACT OF 2009

Mr. TANNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3325) to amend title XI of the Social Security Act to reauthorize for 1 year the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3325

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 ''WIPA and PABSS Reauthorization Act of 2009''.

SEC. 2. REAUTHORIZATION OF THE WORK INCENTIVES PLANNING AND ASSISTANCE PROGRAM.

Section 1149(d) of the Social Security Act (42 U.S.C. 1320b–20(d)) is amended by striking ''2009'' and inserting ''2010''.

SEC. 3. REAUTHORIZATION OF THE PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM.

Section 1150(h) of the Social Security Act (42 U.S.C. 1320b–21(h)) is amended by striking ''2009'' and inserting ''2010''.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. TANNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 3325, the bill now under consideration.

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

There was no objection.

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

Today I want to join with our colleagues on the Social Security Subcommittee and Mr. JOHNSON, our ranking member, in support of this reauthorization for 1 year. It is a 1-year extension of two programs that help Social Security and Social Security beneficiaries return to work.

The WIPA, the Work Incentives Planning and Assistance, program allows disability beneficiaries to get one-on-one assistance from community organizations to help them understand the rules and the effect they will have on their benefits if they return to work. The PABSS program, Protection and Advocacy for Beneficiaries of Social Security, provides legal advocacy services to help beneficiaries get a job or keep their job. The disability advocates and the return-to-work experts have both testified before our subcommittee about the effectiveness of these programs and how they will help people return to the workplace.

The reason we are doing this today is because the authorization for these programs will expire in September. The bill extends for 1 year the programs with no changes while the committee considers a longer-term reauthorization. The bill does not increase government spending because it comes from the discretionary reserves of the Social Security Administration.

What this bill actually does extending these programs, Mr. Speaker, is it actually helps people who have been sick or disabled who want to go back to work and become no longer a recipient of these sorts of public assistance to do so. So I think it is not only a worthwhile enterprise in terms of what the Subcommittee on Social Security has done, but it also is something that will strengthen the vibrancy of our economy as people who have been disabled or sick can actually return to the workplace.

Today I join with my colleagues, SAM JOHNSON, Ranking Member of the Subcommittee on Social Security, and JIM MCDERMOTT, Chairman of the Subcommittee on Income Security and Family Support, in support of the "WIPA and PABSS Reauthorization Act of 2009." This bill will extend, for one year, two programs that provide critical assistance for Social Security and Supplemental Security Income (SST) disability beneficiaries who are seeking to return to work.

Both of these programs were originally established in the Ticket to Work and Work Incentives Improvement Act of 1999, which passed Congress with overwhelming bipartisan support. Under, the Work Incentives Planning and Assistance (WIPA) program, the Social Security Administration (SSA) funds community-based organizations to provide personalized assistance to Social Security and SSI disability beneficiaries who want to work, to help these beneficiaries understand SSA's complex work incentive policies and the effect that working will have on their benefits. This program can help to reduce the fears many beneficiaries have about transitioning to employment.

Under the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program, SSA awards grants to designated Protection and Advocacy Systems to provide legal advocacy services that beneficiaries need to secure, maintain, or regain employment. The PABSS program also provides beneficiaries

with information and advice about obtaining vocational rehabilitation and employment services.

The Subcommittee on Social Security has received extensive testimony from disability advocates, experts, and other stakeholders about the importance of these programs to increasing employment among disability beneficiaries.

SSA is currently authorized to spend $23 million annually from its administrative budget to fund the WIPA program, and $7 million annually to fund the PABSS program. However, the authorization for both programs expires on September 30, 2009.

This bill will extend the WIPA and PABSS programs for one year, with no changes, while the Committee considers a longer-term reauthorization. This 1-year extension will ensure that these programs can continue to provide disability beneficiaries with the assistance they need to seek employment. The bill does not increase government spending.

I urge your support for extending these important programs.

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

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

Mr. Speaker, I rise today in support of passage of this important legislation and thank Mr. TANNER for bringing it up. He is doing a great job as the Social Security chairman.

You know, choosing to work shouldn't be a hard decision to make for someone receiving Supplemental Security, because they are Social Security disability benefits. But it is, and that is because the folks have to think about how their wages will impact their cash benefits or their access to health care.

With nearly unanimous support from both the House and Senate, almost 10 years ago Congress passed Ticket to Work and the Work Incentives Improvement Act, a law that was about helping those with disabilities to get back to work in order to support themselves and their families. The two grant programs we would reauthorize today were created as a part of that landmark legislation.

The Work Incentives Planning Assistance program funds community-based organizations to assist those receiving benefits to understand Social Security's complex rules and the effect of working on their benefits. Today, there are over 104 community-based cooperative agreements to ensure these services are available in all 50 States. Since the program began, over 350,000 people have been served.

One example is the Work Incentive Planning Assistance program of Easter Seals in north Texas, which serves 19 counties in the north Texas area, including my district. Thanks to their good work over the past 3 years, their staff experts have served 1,302 people, and 184 of them now still have jobs.

The Protection and Advocacy for Beneficiaries of Social Security program funds 57 grant programs covering all 50 States. These programs served almost 2,500 people last year and helped those working or trying to work by responding to their questions and resolving potential disputes with their employer or with an agency providing them with return-to-work services.

The authorized funding level of $30 million has remained constant since these programs were created. Should Congress not act, these programs would expire on September 30, 2009, and the funding would end.

While I support a 1-year extension of these two important programs, at a Ways and Means Subcommittee on Social Security hearing, we learned that Social Security's primary return-to-work program, Ticket to Work, really hasn't been working. Fortunately, we are beginning to see promising signs of success in the Ticket program since new regulations to fix it were implemented last summer.

Now, more than ever, how every taxpayer dollar is spent does matter. Programs that don't achieve results must be changed or must end. To that end, I look forward to working with Chairman Tanner and all the members of the committee to figure out how all return-to-work programs can achieve their goal of a job and self-sufficiency for those who choose to return to work.

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

I yield back the balance of my time.

Mr. TANNER. Mr. Speaker, I thank Mr. JOHNSON.

Mr. MCDERMOTT. Mr. Speaker, I rise in strong support of H.R. 3325.

The Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program play crucial roles in the lives of SSA's beneficiaries with disabilities.

The two programs enable these beneficiaries to make informed choices about work as well as providing them with the necessary services to successfully transition back into the workforce.

For instance, the Work Incentives Planning and Assistance Program helps guide them by providing important information about opportunities and resources that help them make an informed decision.

Importantly, these programs provide services, free of charge, to individuals receiving Social Security Disability Insurance or Supplemental Security Income.

A one year reauthorization will ensure that these vulnerable Americans may continue to receive guidance, support, and legal representation.

At a time of increased economic hardship across the country, it is vitally important that we not forget those most in need.

H.R. 3325 has strong bi-partisan support, as it should, and deserves overwhelming support when we vote in order to send a message to SSA beneficiaries with disabilities that they are not forgotten and we stand by their side.

Mr. TANNER. I have no other speakers and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and pass the bill, H.R. 3325.

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

A motion to reconsider was laid on the table.

VETERANS BUSINESS CENTER ACT OF 2009

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1803) to amend the Small Business Act to establish a Veterans Business Center program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1803

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 ''Veterans Business Center Act of 2009''.

SEC. 2. VETERANS BUSINESS CENTER PROGRAM.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended—

(1) in subsection (f), by inserting ''(other than subsections (g), (h), and (i))'' after ''this section''; and

(2) by adding at the end the following:

''(g) VETERANS BUSINESS CENTER PROGRAM.—

''(1) IN GENERAL.—The Administrator shall establish a Veterans Business Center program within the Administration to provide entrepreneurial training and counseling to veterans in accordance with this subsection.

''(2) DIRECTOR.—The Administrator shall appoint a Director of the Veterans Business Center program, who shall implement and oversee such program and who shall report directly to the Associate Administrator for Veterans Business Development.

''(3) DESIGNATION OF VETERANS BUSINESS CENTERS.—The Director shall establish by regulation an application, review, and notification process to designate entities as veterans business centers for purposes of this section. The Director shall make publicly known the designation of an entity as a veterans business center and the award of a grant to such center under this subsection.

''(4) FUNDING FOR VETERANS BUSINESS CENTERS.—

''(A) INITIAL GRANTS.—The Director is authorized to make a grant (hereinafter in this subsection referred to as an 'initial grant') to each veterans business center each year for not more than 5 years in the amount of $200,000.

''(B) GROWTH FUNDING GRANTS.—After a veterans business center has received 5 years of initial grants under subparagraph (A), the Director is authorized to make a grant (hereinafter in this subsection referred to as a 'growth funding grant') to such center each year for not more than 3 years in the amount of $150,000. After such center has received 3 years of growth funding grants, the Director shall require such center to meet performance benchmarks established by the Director to be eligible for growth funding grants in subsequent years.

''(5) CENTER RESPONSIBILITIES.—Each veterans business center receiving a grant under this subsection shall use the funds primarily on veteran entrepreneurial development, counseling of veteran-owned small businesses through one-on-one instruction and classes, and providing government procurement assistance to veterans.

''(6) MATCHING FUNDS.—Each veterans business center receiving a grant under this subsection shall be required to provide a non-

Federal match of 50 percent of the Federal funds such center receives under this subsection. The Director may issue to a veterans business center, upon request, a waiver from all or a portion of such matching requirement upon a determination of hardship. The Director may waive the matching funds requirement under this paragraph with respect to veterans business centers that serve communities with a per capita income less than 75 percent of the national per capita income and an unemployment rate at least 150 percent higher than the national average.

''(7) TARGETED AREAS.—The Director shall give priority to applications for designations and grants under this subsection that will establish a veterans business center in a geographic area, as determined by the Director, that is not currently served by a veterans business center and in which—

''(A) the population of veterans exceeds the national median of such measure; or

''(B) the population of veterans of Operation Iraqi Freedom or Operation Enduring Freedom exceeds the national median of such measure.

''(8) TRAINING PROGRAM.—The Director shall develop and implement, directly or by contract, an annual training program for the staff and personnel of designated veterans business centers to provide education, support, and information on best practices with respect to the establishment and operation of such centers. The Director shall develop such training program in consultation with veterans business centers, the interagency task force established under subsection (c), and veterans service organizations.

''(9) INCLUSION OF OTHER ORGANIZATIONS IN PROGRAM.—Upon the date of the enactment of this subsection, each Veterans Business Outreach Center established by the Administrator under the authority of section 8(b)(17) and each center that received funds during fiscal year 2006 from the National Veterans Business Development Corporation established under section 33 and that remains in operation shall be treated as designated as a veterans business center for purposes of this subsection and shall be eligible for grants under this subsection.

''(10) RURAL AREAS.—The Director shall submit annually to the Administrator a report on whether a sufficient percentage, as determined by the Director, of veterans in rural areas have adequate access to a veterans business center. If the Director submits a report under this paragraph that does not demonstrate that a sufficient percentage of veterans in rural areas have adequate access to a veterans business center, the Director shall give priority during the 1-year period following the date of the submission of such report to applications for designations and grants under this subsection that will establish veterans business centers in rural areas.

''(11) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $12,000,000 for fiscal year 2010 and $14,000,000 for fiscal year 2011.

''(h) ADDITIONAL GRANTS AVAILABLE TO VETERANS BUSINESS CENTERS.—

''(1) ACCESS TO CAPITAL GRANT PROGRAM.—

''(A) IN GENERAL.—The Director of the Veterans Business Center program shall establish a grant program under which the Director is authorized to make, to veterans business centers designated under subsection (g), grants for the following:

''(i) Developing specialized programs to assist veteran-owned small businesses to secure capital and repair damaged credit.

''(ii) Providing informational seminars on securing loans to veteran-owned small businesses.

''(iii) Providing one-on-one counseling to veteran-owned small businesses to improve the financial presentations of such businesses to lenders.

''(iv) Facilitating the access of veteran-owned small businesses to both traditional and non-traditional financing sources.

''(v) Providing one-on-one or group counseling to owners of small business concerns who are members of the reserve components of the armed forces, as specified in section 10101 of title 10, United States Code, to assist such owners to effectively prepare their small businesses for periods when such owners are deployed in support of a contingency operation.

''(vi) Developing specialized programs to assist unemployed veterans to become entrepreneurs.

''(B) AWARD SIZE.—The Director may not award a veterans business center more than $75,000 in grants under this paragraph.

''(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $1,500,000 for each of fiscal years 2010 and 2011.

''(2) PROCUREMENT ASSISTANCE GRANT PROGRAM.—

''(A) IN GENERAL.—The Director shall establish a grant program under which the Director is authorized to make, to veterans business centers designated under subsection (g), grants for the following:

''(i) Assisting veteran-owned small businesses to identify contracts that are suitable to such businesses.

''(ii) Preparing veteran-owned small businesses to be ready as subcontractors and prime contractors for contracts made available through the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) through training and business advisement, particularly with respect to the construction trades.

''(iii) Providing veteran-owned small businesses technical assistance with respect to the Federal procurement process, including assisting such businesses to comply with Federal regulations and bonding requirements.

''(B) AWARD SIZE.—The Director may not award a veterans business center more than $75,000 in grants under this paragraph.

''(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $1,500,000 for each of fiscal years 2010 and 2011.

''(3) SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS GRANT PROGRAM.—

''(A) IN GENERAL.—The Director shall establish a grant program under which the Director is authorized to make, to veterans business centers designated under subsection (g), grants for the following:

''(i) Developing outreach programs for service-disabled veterans to promote self-employment opportunities.

''(ii) Providing training to service-disabled veterans with respect to business plan development, marketing, budgeting, accounting, and merchandising.

''(iii) Assisting service-disabled veteran-owned small businesses to locate and secure business opportunities.

''(B) AWARD SIZE.—The Director may not award a veterans business center more than $75,000 in grants under this paragraph.

''(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $1,500,000 for each of fiscal years 2010 and 2011.

''(i) VETERANS ENTREPRENEURIAL DEVELOPMENT SUMMIT.—

''(1) IN GENERAL.—The Director of the Veterans Business Center program is authorized to carry out an event, once every two years, for the purpose of providing networking opportunities, outreach, education, training, and support to veterans business centers funded under this section, veteran-owned small businesses, veterans service organizations, and other entities as determined appropriate for inclusion by the Director. Such event shall include education and training with respect to improving outreach to veterans in areas of high unemployment.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $450,000 for fiscal years 2010 and 2011.

''(j) INCLUSION OF SURVIVING SPOUSES.—For purposes of subsections (g), (h), and (i) the following apply:

''(1) The term 'veteran' includes a surviving spouse of the following:

''(A) A member of the Armed Forces, including a reserve component thereof.

''(B) A veteran.

''(2) The term 'veteran-owned small business' includes a small business owned by a surviving spouse of the following:

''(A) A member of the Armed Forces, including a reserve component thereof.

''(B) A veteran.

''(k) INCLUSION OF RESERVE COMPONENTS.—For purposes of subsections (g), (h), and (i) the following apply:

''(1) The term 'veteran' includes a member of the reserve components of the armed forces as specified in section 10101 of title 10, United States Code.

''(2) The term 'veteran-owned small business' includes a small business owned by a member of the reserve components of the armed forces as specified in section 10101 of title 10, United States Code.''.

SEC. 3. REPORTING REQUIREMENT FOR INTERAGENCY TASK FORCE.

Section 32(c) of the Small Business Act (15 U.S.C. 657b(c)) is amended by adding at the end the following:

''(4) REPORT.—The Administrator shall submit to Congress biannually a report on the appointments made to and activities of the task force.''.

SEC. 4. COMPTROLLER GENERAL STUDY OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

The Comptroller General shall carry out a study on the effects of this Act and the amendments made by this Act on small business concerns owned and controlled by veterans and submit to Congress a report on the results of such study. Such report shall include the recommendations of the Comptroller General with respect to how this Act and the amendments made by this Act may be implemented to more effectively serve small business concerns owned and controlled by veterans.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 gentlewoman from New York?

There was no objection.

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

Mr. Speaker, as a new generation of heroes returns home from the conflicts

in Iraq and Afghanistan, our Nation has a responsibility to ensure that they can earn a decent living for themselves and their families.

When they reenter civilian life, many of our returning soldiers, sailors, airmen and marines will be interested in launching their own businesses. This is not surprising. After all, the attributes it takes to lead a successful business, like perseverance, leadership and strategic thinking, are the same skills that make members of our military effective.

Already veterans comprise 14 percent of self-employed Americans. With more veterans returning home from Iraq every day, we can only expect the number of self-employed veterans to spike in coming months.

The bill before us today is meant to make specialized services available to veterans so that they can succeed as small business owners. Under this bill, the Small Business Administration is instructed to establish a new Veterans Business Center program. This program will provide veterans with dedicated counseling and business training.

There is already an existing Veterans Business Outreach Center initiative at the Small Business Administration, and while that program is limited in its scope, it has already demonstrated that veterans can succeed in business if they have the right tools.

Importantly, under this bill, for the first time we will have a dedicated network of entrepreneurial development centers that are designed specifically with veterans' needs in mind.

In addition to building on the success of the existing Veterans Business program, this legislation will tackle some of the most difficult challenges blocking veterans from becoming entrepreneurs. Given the ongoing credit crunch, there are specific measures in this bill to help veterans access capital and ensure loans.

H.R. 1803 also helps veterans find Federal contracts that are well-suited for veteran-owned businesses. This is a particularly timely program, given the wave of contracts that will be generated from the American Recovery and Reinvestment Act.

Equally important, this bill makes clear that as the SBA activates the new network of Veterans Business Centers, it should look first to those areas of the country with large veterans populations. In short, we are bringing small business resources that veterans need to the communities with the most veterans.

Mr. Speaker, all of us owe a debt to the men and women who wear our Nation's uniform in defense of our country. While we can never fully repay that debt, we can help our veterans reenter civilian life and pursue the American Dream.

The legislation before the House today will help our returning heroes find their piece of the American Dream by launching and building their own businesses. I urge my colleagues to support this bill.

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

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

Mr. Speaker, today I rise in support of H.R. 1803, the Veterans Business Center Act of 2009. Today's current economic climate provides a hard path to success. While it has never been easy for small business owners, obligations for increases in taxes, utilities, high health care costs and loan payments make it even more difficult.

With this ever-increasing burden, it is no wonder that small businesses are not thriving. And despite the barriers that are placed in front of them, small business owners are using their creativity to survive. The Small Business Administration has entrepreneurial technical assistance programs that must be reassessed in order to ensure that they are providing the most effective assistance to small business.

When the men and women who have chosen to serve their country honorably in the armed services retire and return home, they are often faced with a daunting task of beginning new careers. Many times, they choose to serve their country in another way. These brave Americans frequently choose to open up a small business and contribute to the growth of America's economy. For these great Americans, we must provide them with the very best training to ensure the ease of transition to their new civilian lives.

This important legislation modernizes one of SBA's most critical programs, the Veterans Business Center program, so it can help them become entrepreneurs during these difficult economic times. It will show them how to use their skills and creativity to establish small businesses and survive until such time as the economic climate allows their businesses to thrive. Then it will provide them with the assistance they need to help grow their business.

Currently, the Office of Veterans Affairs at the SBA oversees five Veterans Business Centers that serve our veterans. Under this legislation, a Veterans Business Center program will be established to develop and run a larger network of Veterans Business Centers.

Special attention will be paid to the areas of the country with dense veteran populations, such as those surrounding military facilities. These centers will offer counseling to veterans through one-on-one instruction. It will also provide continuing education to those who may have run a small business before entering the armed services and have returned to their business after a tour of duty.

□ 1630

Frequently overlooked and underappreciated are the spouses of Americans who have served in the Armed Forces. These individuals also face the challenges that a life in the armed services may present, including providing for a family in the absence of the servicemember. Under this legislation, spouses of deceased servicemembers will also benefit from the counseling and training of Veterans Business Centers if they are starting or running a small business.

Enlisted personnel are not the only ones serving our country. Members of the National Guard are frequently called upon at a moment's notice to provide assistance, whether in disaster relief efforts or in tours of duty overseas during wartime. Given the service they provide to the country, they should have the same resources as enlisted members of the armed services when their commitment to their fellow citizens is over. This bill would open Veterans Business Centers to members of the National Guard.

Everyone knows that a good business plan is the cornerstone of any successful small business. Creating and executing the business plan requires extensive business knowledge and ingenuity, including the ability to predict potential obstacles to the success that may unfold at any time.

This bill fortifies an already existing program that teaches America's veterans how to tackle their problems head on. In short, this bill sharpens an already existing tool employed by the SBA to cultivate one of our Nation's greatest natural resources, its veteran entrepreneurs.

Mr. Speaker, this legislation makes crucial changes to an important program at a critical time. I commend Mr. NYE for his hard work on this bill. I also commend Chairwoman VELÁZQUEZ for moving this bill so swiftly through committee.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield as much time as he may consume to the sponsor of the legislation, the gentleman from Virginia (Mr. NYE).

Mr. NYE. Mr. Speaker, first of all, I would like to thank Chairwoman VELÁZQUEZ for helping me bring my bill to the floor today. I can't thank my good friend enough for the hard work and the bipartisanship that she has shown in her leadership of the committee. I couldn't ask for a better chairwoman. I would also like to thank Ranking Member GRAVES and Mr. THOMPSON for their support.

Mr. Speaker, I have the honor to represent Virginia's Second Congressional District, home to the largest concentration of veterans, military personnel and military families anywhere in the country. We know firsthand that our community is stronger not only because of the service of our military personnel but also because of the contributions of our veterans.

The same drive and dedication that leads men and women from Hampton Roads and the Eastern Shore to serve our country in uniform also leads many of our veterans to take on the challenge of entrepreneurship. Like small businesses all across the country, veteran-owned small businesses are a

crucial part of our economy, helping to create jobs and spur economic growth.

It's no secret why they are successful. The skills and training that our veterans learn in the military are incredibly valuable in the private sector. However, despite their experience, many veterans leave the military without the resources to translate their skills to the challenges of starting and running a business. This bill will make sure our veterans have the support they need by establishing a nationwide network of Veterans Business Centers.

These centers will provide counseling and business training. They will assist in accessing capital and securing loans and credit, and they will help veterans navigate the procurement process to compete more effectively in the Federal marketplace.

Earlier this year, I spoke with a veteran in my district who started his own small business just 3 years ago; and as of this year, he has already created hundreds of jobs. Despite years of experience in the military, he told me that the only way that he got started was because of the support from other veteran business owners who showed him the ropes.

While he was fortunate, not all of our veterans are in the same position. The Veterans Business Centers will ensure that all veterans have access to the same resources and information so that they too can launch and grow their own businesses. We know already from the existing outreach centers and Small Business Development Centers that the model can be very successful. My bill will build on what works and expand access to these critical services, especially in areas of the country with large numbers of veterans.

The Veterans Business Center Act of 2009 has the support of both the American Legion and the Veterans of Foreign Wars; and most importantly, it will help spur the growth of small businesses and create jobs because at a time when we are working to rebuild our economy, America must draw upon the ingenuity of our small businesses and the dedication of our veteran entrepreneurs. I strongly urge my colleagues to support this bill.

Mr. THOMPSON of Pennsylvania. I yield as much time as she may consume to the gentlelady from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today in support of H.R. 1803, the Veterans Business Center Act of 2009. By creating a Veterans Business Center program, this bill supplies veterans with the academic, instructional and economic support that they need to start their own businesses. In my home State of Florida, 99 percent of the State's employers are small businesses. At a time when Florida is facing unprecedented economic difficulties, this bill will provide veterans in my district with the entrepreneurial training and counseling that they need to enter this vital part of Florida's economy.

I especially like the part of the bill that targets areas with high veteran populations. Madam Chairman, do I have the area for you: certainly the Tampa Bay area is home to so many veterans. We have MacDill; we have two wonderful veterans hospitals right there; and the third one is about to be built in the Orlando area.

While serving in the Armed Forces, our men and women in uniform often need to put their own career goals and ambitions on hold while risking their lives to protect our freedom. One way that we can honor our troops for their sacrifices and bravery is to provide them with the opportunity to pursue their dreams once they return from the battlefield. This Veterans Business Center Act of 2009 is an important step in achieving this goal. I want to thank Mr. NYE for introducing this bill and certainly Ms. VELÁZQUEZ from New York for allowing the bill to come before her committee and eventually to the floor. I encourage all of my colleagues to support this bill.

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers. If the gentleman is ready to close or yield back, I am ready to close.

Mr. THOMPSON of Pennsylvania. I just want to thank the chairwoman for her leadership with this and Mr. NYE for this piece of legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Again, Mr. Speaker, let me just take the opportunity to thank Mr. NYE and all the members from the other side on the Small Business Committee who have worked on this legislation. I encourage all the Members to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1803, as amended.

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

A motion to reconsider was laid on the table.

EDUCATING ENTREPRENEURS THROUGH TODAY'S TECHNOLOGY ACT

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1807) to provide distance learning to potential and existing entrepreneurs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1807

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 ''Educating Entrepreneurs through Today's Technology Act''.

SEC. 2. EDUCATING ENTREPRENEURS THROUGH TECHNOLOGY.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by redesignating section 44 as section 45 and by inserting the following new section after section 43:

''SEC. 44. EDUCATING AND NETWORKING ENTREPRENEURS THROUGH TECHNOLOGY.

''(a) PURPOSE.—The purpose of this section is to provide distance learning and opportunities for the exchange of peer-to-peer technical assistance through online networking to potential and existing entrepreneurs through the use of technology.

''(b) DEFINITION.—As used in this section, the term 'qualified third-party vendor' means an entity with experience in distance learning content or communications technology, or both, with the ability to utilize on-line, satellite, video-on-demand, and connected community-based organizations to distribute and conduct distance learning and establish an online network for use by potential and existing entrepreneurs to facilitate the exchange of peer-to-peer technical assistance related to entrepreneurship, credit management, financial literacy, and Federal small business development programs.

''(c) AUTHORITY.—The Administrator shall contract with qualified third-party vendors for entrepreneurial training content, the development of communications technology that can distribute content under this section throughout the United States, and the establishment of a nationwide, online network for the exchange of peer-to-peer technical assistance. The Administrator shall contract with at least two qualified third-party vendors to develop content.

''(d) CONTENT.—The Administrator shall ensure that the content referred to in subsection (c) is timely and relevant to entrepreneurial development and can be successfully communicated remotely to an audience through the use of technology. The Administrator shall, to the maximum extent practicable, promote content that makes use of technologies that allow for remote interaction by the content provider with an audience. The Administrator shall ensure that the content is catalogued and accessible to small businesses on-line or through other remote technologies.

''(e) COMMUNICATIONS TECHNOLOGY.—The Administrator shall ensure that the communications technology referred to in subsection (c) is able to distribute content throughout all 50 States and the territories of the United States to small business concerns, home-based businesses, Small Business Development Centers, Women's Business Centers, Veterans Business Centers, SCORE chapters, and the Small Business Administration and network entrepreneurs throughout all 50 States and the territories of the United States to allow for peer-to-peer learning through the creation of a location online that allows entrepreneurs and small business owners the opportunity to exchange technical assistance through the sharing of information. To the extent possible, the qualified third-party vendor should deliver the content and facilitate the networking using broadband technology.

''(f) REPORTS TO CONGRESS.—The Administrator shall submit a report to Congress 6 months after the date of the enactment of this section containing an analysis of the Small Business Administration's progress in implementing this section. The Administrator shall submit a report to Congress 1 year after the date of the enactment of this section and annually thereafter containing the number of presentations made under this section, the number of small businesses served under this section, the extent to which this section resulted in the establishment of new businesses, and feedback on the usefulness of this medium in presenting entrepreneurial education and facilitating the exchange of peer-to-peer technical assistance throughout the United States.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2010 and 2011.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may 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 gentlewoman from New York?

There was no objection.

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

I rise in support of this bill which will help entrepreneurs grow their businesses through the expanded use of cutting-edge technology. This bill is a bipartisan product introduced by Representative THOMPSON from Pennsylvania and promises to go a long way in helping small firms flourish. Entrepreneurship is the tested tool for powering economies. So it should come as no surprise that entrepreneurial development, or ED, programs, have a track record for sparking growth. In fact, every $1 put into these initiatives puts another $2.87 into the Treasury. You cannot argue with that kind of return, especially at a time when our economy is fighting to recover.

While small business growth is important to any community, it is especially vital in struggling rural regions and urban areas. When recession hits, these areas fall the hardest. That is why this bill is so important. Through the use of cutting-edge technology, it delivers entrepreneurial development training to Americans everywhere. In doing so, it encourages business growth in places where it might not otherwise take root.

This is critical because entrepreneurship is more than a means of employment. It is a path to economic independence. Technology is often referred to as the great equalizer. It is an avenue through which all businesses, large and small, can attract new customers and reach untapped markets. It is also an effective means for delivering information and sharing data.

The Educating Entrepreneurs through Today's Technology Act builds on those two capabilities. With the click of a mouse, an aspiring entrepreneur in Appalachia can participate in a training program broadcast out of San Francisco. Resources such as satellite seminars and online information sessions make it easy for entrepreneurs everywhere to access information on a broad range of topics. Starting and running a small business can be challenging. In the current environment, even seasoned entrepreneurs are struggling to adapt. Proper training in areas like credit management, financial literacy and Federal small business programs are more important than ever. Whether we are talking about fledgling entrepreneurs or those with years of experience, everyone can benefit from this kind of information.

There is no question that our economy looks different today than it did the last time SBA's ED programs were updated. In terms of technology alone, we have grown by leaps and bounds. This bill reflects that change. It makes sure small firms can use modern technology to the best of their advantage. With these services, startups will be able to build a solid business foundation. Meanwhile, established firms will be able to retool and improve their existing operations.

As we continue to work our way towards recovery, small businesses will be on the front lines. It only makes sense to give them all the tools they need to succeed because with the technology of today they can help build prosperity for tomorrow. Mr. THOMPSON's bill gives them the resources to do so.

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

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

I rise today in support of H.R. 1807, the Educating Entrepreneurs through Today's Technology Act. Small businesses are the backbone of our economy, employing roughly half of United States workers. While our communities are experiencing high unemployment rates, the entrepreneurial spirit remains alive and well. For many underserved and rural areas, it is critical to have the opportunity and the ability to tap into resources that will foster further economic development and provide prospective entrepreneurs with the same access afforded to their suburban and urban counterparts.

H.R. 1807 will allow third parties the opportunity to provide high-quality tele-distance training through a competitive grants process administered by the SBA. The measure will provide for third-party vendors with experience in distance learning content and communications technology. It will employ online, satellite, video-connected, community-based organizations to distribute and conduct distance learning related to entrepreneurship, credit management, financial literacy, homeownership and Federal small business development programs.

The Small Business Administration will ensure that the communications technology is distributed through all 50 States and U.S. territories to home-based businesses, Small Business Development Centers, Women's Business Centers, Veterans Business Centers and SBA district offices. Additionally, this measure would require that the online distance learning program provided for in title II of the bill, include the establishment of an online networking site where entrepreneurs and small business owners can go to interact with one another. The goal of this networking site is to facilitate the exchange of peer-to-peer technical assistance.

□ 1645

This will allow for prospective and established entrepreneurs and small business owners to interact with each other to troubleshoot problems and share best practices for interacting with SBA, securing financing, navigating government regulations, and the slew of odds and ends that arise when getting a small business off the ground. There is no substitute for being able to fall back on lessons learned from experience, and peer to peer will arm current and prospective entrepreneurs with this priceless information from individuals who have been there before.

Mr. Speaker, for many entrepreneurs across the country, in order to access SBA and Small Business Development Centers they have to drive long distances. In my rural district, we have learned to use our limited resources wisely, and this can also be said for rural and underserved communities across the Nation.

This measure recognizes a one-size-fits-all textbook approach to addressing entrepreneurial concerns is seldom the solution. Passage of this measure will empower these very entrepreneurs to navigate the many hurdles facing emerging businesses.

I encourage my colleagues to vote in favor of H.R. 1807 and continue the House's commitment to our Nation's entrepreneurs.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 1807, as amended.

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

A motion to reconsider was laid on the table.

SMALL BUSINESS ADMINISTRATION EXTENSION

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1513) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1513

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–10 (123 Stat. 990), is amended by striking ''July 31, 2009'' each place it appears and inserting ''September 30, 2009''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on July 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 gentlewoman from New York?

There was no objection.

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

All of us on both sides of the aisle agree that America's small businesses will be the cornerstone of our economic recovery. Not only are small businesses more nimble and better able to respond to economic turbulence, but after losing their jobs many Americans turn to entrepreneurship as a new source of income. This ingenuity has led us out of previous recessions. With the right tools and support, I believe small businesses will again lead our Nation back to recovery.

Since January, this Congress has taken important steps to help our small businesses. The Recovery Act is helping address the single biggest challenge facing entrepreneurs today, namely, access to affordable capital. By making improvements to the SBA's capital access programs, this bill will yield $21 billion in new lending and investment for small firms. We have also targeted $15 billion in new tax relief to small businesses through the act, and many small companies are being put back to work rebuilding our economic infrastructure. In fact, small businesses which dominate trades like construction and engineering can expect to see $30 billion in infrastructure opportunities thanks to the Recovery Act.

However, our work on behalf of small businesses does not stop there. In May, this body passed bipartisan legislation to update and improve the SBA's Entrepreneurial Development programs. These initiatives have a solid track record of success. Small businesses that use them are twice as likely to succeed.

Last year alone, ED programs helped create 73,000 new jobs. The legislation we passed in May will build on this success. Through outreach to targeted communities like veterans, our bill will ensure more companies take advantage of these services. And the legislation responds to current economic pressures by helping dislocated workers start their own enterprises and offering expert consulting to troubled businesses.

Finally, in the last month we have worked to update the Small Business Innovation Research program and the Small Business Technology Transfer program. Every year, through SBIR and STTR, some of our largest Federal agencies invest $2.2 billion in small business research. This infusion helps launch 1,500 new companies. The House-passed bill will strengthen the SBIR program in a number of ways. It will make it easier for companies participating in SBIR to access venture capital. We have also adjusted the size of program grants to better reflect the research costs. And we have targeted the program toward commercialization so more products come to the market and there are further opportunities for job creation.

Mr. Speaker, all of these measures will update and improve Federal programs that small businesses rely on. As we speak, the committee is continuing work with our counterparts in the Senate to finalize these bills, prepare them for final passage, and get them to the President for his signature.

However, as the current programs at the SBA expire at the end of this month, we must pass an extension so that our legislative work can continue. The bill before us will keep existing initiatives at the SBA running for another 60 days. This will allow us time to finalize these measures and prepare them for final passage.

I urge my colleagues to vote ''yes'' on this measure.

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

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

Mr. Speaker, I rise today in support of the chairwoman's request to suspend the rules and pass S. 1513.

The bill is very simple. It extends the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated funds. This extension will last until September 30, 2009. This extension is necessary because the authorization for various programs operated by SBA ceases on July 30, 2009.

The committee has worked in a bipartisan fashion over the past two Congresses and reported out a number of bills to address programs operated by the SBA. Despite the efforts of the House, the extension passed earlier this year by both parties of Congress will expire before the legislative process can run its course. The work needed to help America's entrepreneurs revitalize the economy simply cannot be accomplished by Friday of this week. Without enactment of this extension, a number of vital programs that SBA operates would cease to function.

Given the importance that small businesses play and will continue to play in the revitalization of the American economy, we cannot allow the SBA authorizations to run out. Enactment of this extension will enable the House and Senate to continue to work in a diligent manner to address necessary changes to SBA programs.

I urge all my colleagues to suspend the rules and pass S. 1513.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of S. 1513, legislation that would provide a short term extension of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. While I wish that our colleagues in the Senate would have taken up the House-passed H.R. 2965 before the programs' scheduled expiration on July 31, I believe that it is imperative that we act quickly so as not to lose the ability to help small businesses, who are the biggest job creators in our country.

Small business drives U.S. economic growth and innovation. These companies make up 99.7 percent of all U.S. employers and employ nearly half of all Americans not working for the government. In addition, small businesses employ 39 percent of high-tech workers such as scientists and engineers, and produce 13 to 14 times more patents per employee than do large firms.

Mr. Speaker, the SBIR and STTR programs were created to provide critical funding to these companies so they could conduct R&D that they otherwise would not be able to afford. These programs also provide further funding to commercialize promising technology resulting from this R&D.

Since their inception in 1982, these programs continue to provide over $2 billion in grants and contracts each year and have provided the start-up funding for hundreds of small businesses in the United States.

In my own State of Georgia, Georgia Tech provides assistance to small business initiatives across the State, and as a result, companies have received over $244 million in SBIR and STTR grants since the programs' inception. In my northwest Georgia district alone, over $3.3 million in SBIR grants were awarded in fiscal year 2008.

Mr. Speaker, earlier this month, both Chambers of Congress passed respective legislation to fully reauthorize the SBIR and STTR programs. It is my hope that after we return from the annual August recess, we can work in a bipartisan and bicameral way to pass this important reauthorization. These programs have been effective in providing government assistance to small businesses to help more people in our country achieve the American Dream. We need to ensure that both SBIR and STTR are extended until September 30 so that we can continue to foster small business development in the emerging technology-based global economy—while we work with our Senate colleagues for a full reauthorization.

I urge all of my colleagues to support this short-term extension by voting in favor of S. 1513.

Mr. THOMPSON of Pennsylvania. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, S. 1513.

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

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

The point of no quorum is considered withdrawn.

COAST GUARD ACQUISITION REFORM ACT OF 2009

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1665) to structure Coast Guard acquisition processes and policies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1665

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Coast Guard Acquisition Reform Act of 2009''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—RESTRICTIONS ON THE USE OF LEAD SYSTEMS INTEGRATORS

Sec. 101. Procurement structure.

TITLE II—COAST GUARD ACQUISITION POLICY

Sec. 201. Operational requirements.
Sec. 202. Required contract terms.
Sec. 203. Life-cycle cost estimates.
Sec. 204. Test and evaluation.
Sec. 205. Capability standards.
Sec. 206. Acquisition program reports.
Sec. 207. Undefinitized contractual actions.
Sec. 208. Guidance on excessive pass-through charges.
Sec. 209. Acquisition of major capabilities: Alternatives analysis.
Sec. 210. Cost overruns and delays.
Sec. 211. Report on former Coast Guard officials employed by contractors to the agency.
Sec. 212. Department of Defense consultation.

TITLE III—COAST GUARD PERSONNEL

Sec. 301. Chief Acquisition Officer.
Sec. 302. Improvements in Coast Guard acquisition management.
Sec. 303. Recognition of Coast Guard personnel for excellence in acquisition.
Sec. 304. Enhanced status quo officer promotion system.
Sec. 305. Coast Guard acquisition workforce expedited hiring authority.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(3) LEVEL 1 ACQUISITION.—The term ''Level 1 acquisition'' means—

(A) an acquisition by the Coast Guard—

(i) the estimated life-cycle costs of which exceed $1,000,000,000; or

(ii) the estimated total acquisition costs of which exceed $300,000,000; or

(B) any acquisition that the Chief Acquisition Officer of the Coast Guard determines to have a special interest—

(i) due to—

(I) the experimental or technically immature nature of the asset;

(II) the technological complexity of the asset;

(III) the commitment of resources; or

(IV) the nature of the capability or set of capabilities to be achieved; or

(ii) because such acquisition is a joint acquisition.

(4) LEVEL 2 ACQUISITION.—The term ''Level 2 acquisition'' means an acquisition by the Coast Guard—

(A) the estimated life-cycle costs of which are equal to or less than $1,000,000,000, but greater than $300,000,000; or

(B) the estimated total acquisition costs of which are equal to or less than $300,000,0000, but greater than $100,000,000.

(5) LIFE-CYCLE COST.—The term ''life-cycle cost'' means all costs for development, procurement, construction, and operations and support for a particular capability or asset, without regard to funding source or management control.

TITLE I—RESTRICTIONS ON THE USE OF LEAD SYSTEMS INTEGRATORS

SEC. 101. PROCUREMENT STRUCTURE.

(a) IN GENERAL.—

(1) USE OF LEAD SYSTEMS INTEGRATOR.—Except as provided in subsection (b), the Commandant may not use a private sector entity as a lead systems integrator for an acquisition contract awarded or delivery order or task order issued after the end of the 180-day period beginning on the date of enactment of this Act.

(2) FULL AND OPEN COMPETITION.—The Commandant and any lead systems integrator engaged by the Coast Guard shall use full and open competition for any acquisition contract awarded after the date of enactment of this Act, unless otherwise excepted in accordance with Federal acquisition laws and regulations promulgated under those laws, including the Federal Acquisition Regulation.

(3) NO EFFECT ON SMALL BUSINESS ACT.—Nothing in this subsection shall be construed to supersede or otherwise affect the authorities provided by and under the Small Business Act (15 U.S.C. 631 et seq.).

(b) EXCEPTIONS.—

(1) NATIONAL DISTRESS AND RESPONSE SYSTEM MODERNIZATION PROGRAM; NATIONAL SECURITY CUTTERS 2 AND 3.—Notwithstanding subsections (a) and (e), the Commandant may use a private sector entity as a lead systems integrator for the Coast Guard to complete the National Distress and Response System Modernization Program (otherwise known as the ''Rescue 21'' program) and National Security Cutters 2 and 3.

(2) COMPLETION OF ACQUISITION BY LEAD SYSTEMS INTEGRATOR.—Notwithstanding subsection (a), the Commandant may use a private sector entity as a lead systems integrator for the Coast Guard—

(A) to complete any delivery order or task order, including the exercise of previously established options on a delivery order or task order that was issued to a lead systems integrator on or before the date that is 180 days after the date of enactment of this Act without any change in the quantity of capabilities or assets or the specific type of capabilities or assets covered by the order;

(B) for a contract awarded after the date that is 180 days after the date of enactment of this Act for acquisition of, or in support of, the HC–130J aircraft, the HH–65 aircraft, or the C4ISR system, if the requirements of subsection (c) are met with respect to such acquisitions;

(C) for a contract awarded after the date that is 180 days after the date of enactment of this Act for acquisition of, or in support of, Maritime Patrol Aircraft, if the requirements of subsection (c) are met with respect to such an acquisition; and

(D) for the acquisition of, or in support of, additional National Security Cutters or Maritime Patrol Aircraft, if the Commandant determines that—

(i) the acquisition is in accordance with Federal acquisition laws and regulations promulgated under those laws, including the Federal Acquisition Regulation;

(ii) the acquisition and the use of a private sector entity as a lead systems integrator for the acquisition are in the best interest of the Federal Government; and

(iii) the requirements of subsection (c) are met with respect to such acquisition.

(3) REPORT ON DECISION-MAKING PROCESS.—If the Commandant determines under subparagraph (B), (C), or (D) of subsection (b)(2) that the Coast Guard will use a private sector lead systems integrator for an acquisition, the Commandant shall notify in writing the appropriate congressional committees of the Commandant's determination and shall provide a detailed rationale for the determination, at least 30 days before the award of a contract or issuance of a delivery order or task order, using a private sector lead systems integrator, including a comparison of the cost of the acquisition through the private sector lead systems integrator with the expected cost if the acquisition were awarded directly to the manufacturer or shipyard. For purposes of that comparison, the cost of award directly to a manufacturer or shipyard shall include the costs of Government contract management and oversight.

(c) LIMITATION ON LEAD SYSTEMS INTEGRATORS.—Neither an entity performing lead systems integrator functions for a Coast Guard acquisition nor a Tier 1 subcontractor for any acquisition described in subparagraph (B), (C), or (D) of subsection (b)(2) may have a financial interest in a subcontractor below the Tier 1 subcontractor level unless—

(1) the subcontractor was selected by the prime contractor through full and open competition for such procurement;

(2) the procurement was awarded by the lead systems integrator or a subcontractor through full and open competition;

(3) the procurement was awarded by a subcontractor through a process over which the lead systems integrator or a Tier 1 subcontractor exercised no control; or

(4) the Commandant has determined that the procurement was awarded in a manner consistent with Federal acquisition laws and regulations promulgated under those laws, including the Federal Acquisition Regulation.

(d) RULE OF CONSTRUCTION.—The limitation in subsection (b)(1)(A) on the quantity and specific type of assets to which subsection

(b) applies shall not be construed to apply to the modification of the number or type of any sub-systems or other components of a vessel or aircraft described in subparagraph (B), (C), or (D) of subsection (b)(2).

(e) TERMINATION DATE FOR EXCEPTIONS.—Except as described in subsection (b)(1), the Commandant may not use a private sector entity as a lead systems integrator for acquisition contracts awarded, or task orders or delivery orders issued, after the earlier of—

(1) September 30, 2011; or

(2) the date on which the Commandant certifies in writing to the appropriate congressional committees that the Coast Guard has available and can retain sufficient acquisition workforce personnel and expertise within the Coast Guard, through an arrangement with other Federal agencies, or through contracts or other arrangements with private sector entities, to perform the functions and responsibilities of the lead systems integrator in an efficient and cost-effective manner.

TITLE II—COAST GUARD ACQUISITION POLICY

SEC. 201. OPERATIONAL REQUIREMENTS.

(a) IN GENERAL.—No Level 1 or Level 2 acquisition program may be initiated by the Coast Guard, and no production contract may be awarded for such an acquisition, unless the Commandant has approved an operational requirement for such acquisition.

(b) OPERATIONAL REQUIREMENT FOR ACQUISITION PROGRAMS.—

(1) IN GENERAL.—The Commandant shall establish mature and stable operational requirements for acquisition programs.

(2) ELEMENTS.—Prior to establishing operational requirements under paragraph (1), the Commandant shall—

(A) prepare a preliminary statement of need, a concept of operations, an analysis of alternatives or the equivalent, an estimate of life-cycle costs, and requirements for interoperability with other capabilities and assets within and external to the Coast Guard; and

(B) in preparing the concept of operations under subparagraph (A), coordinate with acquisition and support professionals, requirements officials, operational users and maintainers, and resource officials who can ensure the appropriate consideration of performance, cost, schedule and risk trade-offs.

(c) CONSIDERATION OF TRADE-OFFS.—In establishing operational requirements under subsection (a), the Commandant shall develop and implement mechanisms to ensure that trade-offs among performance, cost, schedule, and risk are considered in the establishment of operational requirements for development and production of a Level 1 or Level 2 acquisition.

(d) ELEMENTS.—The mechanisms required under this section shall ensure at a minimum that Coast Guard officials responsible for acquisition management, budget, and cost estimating functions have the authority to develop cost estimates and raise cost and schedule matters at any point in the process of establishing operational requirements for a Level 1 or Level 2 acquisition.

SEC. 202. REQUIRED CONTRACT TERMS.

(a) IN GENERAL.—The Commandant shall ensure that a contract awarded or a delivery order or task order issued for an acquisition of a capability or an asset with an expected service life of 10 years and with a total acquisition cost that is equal to or exceeds $10,000,000 awarded or issued by the Coast Guard after the date of enactment of this Act—

(1) provides that all certifications for an end-state capability or asset under such contract, delivery order, or task order, respectively, will be conducted by the Commandant or an independent third party, and that self-certification by a contractor or subcontractor is not allowed;

(2) requires that the Commandant shall maintain the authority to establish, approve, and maintain technical requirements;

(3) requires that any measurement of contractor and subcontractor performance be based on the status of all work performed, including the extent to which the work performed met all performance, cost, and schedule requirements;

(4) specifies that, for the acquisition or upgrade of air, surface, or shore capabilities and assets for which compliance with TEMPEST certification is a requirement, the standard for determining such compliance will be the air, surface, or shore standard then used by the Department of the Navy for that type of capability or asset; and

(5) for any contract awarded to acquire an Offshore Patrol Cutter, includes provisions specifying the service life, fatigue life, and days underway in general Atlantic and North Pacific Sea conditions, maximum range, and maximum speed the cutter will be built to achieve.

(b) PROHIBITED CONTRACT PROVISIONS.—The Commandant shall ensure that any contract awarded or delivery order or task order issued by the Coast Guard after the date of enactment of this Act does not include any provision allowing for equitable adjustment that differs from the Federal Acquisition Regulation.

(c) EXTENSION OF PROGRAM.—Any contract, contract modification, or award term extending a contract with a lead systems integrator—

(1) shall not include any minimum requirements for the purchase of a given or determinable number of specific capabilities or assets; and

(2) shall be reviewed by an independent third party with expertise in acquisition management, and the results of that review shall be submitted to the appropriate congressional committees at least 60 days prior to the award of the contract, contract modification, or award term.

SEC. 203. LIFE-CYCLE COST ESTIMATES.

(a) IN GENERAL.—The Commandant shall implement mechanisms to ensure the development and regular updating of life-cycle cost estimates for each acquisition with a total acquisition cost that equals or exceeds $10,000,000 and an expected service life of 10 years, and to ensure that these estimates are considered in decisions to develop or produce new or enhanced capabilities and assets.

(b) TYPES OF ESTIMATES.—In addition to life-cycle cost estimates that may be developed by acquisition program offices, the Commandant shall require that an independent life-cycle cost estimate be developed for each Level 1 or Level 2 acquisition program or project.

(c) REQUIRED UPDATES.—For each Level 1 or Level 2 acquisition program or project the Commandant shall require that life-cycle cost estimates shall be updated before each milestone decision is concluded and the program or project enters a new acquisition phase.

SEC. 204. TEST AND EVALUATION.

(a) TEST AND EVALUATION MASTER PLAN.—

(1) IN GENERAL.—For any Level 1 or Level 2 acquisition program or project the Coast Guard Chief Acquisition Officer must approve a Test and Evaluation Master Plan specific to the acquisition program or project for the capability, asset, or sub-systems of the capability or asset and intended to minimize technical, cost, and schedule risk as early as practicable in the development of the program or project.

(2) TEST AND EVALUATION STRATEGY.—The TEMP shall—

(A) set forth an integrated test and evaluation strategy that will verify that capability-level or asset-level and sub-system-level design and development, including performance and supportability, have been sufficiently proven before the capability, asset, or sub-system of the capability or asset is approved for production; and

(B) require that adequate developmental tests and evaluations and operational tests and evaluations established under subparagraph (A) are performed to inform production decisions.

(3) OTHER COMPONENTS OF TEMP.—At a minimum, the TEMP shall identify—

(A) the key performance parameters to be resolved through the integrated test and evaluation strategy;

(B) critical operational issues to be assessed in addition to the key performance parameters;

(C) specific development test and evaluation phases and the scope of each phase;

(D) modeling and simulation activities to be performed, if any, and the scope of such activities;

(E) early operational assessments to be performed, if any, and the scope of such assessments;

(F) operational test and evaluation phases;

(G) an estimate of the resources, including funds, that will be required for all test, evaluation, assessment, modeling, and simulation activities; and

(H) the Government entity or independent entity that will perform the test, evaluation, assessment, modeling, and simulation activities.

(4) UPDATE.—The Coast Guard Chief Acquisition Officer shall approve an updated TEMP whenever there is a revision to program or project test and evaluation strategy, scope, or phasing.

(5) LIMITATION.—The Coast Guard may not—

(A) proceed past that phase of the acquisition process that entails approving the supporting acquisition of a capability or asset before the TEMP is approved by the Coast Guard Chief Acquisition Officer; or

(B) award any production contract for a capability, asset, or sub-system for which a TEMP is required under this subsection before the TEMP is approved by the Coast Guard Chief Acquisition Officer.

(b) TESTS AND EVALUATIONS.—

(1) IN GENERAL.—The Commandant shall ensure that the Coast Guard conducts developmental tests and evaluations and operational tests and evaluations of a capability or asset and the sub-systems of the capability or asset for which a TEMP has been prepared under subsection (a).

(2) USE OF THIRD PARTIES.—The Commandant shall ensure that the Coast Guard uses third parties with expertise in testing and evaluating the capabilities or assets and the sub-systems of the capabilities or assets being acquired to conduct developmental tests and evaluations and operational tests and evaluations whenever the Coast Guard lacks the capability to conduct the tests and evaluations required by a TEMP.

(3) COMMUNICATION OF SAFETY CONCERNS.—The Commandant shall require that safety concerns identified during developmental or operational tests and evaluations or through independent or Government-conducted design assessments of capabilities or assets and sub-systems of capabilities or assets to be acquired by the Coast Guard shall be communicated as soon as practicable, but not later than 30 days after the completion of the test or assessment event or activity that identified the safety concern, to the program manager for the capability or asset and the sub-systems concerned and to the Coast Guard Chief Acquisition Officer.

(4) REPORTING OF SAFETY CONCERNS.—Any safety concerns that have been reported to the Chief Acquisition Officer for an acquisition program or project shall be reported by the Commandant to the appropriate congressional committees at least 90 days before the award of any contract or issuance of any delivery order or task order for low, initial, or full-rate production of the capability or asset concerned if they will remain uncorrected or unmitigated at the time such a contract is awarded or delivery order or task order is issued. The report shall include a justification for the approval of that level of production of the capability or asset before the safety concern is corrected or mitigated. The report shall also include an explanation of the actions that will be taken to correct or mitigate the safety concern, the date by which those actions will be taken, and the adequacy of current funding to correct or mitigate the safety concern.

(5) ASSET ALREADY IN LOW, INITIAL, OR FULL-RATE PRODUCTION.—If operational test and evaluation on a capability or asset already in low, initial, or full-rate production identifies a safety concern with the capability or asset or any sub-systems of the capability or asset not previously identified during developmental or operational test and evaluation, the Commandant shall—

(A) notify the program manager and the Chief Acquisition Officer of the safety concern as soon as practicable, but not later than 30 days after the completion of the test and evaluation event or activity that identified the safety concern; and

(B) notify the appropriate congressional Committee of the safety concern not later than 30 days after notification is made to the program manager and Chief Acquisition Officer, and include in such notification—

(i) an explanation of the actions that will be taken to correct or mitigate the safety concern in all capabilities or assets and subsystems of the capabilities or assets yet to be produced, and the date by which those actions will be taken;

(ii) an explanation of the actions that will be taken to correct or mitigate the safety concern in previously produced capabilities or assets and sub-systems of the capabilities or assets, and the date by which those actions will be taken; and

(iii) an assessment of the adequacy of current funding to correct or mitigate the safety concern in capabilities or assets and subsystems of the capabilities or assets and in previously produced capabilities or assets and sub-systems.

(c) DEFINITIONS.—In this section:

(1) DEVELOPMENTAL TEST AND EVALUATION.—The term ''developmental test and evaluation'' means—

(A) the testing of a capability or asset and the sub-systems of the capability or asset to determine whether they meet all contractual performance requirements, including technical performance requirements, supportability requirements, and interoperability requirements and related specifications; and

(B) the evaluation of the results of such testing.

(2) OPERATIONAL TEST AND EVALUATION.—The term ''operational test and evaluation'' means—

(A) the testing of a capability or asset and the sub-systems of the capability or asset, under conditions similar to those in which the capability or asset and subsystems will actually be deployed, for the purpose of determining the effectiveness and suitability of the capability or asset and sub-systems for use by typical Coast Guard users to conduct those missions for which the capability or asset and sub-systems are intended to be used; and

(B) the evaluation of the results of such testing.

(3) SAFETY CONCERN.—The term ''safety concern'' means any hazard associated with a capability or asset or a sub-system of a capability or asset that is likely to cause serious bodily injury or death to a typical Coast Guard user in testing, maintaining, repairing, or operating the capability, asset, or sub-system or any hazard associated with the capability, asset, or sub-system that is likely to cause major damage to the capability, asset, or sub-system during the course of its normal operation by a typical Coast Guard user.

(4) TEMP.—The term ''TEMP'' means a Test and Evaluation Master Plan for which approval is required under this section.

SEC. 205. CAPABILITY STANDARDS.

(a) CUTTER CLASSIFICATION.—The Commandant shall cause each cutter, other than a National Security Cutter, acquired by the Coast Guard and delivered after the date of enactment of this Act to be classed by the American Bureau of Shipping before final acceptance.

(b) TEMPEST TESTING.—The Commandant shall—

(1) cause all electronics on all aircraft, surface, and shore capabilities and assets that require TEMPEST certification and that are delivered after the date of enactment of this Act to be tested in accordance with TEMPEST standards and communication security (COMSEC) standards by an independent third party that is authorized by the Federal Government to perform such testing; and

(2) certify that the capabilities and assets meet all applicable TEMPEST requirements.

(c) NATIONAL SECURITY CUTTERS.—

(1) NATIONAL SECURITY CUTTERS 1 AND 2.—Not later than 90 days before the Coast Guard awards any contract or issues any delivery order or task order to strengthen the hull of either of National Security Cutter 1 or 2 to resolve the structural design and performance issues identified in the Department of Homeland Security Inspector General's report OIG–07–23 dated January 2007, the Commandant shall submit to the appropriate congressional committees and the Committee on Homeland Security of the House of Representatives all results of an assessment of the proposed hull strengthening design conducted by the Coast Guard, including—

(A) a description in detail of the extent to which the hull strengthening measures to be implemented on those cutters will enable the cutters to meet contract and performance requirements;

(B) a cost benefit analysis of the proposed hull strengthening measures for National Security Cutters 1 and 2; and

(C) a description of any operational restrictions that would have to be applied to either National Security Cutters 1 or 2 if the proposed hull strengthening measures were not implemented on either cutter.

(2) OTHER VESSELS.—The Commandant shall cause the design and construction of each National Security Cutter, other than National Security Cutters 1, 2, and 3, to be assessed by an independent third party with expertise in vessel design and construction certification.

(d) AIRCRAFT AIRWORTHINESS.—The Commandant shall cause all aircraft and aircraft engines acquired by the Coast Guard and delivered after the date of enactment of this Act to be assessed for airworthiness by an independent third party with expertise in aircraft and aircraft engine certification, before final acceptance.

SEC. 206. ACQUISITION PROGRAM REPORTS.

Any Coast Guard Level 1 or Level 2 acquisition program or project may not begin to obtain any capability or asset or proceed beyond that phase of its development that entails approving the supporting acquisition until the Commandant submits to the appropriate congressional committees the following:

(1) The key performance parameters, the key system attributes, and the operational performance attributes of the capability and asset to be acquired under the proposed acquisition program or project will be built to achieve.

(2) A detailed list of the systems or other capabilities with which the capability or asset to be acquired is intended to be interoperable, including an explanation of the attributes of interoperability.

(3) The anticipated acquisition program baseline and acquisition unit cost for the capability or asset to be produced and deployed under the program or project.

(4) A detailed schedule for the acquisition process showing when all capability and asset acquisitions are to be completed and when all acquired capabilities and assets are to be initially and fully deployed.

SEC. 207. UNDEFINITIZED CONTRACTUAL ACTIONS.

(a) IN GENERAL.—The Coast Guard may not enter into an undefinitized contractual action unless such action is directly approved by the Head of Contracting Activity of the Coast Guard.

(b) REQUESTS FOR UNDEFINITIZED CONTRACTUAL ACTIONS.—Any request to the Head of Contracting Activity for approval of an undefinitized contractual action covered under subsection (a) must include a description of the anticipated effect on requirements of the Coast Guard if a delay is incurred for the purposes of determining contractual terms, specifications, and price before performance is begun under the contractual action.

(c) REQUIREMENTS FOR UNDEFINITIZED CONTRACTUAL ACTIONS.—

(1) DEADLINE FOR AGREEMENT ON TERMS, SPECIFICATIONS, AND PRICE.—A contracting officer of the Coast Guard may not enter into an undefinitized contractual action unless the contractual action provides for agreement upon contractual terms, specification, and price by the earlier of—

(A) the end of the 180-day period beginning on the date on which the contractor submits a qualifying proposal to definitize the contractual terms, specifications, and price; or

(B) the date on which the amount of funds obligated under the contractual action is equal to more than 50 percent of the negotiated overall ceiling price for the contractual action.

(2) LIMITATION ON OBLIGATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the contracting officer for an undefinitized contractual action may not obligate under such contractual action an amount that exceeds 50 percent of the negotiated overall ceiling price until the contractual terms, specifications, and price are definitized for such contractual action.

(B) EXCEPTION.—Notwithstanding subparagraph (A), if a contractor submits a qualifying proposal to definitize an undefinitized contractual action before an amount that exceeds 50 percent of the negotiated overall ceiling price is obligated on such action, the contracting officer for such action may not obligate with respect to such contractual action an amount that exceeds 75 percent of the negotiated overall ceiling price until the contractual terms, specifications, and price are definitized for such contractual action.

(3) WAIVER.—The Commandant may waive the application of this subsection with respect to a contract if the Commandant determines that the waiver is necessary to support—

(A) a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code);

(B) an operation in response to an emergency that poses an unacceptable threat to human health or safety or to the marine environment; or

(C) an operation in response to a natural disaster or major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(4) LIMITATION ON APPLICATION.—This subsection does not apply to an undefinitized contractual action for the purchase of initial spares.

(d) INCLUSION OF NONURGENT REQUIREMENTS.—Requirements for spare parts and support equipment that are not needed on an urgent basis may not be included in an undefinitized contractual action by the Coast Guard for spare parts and support equipment that are needed on an urgent basis unless the Commandant approves such inclusion as being—

(1) good business practice; and

(2) in the best interests of the United States.

(e) MODIFICATION OF SCOPE.—The scope of an undefinitized contractual action under which performance has begun may not be modified unless the Commandant approves such modification as being—

(1) good business practice; and

(2) in the best interests of the United States.

(f) ALLOWABLE PROFIT.—The Commandant shall ensure that the profit allowed on an undefinitized contractual action for which the final price is negotiated after a substantial portion of the performance required is completed reflects—

(1) the possible reduced cost risk of the contractor with respect to costs incurred during performance of the contract before the final price is negotiated; and

(2) the reduced cost risk of the contractor with respect to costs incurred during performance of the remaining portion of the contract.

(g) DEFINITIONS.—In this section:

(1) UNDEFINITIZED CONTRACTUAL ACTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''undefinitized contractual action'' means a new procurement action entered into by the Coast Guard for which the contractual terms, specifications, or price are not agreed upon before performance is begun under the action.

(B) EXCLUSION.—Such term does not include contractual actions with respect to the following:

(i) Foreign military sales.

(ii) Purchases in an amount not in excess of the amount of the simplified acquisition threshold.

(iii) Special access programs.

(2) QUALIFYING PROPOSAL.—The term ''qualifying proposal'' means a proposal that contains sufficient information to enable complete and meaningful audits of the information contained in the proposal as determined by the contracting officer.

SEC. 208. GUIDANCE ON EXCESSIVE PASS-THROUGH CHARGES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall issue guidance to ensure that pass-through charges on contracts, subcontracts, delivery orders, and task orders that are entered into with a private entity acting as a lead systems integrator by or on behalf of the Coast Guard are not excessive in relation to the cost of work performed by the relevant contractor or subcontractor. The guidance shall, at a minimum—

(1) set forth clear standards for determining when no, or negligible, value has been added to a contract by a contractor or subcontractor;

(2) set forth procedures for preventing the payment by the Government of excessive pass-through charges; and

(3) identify any exceptions determined by the Commandant to be in the best interest of the Government.

(b) EXCESSIVE PASS-THROUGH CHARGE DEFINED.—In this section the term ''excessive pass-through charge'', with respect to a contractor or subcontractor that adds no, or negligible, value to a contract or subcontract, means a charge to the Government by the contractor or subcontractor that is for overhead or profit on work performed by a lower-tier contractor or subcontractor, other than reasonable charges for the direct costs of managing lower-tier contractors and subcontracts and overhead and profit based on such direct costs.

(c) APPLICATION OF GUIDANCE.—The guidance under this subsection shall apply to contracts awarded to a private entity acting as a lead systems integrator by or on behalf of the Coast Guard on or after the date that is 360 days after the date of enactment of this Act.

SEC. 209. ACQUISITION OF MAJOR CAPABILITIES: ALTERNATIVES ANALYSIS.

The Coast Guard may not acquire an experimental or technically immature capability or asset or implement a Level 1 or Level 2 acquisition, unless it has conducted an alternatives analysis for the capability or asset to be acquired in the concept and technology development phase of the acquisition process for the capability or asset. Such analysis shall be conducted by a federally funded research and development center, a qualified entity of the Department of Defense, or a similar independent third party entity that has appropriate acquisition expertise. Such alternatives analysis shall include—

(1) an assessment of the technical maturity of the capability or asset and technical and other risks;

(2) an examination of capability, interoperability, and other advantages and disadvantages;

(3) an evaluation of whether different combinations or quantities of specific capabilities or assets could meet the Coast Guard's overall performance needs;

(4) a discussion of key assumptions and variables, and sensitivity to change in such assumptions and variables;

(5) when an alternative is an existing capability, asset, or prototype, an evaluation of relevant safety and performance records and costs;

(6) a calculation of life-cycle costs, including—

(A) an examination of development costs and the levels of uncertainty associated with such estimated costs;

(B) an examination of likely production and deployment costs and the levels of uncertainty associated with such estimated costs;

(C) an examination of likely operating and support costs and the levels of uncertainty associated with such estimated costs;

(D) if they are likely to be significant, an examination of likely disposal costs and the levels of uncertainty associated with such estimated costs; and

(E) such additional measures the Commandant determines to be necessary for appropriate evaluation of the capability or asset; and

(7) the business case for each viable alternative.

SEC. 210. COST OVERRUNS AND DELAYS.

(a) IN GENERAL.—The Commandant shall submit a report to the appropriate congressional committees as soon as possible, but not later than 30 days, after the Chief Acquisition Officer of the Coast Guard becomes aware of the breach of an acquisition program baseline for any Level 1 or Level 2 acquisition program, by—

(1) a likely cost overrun greater than 10 percent of the acquisition program baseline for that individual capability or asset or a class of capabilities or assets;

(2) a likely delay of more than 180 days in the delivery schedule for any individual capability or asset or class of capabilities or assets; or

(3) an anticipated failure for any individual capability or asset or class of capabilities or assets to satisfy any key performance threshold or parameter under the acquisition program baseline.

(b) CONTENT.—The report submitted under subsection (a) shall include—

(1) a detailed description of the breach and an explanation of its cause;

(2) the projected impact to performance, cost, and schedule;

(3) an updated acquisition program baseline and the complete history of changes to the original acquisition program baseline;

(4) the updated acquisition schedule and the complete history of changes to the original schedule;

(5) a full life-cycle cost analysis for the capability or asset or class of capabilities or assets;

(6) a remediation plan identifying corrective actions and any resulting issues or risks; and

(7) a description of how progress in the remediation plan will be measured and monitored.

(c) SUBSTANTIAL VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule described in the acquisition program baseline for any Level 1 or Level 2 acquisition program or project of the Coast Guard, the Commandant shall include in the report a written certification, with a supporting explanation, that—

(1) the capability or asset or capability or asset class to be acquired under the program or project is essential to the accomplishment of Coast Guard missions;

(2) there are no alternatives to such capability or asset or capability or asset class which will provide equal or greater capability in both a more cost-effective and timely manner;

(3) the new acquisition schedule and estimates for total acquisition cost are reasonable; and

(4) the management structure for the acquisition program is adequate to manage and control performance, cost, and schedule.

SEC. 211. REPORT ON FORMER COAST GUARD OFFICIALS EMPLOYED BY CONTRACTORS TO THE AGENCY.

(a) REPORT REQUIRED.—Not later than December 31, 2009, and annually thereafter, the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the employment during the preceding year by Coast Guard contractors of individuals who were Coast Guard officials in the previous 5-year period. The report shall assess the extent to which former Coast Guard officials were provided compensation by Coast Guard contractors in the preceding calendar year.

(b) OBJECTIVES OF REPORT.—At a minimum, the report required by this section shall assess the extent to which former Coast Guard officials who receive compensation from Coast Guard contractors have been assigned by those contractors to work on contracts or programs between the contractor and the Coast Guard, including contracts or

programs for which the former official personally had oversight responsibility or decision-making authority when they served in or worked for the Coast Guard.

(c) CONFIDENTIALITY REQUIREMENT.—The report required by this subsection shall not include the names of the former Coast Guard officials who receive compensation from Coast Guard contractors.

(d) ACCESS TO INFORMATION.—A Coast Guard contractor shall provide the Comptroller General access to information requested by the Comptroller General for the purpose of conducting the study required by this section.

(e) DEFINITIONS.—In this section:

(1) COAST GUARD CONTRACTOR.—The term ''Coast Guard contractor'' includes any person that received at least $10,000,000 in contractor awards from the Coast Guard in the calendar year covered by the annual report.

(2) COAST GUARD OFFICIAL.—The term ''Coast Guard official'' includes former officers of the Coast Guard who were compensated at a rate of pay for grade O–7 or above during the calendar year prior to the date on which they separated from the Coast Guard, and former civilian employees of the Coast Guard who served at any level of the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, during the calendar year prior to the date on which they separated from the Coast Guard.

SEC. 212. DEPARTMENT OF DEFENSE CONSULTATION.

(a) IN GENERAL.—The Commandant shall make arrangements as appropriate with the Secretary of Defense for support in contracting and management of Coast Guard acquisition programs. The Commandant shall also seek opportunities to make use of Department of Defense contracts, and contracts of other appropriate agencies, to obtain the best possible price for capabilities and assets acquired for the Coast Guard.

(b) INTER-SERVICE TECHNICAL ASSISTANCE.—The Commandant may enter into a memorandum of understanding or a memorandum of agreement with the Secretary of the Navy to obtain the assistance of the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition, including the Navy Systems Commands, with the oversight of Coast Guard major acquisition programs. Such memorandum of understanding or memorandum of agreement shall, at a minimum, provide for—

(1) the exchange of technical assistance and support that the Coast Guard Chief Acquisition Officer, Coast Guard Chief Engineer, and the Coast Guard Chief Information Officer may identify;

(2) the use, as appropriate, of Navy technical expertise; and

(3) the temporary assignment or exchange of personnel between the Coast Guard and the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition, including Naval Systems Commands, to facilitate the development of organic capabilities in the Coast Guard.

(c) TECHNICAL REQUIREMENT APPROVAL PROCEDURES.—The Coast Guard Chief Acquisition Officer shall adopt, to the extent practicable, procedures that are similar to those used by the senior procurement executive of the Department of the Navy to approve all technical requirements.

(d) ASSESSMENT.—Within 180 days after the date of enactment of this Act, the Comptroller General shall transmit a report to the appropriate congressional committees that—

(1) contains an assessment of current Coast Guard acquisition and management capabilities to manage Level 1 and Level 2 acquisitions;

(2) includes recommendations as to how the Coast Guard can improve its acquisition management, either through internal reforms or by seeking acquisition expertise from the Department of Defense; and

(3) addresses specifically the question of whether the Coast Guard can better leverage Department of Defense or other agencies' contracts that would meet the needs of Level 1 or Level 2 acquisitions in order to obtain the best possible price.

TITLE III—COAST GUARD PERSONNEL

SEC. 301. CHIEF ACQUISITION OFFICER.

(a) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 55. Chief Acquisition Officer

''(a) ESTABLISHMENT OF CHIEF ACQUISITION OFFICER.—There shall be in the Coast Guard a Chief Acquisition Officer selected by the Commandant who shall be a Rear Admiral or civilian from the Senior Executive Service (career reserved) and who meets the qualifications set forth under subsection (b). The Chief Acquisition Officer shall serve at the Assistant Commandant level and have acquisition management as that individual's primary duty.

''(b) QUALIFICATIONS.—

''(1) The Chief Acquisition Officer and any Flag Officer serving in the Acquisitions Directorate shall be an acquisition professional with a program manager level III certification and must have at least 10 years experience in an acquisition position, of which at least 4 years were spent in one of the following qualifying positions:

''(A) Program executive officer.

''(B) Program manager of a Level 1 or Level 2 acquisition.

''(C) Deputy program manager of a Level 1 or Level 2 acquisition.

''(D) Project manager for a Level 1 or Level 2 acquisition.

''(E) Any other acquisition position of significant responsibility in which the primary duties are supervisory or management duties.

''(2) The Commandant shall periodically publish a list of the positions designated under this subsection.

''(c) AUTHORITY AND FUNCTIONS OF THE CHIEF ACQUISITION OFFICER.—The functions of the Chief Acquisition Officer shall include—

''(1) monitoring the performance of programs and projects on the basis of applicable performance measurements and advising the Commandant, through the chain of command, regarding the appropriate business strategy to achieve the missions of the Coast Guard;

''(2) maximizing the use of full and open competition at the prime contract and subcontract levels in the acquisition of property, capabilities, assets, and services by the Coast Guard by establishing policies, procedures, and practices that ensure that the Coast Guard receives a sufficient number of sealed bids or competitive proposals from responsible sources to fulfill the Government's requirements, including performance and delivery schedules, at the lowest cost or best value considering the nature of the property, capability, asset, or service procured;

''(3) making acquisition decisions in concurrence with the technical authority of the Coast Guard, as designated by the Commandant, and consistent with all other applicable laws and decisions establishing procedures within the Coast Guard;

''(4) ensuring the use of detailed performance specifications in instances in which performance based contracting is used;

''(5) managing the direction of acquisition policy for the Coast Guard, including implementation of the unique acquisition policies, regulations, and standards of the Coast Guard;

''(6) developing and maintaining an acquisition career management program in the Coast Guard to ensure that there is an adequate acquisition workforce;

''(7) assessing the requirements established for Coast Guard personnel regarding knowledge and skill in acquisition resources and management and the adequacy of such requirements for facilitating the achievement of the performance goals established for acquisition management;

''(8) developing strategies and specific plans for hiring, training, and professional development; and

''(9) reporting to the Commandant, through the chain of command, on the progress made in improving acquisition management capability.''.

(b) APPLICATION OF QUALIFICATION REQUIREMENT.—Section 55(b) of title 14, United States Code, as amended by this section, shall apply beginning October 1, 2011.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following: ''55. Chief Acquisition Officer.''.

(d) ELEVATION OF DISPUTES TO THE CHIEF ACQUISITION OFFICER.—Within 45 days after the elevation to the Chief Acquisition Officer of any design or other dispute regarding a Level 1 or Level 2 acquisition, the Commandant shall provide to the appropriate congressional committees a detailed description of the issue and the rationale underlying the decision taken by the Chief Acquisition Officer to resolve the issue.

(e) SPECIAL RATE SUPPLEMENTS.—

(1) REQUIREMENT TO ESTABLISH.—Not later than 1 year after the date of enactment of this Act and in accordance with part 9701.333 of title 5, Code of Federal Regulations, the Commandant shall establish special rate supplements that provide higher pay levels for employees necessary to carry out the amendment made by this section.

(2) SUBJECT TO APPROPRIATIONS.—The requirement under paragraph (1) is subject to the availability of appropriations.

SEC. 302. IMPROVEMENTS IN COAST GUARD ACQUISITION MANAGEMENT.

(a) PROGRAM AND PROJECT MANAGERS.—An individual may not be assigned as the program manager for a Level 1 or Level 2 acquisition unless the individual holds a Level III acquisition certification as a program manager.

(b) INTEGRATED PRODUCT TEAMS.—Integrated product teams, and all teams that oversee integrated product teams, shall be chaired by officers, members, or employees of the Coast Guard.

(c) TECHNICAL AUTHORITY.—The Commandant shall maintain or designate the technical authority to establish, approve, and maintain technical requirements. Any such designation shall be made in writing and may not be delegated to the authority of the Chief Acquisition Officer established by section 55 of title 14, United States Code.

(d) DESIGNATION OF POSITIONS IN THE ACQUISITION WORKFORCE.—

(1) IN GENERAL.—The Commandant shall designate a sufficient number of positions to be in the Coast Guard's acquisition workforce to perform acquisition-related functions at Coast Guard headquarters and field activities.

(2) REQUIRED POSITIONS.—In designating positions under subsection (a), the Commandant shall include, at a minimum, positions encompassing the following competencies and functions:

(A) Program management.

(B) Systems planning, research, development, engineering, and testing.

(C) Procurement, including contracting.

(D) Industrial and contract property management.

(E) Life-cycle logistics.

(F) Quality control and assurance.

(G) Manufacturing and production.

(H) Business, cost estimating, financial management, and auditing.

(I) Acquisition education, training, and career development.

(J) Construction and facilities engineering.

(K) Testing and evaluation.

(3) ACQUISITION MANAGEMENT HEADQUARTER ACTIVITIES.—The Commandant shall also designate as positions in the acquisition workforce under paragraph (1) those acquisition-related positions located at Coast Guard headquarters units.

(4) APPROPRIATE EXPERTISE REQUIRED.—The Commandant shall ensure that each individual assigned to a position in the acquisition workforce has the appropriate expertise to carry out the responsibilities of that position.

(e) MANAGEMENT INFORMATION SYSTEM.—

(1) IN GENERAL.—The Commandant shall establish a management information system capability to improve acquisition workforce management and reporting.

(2) INFORMATION MAINTAINED.—Information maintained with such capability shall include the following standardized information on individuals assigned to positions in the workforce:

(A) Qualifications, assignment history, and tenure of those individuals assigned to positions in the acquisition workforce or holding acquisition-related certifications.

(B) Promotion rates for officers and members of the Coast Guard in the acquisition workforce.

(f) REPORT ON ADEQUACY OF ACQUISITION WORKFORCE.—

(1) IN GENERAL.—The Commandant shall report to the Congress by July 1 of each year on the scope of the acquisition activities to be performed in the next fiscal year and on the adequacy of the current acquisition workforce to meet that anticipated workload.

(2) CONTENTS.—The report shall—

(A) specify the number of officers, members, and employees of the Coast Guard currently and planned to be assigned to each position designated under subsection (d); and

(B) identify positions that are understaffed to meet the anticipated acquisition workload, and actions that will be taken to correct such understaffing.

(g) APPOINTMENTS TO ACQUISITION POSITIONS.—The Commandant shall ensure that no requirement or preference for officers or members of the Coast Guard is used in the consideration of persons for positions in the acquisition workforce.

(h) CAREER PATHS.—

(1) IDENTIFICATION OF CAREER PATHS.—To establish acquisition management as a core competency of the Coast Guard, the Commandant shall—

(A) ensure that career paths for officers, members, and employees of the Coast Guard who wish to pursue careers in acquisition are identified in terms of the education, training, experience, and assignments necessary for career progression of those officers, members, and employees to the most senior positions in the acquisition workforce; and

(B) publish information on such career paths.

(2) PROMOTION PARITY.—The Commandant shall ensure that promotion parity is established for officers and members of the Coast Guard who have been assigned to the acquisition workforce relative to officers and members who have not been assigned to the acquisition workforce.

(i) BALANCED WORKFORCE POLICY.—In the development of acquisition workforce policies under this section with respect to any civilian employees or applicants for employment, the Commandant shall, consistent with the merit system principles set out in paragraphs (1) and (2) of section 2301(b) of title 5, United States Code, take into consideration the need to maintain a balanced workforce in which women and members of racial and ethnic minority groups are appropriately represented in Government service.

(j) GUIDANCE ON TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS.—

(1) ISSUANCE OF GUIDANCE.—Not later than one year after the date of enactment of this Act, the Commandant shall issue guidance to address the qualifications, resources, responsibilities, tenure, and accountability of program managers for the management of acquisition programs and projects. The guidance shall address, at a minimum—

(A) the qualifications that shall be required of program managers, including the number of years of acquisition experience and the professional training levels to be required of those appointed to program management positions;

(B) authorities available to program managers, including, to the extent appropriate, the authority to object to the addition of new program requirements that would be inconsistent with the parameters established for an acquisition program; and

(C) the extent to which a program manager who initiates a new program or project will continue in management of that program or project without interruption until the delivery of the first production units of the program.

(2) STRATEGY.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commandant shall develop a comprehensive strategy for enhancing the role of Coast Guard program managers in developing and carrying out acquisition programs.

(B) MATTERS TO BE ADDRESSED.—The strategy required by this section shall address, at a minimum—

(i) the creation of a specific career path and career opportunities for individuals who are or may become program managers, including the rotational assignments that will be provided to program managers;

(ii) the provision of enhanced training and educational opportunities for individuals who are or may become program managers;

(iii) the provision of mentoring support to current and future program managers by experienced senior executives and program managers within the Coast Guard, and through rotational assignments to the Department of Defense;

(iv) the methods by which the Coast Guard will collect and disseminate best practices and lessons learned on systems acquisition to enhance program management throughout the Coast Guard;

(v) the templates and tools that will be used to support improved data gathering and analysis for program management and oversight purposes, including the metrics that will be utilized to assess the effectiveness of Coast Guard program managers in managing systems acquisition efforts;

(vi) a description in detail of how the Coast Guard will promote a balanced workforce in which women and members of racial and ethnic minority groups are appropriately represented in Government service; and

(vii) the methods by which the accountability of program managers for the results of acquisition programs will be increased.

SEC. 303. RECOGNITION OF COAST GUARD PERSONNEL FOR EXCELLENCE IN ACQUISITION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall commence implementation of a program to recognize excellent performance by individuals and teams comprised of officers, members, and employees of the Coast Guard that contributed to the long-term success of a Coast Guard acquisition program or project.

(b) ELEMENTS.—The program required by subsection (a) shall include the following:

(1) Specific award categories, criteria, and eligibility and manners of recognition.

(2) Procedures for the nomination by personnel of the Coast Guard of individuals and teams comprised of officers, members, and employees of the Coast Guard for recognition under the program.

(3) Procedures for the evaluation of nominations for recognition under the program by one or more panels of individuals from the Government, academia, and the private sector who have such expertise and are appointed in such manner as the Commandant shall establish for the purposes of this program.

(c) AWARD OF CASH BONUSES.—As part of the program required by subsection (a), the Commandant, subject to the availability of appropriations, may award to any individual recognized pursuant to the program a cash bonus to the extent that the performance of such individual so recognized warrants the award of such bonus.

SEC. 304. ENHANCED STATUS QUO OFFICER PROMOTION SYSTEM.

Chapter 11 of title 14, United States Code, is amended—

(1) in section 253(a)—

(A) by inserting ''and'' after ''considered,''; and

(B) by striking '', and the number of officers the board may recommend for promotion'';

(2) in section 258—

(A) by inserting ''(a) IN GENERAL.—'' before the existing text;

(B) in subsection (a) (as so designated) by striking the colon at the end of the material preceding paragraph (1) and inserting ''—''; and

(C) by adding at the end the following:

''(b) PROVISION OF DIRECTION AND GUIDANCE.—

''(1) In addition to the information provided pursuant to subsection (a), the Commandant may furnish the selection board—

''(A) specific direction relating to the needs of the Coast Guard for officers having particular skills, including direction relating to the need for a minimum number of officers with particular skills within a specialty; and

''(B) any other guidance that the Commandant believes may be necessary to enable the board to properly perform its functions.

''(2) Selections made based on the direction and guidance provided under this subsection shall not exceed the maximum percentage of officers who may be selected from below the announced promotion zone at any given selection board convened under section 251 of this title.'';

(3) in section 259(a), by inserting after ''whom the board'' the following: '', giving due consideration to the needs of the Coast Guard for officers with particular skills so noted in specific direction furnished to the board by the Commandant under section 258 of this title,''; and

(4) in section 260(b), by inserting after ''qualified for promotion'' the following: ''to meet the needs of the service (as noted in specific direction furnished the board by the Commandant under section 258 of this title)''.

SEC. 305. COAST GUARD ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

(a) IN GENERAL.—For purposes of sections 3304, 5333, and 5753 of title 5, United States Code, the Commandant may—

(1) designate any category of acquisition positions within the Coast Guard as shortage category positions; and

(2) use the authorities in such sections to recruit and appoint highly qualified persons directly to positions so designated.

(b) LIMITATION.—The Commandant may not appoint a person to a position of employment under this subsection after September 30, 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 1665.

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

There was no objection.

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

Mr. Speaker, as chairman of the Subcommittee on Coast Guard and Maritime Transportation, ensuring that the Coast Guard can effectively manage its acquisition efforts and that it is fully accountable for its use of taxpayer hard-earned resources has been among my highest priorities.

In his memorandum on Federal contracting management issued on March 4, President Barack Obama argued that ''it is essential that the Federal Government have the capacity to carry out robust and thorough management of its contracts in order to achieve programmatic goals, avoid significant overcharges, and curb wasteful spending.''

I authored the Coast Guard Acquisition Reform Act of 2009, H.R. 1665, in an effort to institutionalize within the Coast Guard the processes and procedures that will help the service meet this standard.

I want to thank Congressman OBERSTAR, the chairman of the full Committee on Transportation and Infrastructure, for his diligent work on this bill and for his unwavering focus on effective oversight. He has tirelessly led the Transportation Committee's efforts to ensure that we fully account for the expenditure of every single taxpayer dollar in the transportation realm, and the United States public is the true beneficiary of his dedication.

I also thank the ranking member of the full committee, Congressman MICA, and the ranking member of our subcommittee, Congressman LOBIONDO, for working so closely and constructively with us on the drafting of this legislation.

Since becoming the subcommittee chairman in January, 2007, I have convened four subcommittee hearings that have focused partially or entirely on Coast Guard acquisition efforts. The major focus of these hearings has been the multibillion-dollar Deepwater program that is intended to replace or rehabilitate the Coast Guard's air and surface assets.

When the Coast Guard signed the initial Deepwater contract, the service lacked standardized acquisition processes. It lacked a proven process to guide the generation of asset requirements, designs, and acquisition strategies, and it had only limited acquisition management capability among its staff. Without the capacity to hold its contractors accountable for their performance, the consortium hired by the Coast Guard to implement the lead systems integration function for the Deepwater program essentially took the Coast Guard for a ride that wasted hundreds of millions of taxpayer dollars. Thus, the Government Accountability Office has detailed that of the more than $6 billion that has been appropriated for Deepwater since fiscal year 2002, nearly $300 million has been spent on projects that were canceled or subsequently restructured, including $95 million wasted in the failed effort to lengthen 110-foot patrol boats to 123 feet, a contract failure that the full Committee on Transportation and Infrastructure examined during an 11-hour investigative hearing convened by Chairman OBERSTAR; $119 million wasted on the first effort to develop a vertical unmanned aerial vehicle; and $66 million wasted on the first designs for the Offshore Patrol Cutter and the Fast Response Cutter. Mr. Speaker, I say we can do better.

The Coast Guard's need for the new assets to be produced under Deepwater is without question, but the Coast Guard will not obtain assets that fully meet its mission requirement if it cannot effectively manage its procurement Process.

□ 1700

In response to the extensive criticisms leveled at the service's acquisition management capabilities, the Coast Guard's Commandant, Admiral Thad Allen, has created a new Acquisition Directorate. Under his leadership, the service issued and is continuing to revise a ''Blueprint for Acquisition Reform.'' The service is also developing the process and capabilities that will enable it to assume the lead systems integration function.

During our subcommittee's most recent hearing on acquisition issues, the Coast Guard announced that under an agreement signed the morning of our hearing, all options for extending the Deepwater contract with the Lockheed Martin-Northrop Grumman team beyond the date of expiration of the current award, January 24, 2011, were eliminated. I, of course, applaud this move. That said, during the hearing we also learned that certain challenges remain.

Since 2007, the course of the acquisitions contained within the Deepwater program as currently envisioned have grown by more than $2 billion and are now projected to approach $27 billion. Cost overruns in Coast Guard acquisition efforts remain a very serious concern.

Further, this month the Government Accountability Office released a new report whose very title contains a serious warning. The title reads: ''As Deepwater Systems Integrator, Coast Guard is Reassessing Costs and Capabilities but Lags in Applying Its Disciplined Acquisition Approach.'' This report notes that the service has moved to procure the Fast Response Cutter, the first asset acquisition effort that the service is managing entirely in-house, without having in place all acquisition documentation required by its Major Systems Acquisition Manual. Even if the Coast Guard establishes the best possible management systems, they will be of no use if they are not followed.

Further, while the service is requiring that its largest programs be managed by individuals with professional acquisition management qualifications, the service recently designated as the Program Executive Officer for the Coast Guard Acquisition Directorate an Admiral-select who lacked the highest available acquisition management qualifications, despite having a dozen captains who have achieved a Level III program management certification.

Again, I say, we can do better. Through a bipartisan effort, we have crafted detailed legislation that responds directly to the challenges in the Coast Guard acquisition management that we have so thoroughly examined in the subcommittee and full committee, and that builds on the acquisition management reforms the Coast Guard has already implemented.

H.R. 1665, the Coast Guard Acquisition Reform Act of 2009, as amended, would strengthen specific acquisition processes and establish personnel-related standards and policies for individuals in the Coast Guard's acquisition workforce. The legislation would bar the Coast Guard from using a private-sector lead systems integrator beginning September 30th, 2011, the date on which the use of private-sector lead systems integrators will end at the Department of Defense.

The legislation would require the appointment of a Chief Acquisition Officer who, at the Commandant's choice, can be either a member of the military or a civilian member of the Senior Executive Service, but who must be a Level III Program Manager and who must have 10 years of professional experience in acquisition management.

Additionally, the legislation will require that the Coast Guard put in place systems to ensure that it effectively and efficiently defines operational requirements before initiating acquisition efforts, and that all acquired assets undergo thorough developmental and operational testing to ensure that they will meet mission needs and pose no safety risks or threats to Coast Guard personnel.

The legislation would also ensure that the service develops and critically maintains within its workforce the expertise that it will need to effectively and efficiently oversee acquisition efforts in the future by requiring the service to establish career paths in acquisition management. H.R. 1665 would also provide expedited hiring authority so that the service can quickly fill vacancies in its acquisition workforce.

I, again, thank Chairman OBERSTAR, Ranking Member MICA, Ranking Member LOBIONDO for their work on this legislation, and for making this truly a bipartisan effort. I urge my colleagues to support H.R. 1665, as amended, and look forward to working with our Senate colleagues to enact a final version that can be presented to President Obama for his signature.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 10, 2009.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC

DEAR CHAIRMAN THOMPSON: I write to you regarding H.R. 1665, the ''Coast Guard Acquisition Reform Act of 2009''.

I agree that provisions in H.R. 1665 are of jurisdictional interest to the Committee on Homeland Security. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 1665.

This exchange of letters will be inserted in the Committee Report on H.R. 1665 and in the Congressional Record as part of the consideration of this legislation in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 10, 2009.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN OBERSTAR: I write to you regarding H.R. 1655, the ''Coast Guard Acquisition Reform Act of 2009.''

H.R. 1665 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of an appropriate number of Members of the Committee on Homeland Security to be named as conferees during any House-Senate conference convened on H.R. 1665 or similar legislation. I also ask that a copy of this letter and your response be included in the legislative report on H.R. 1665 and in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

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

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey (Mr. LOBIONDO) will control 20 minutes.

There was no objection.

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

I rise in support of H.R. 1665, the Coast Guard Acquisition Reform Act of 2009. I'd like to thank the chairman of the full committee, Mr. OBERSTAR. I'd like to thank Mr. CUMMINGS and Mr. MICA for their help in moving and developing this important legislation. H.R. 1665 builds upon several provisions which passed the House during the 110th Congress and includes new language which I believe greatly improves the legislation.

Like those bills in the previous Congress, the bill would reform the service's acquisition programs and procedures, prohibit the continued use of private-sector lead systems integrators, and establish a Chief Acquisition Officer to oversee all the Coast Guard's acquisition projects.

H.R. 1665 would also require the Coast Guard to take several steps during the planning, production and acceptance period to enhance the Coast Guard's control over all parts of the process. Under the programmatic changes made by this bill, the Coast Guard will be able to use all of its many technical authorities to ensure that assets delivered meet the service's specifications and needs.

Lastly, the bill includes two new provisions which will improve the Coast Guard's ability to staff acquisition positions with the most qualified candidates. The first is limited direct hiring authority which is based on existing authority available to the other Armed Services. Under this language, the Coast Guard will be able to directly hire civilian personnel with the needed acquisition expertise. The second will allow Coast Guard promotion boards to consider the need for specialized skills and qualifications of Coast Guard officers in areas like acquisitions. This language will provide Coast Guardsmen with the opportunity to specialize in limited duty areas, such as acquisition, without negatively impacting their promotional potential in the future.

Mr. Speaker, I support this bill and urge other Members to do the same.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, we have no additional speakers, so I would reserve.

Mr. LOBIONDO. We have no additional speakers, Mr. Speaker, so I yield back the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume. I urge the Members of the House to vote for this very, very important bill. This is one that our committee and subcommittee have worked on for a long time. It is overdue, and it's an outstanding bipartisan effort.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of H.R. 1665, the ''Coast Guard Acquisition Reform Act of 2009'', as amended.

This legislation, authored by the Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, is a thorough, comprehensive response to the challenges that have confronted the Coast Guard as it has worked to manage large-scale acquisition efforts.

I also applaud the Ranking Member of the Full Committee, Congressman MICA, and the Ranking Member of the Coast Guard Subcommittee, Congressman LOBIONDO, for their diligent work on this legislation.

H.R. 1665 incorporates the lessons that the Committee on Transportation and Infrastructure has drawn from its extensive oversight of the Coast Guard's acquisition programs.

Much of that oversight has focused on the Coast Guard's Deepwater program, a 25-year program to repair or replace the service's surface and air assets that is now projected to cost nearly $27 billion—a figure that is more than a $2 billion increase over the cost projections developed just two years ago.

These oversight efforts have included a nearly 11-hour full Committee hearing that I convened in April 2007 to examine the results of an extensive Committee investigation that evaluated the multiple factors that contributed to the failure of the effort to lengthen 110-foot patrol boats to 123 feet.

The oversight efforts have also included four separate Coast Guard Subcommittee hearings that have examined different aspects of the Coast Guard's acquisition programs.

Through these tireless efforts, the Committee has developed a comprehensive picture of the challenges that have plagued the Coast Guard's acquisition efforts, including the use of personnel who had little experience managing a major systems acquisition, continued alteration of performance requirements even after major engineering milestones were passed, and failure to apply cost and performance measures to individual asset acquisitions within the Deepwater program. The Coast Guard has responded to these criticisms.

The service has moved to take control of the lead systems integration function that had been contracted to the Lockheed Martin-Northrop Grumman team. The service has established an Acquisition Directorate and assigned individuals with the highest available professional qualifications in acquisition management to oversee the service's largest acquisition efforts.

Further, the Coast Guard has expanded the role of the American Bureau of Shipping, and other qualified third parties, to ensure that procured assets meet the highest quality standards.

However, more remains to be done, and H.R. 1665 takes the steps necessary to institutionalize within the Coast Guard the kind of effective management practices that should, if fully implemented, enable the service to avoid the procurement failures it has had in the past.

Specifically, H.R. 1665 requires that all flag-level officers serving in the Acquisition Directorate have a Level III Program Management certification and 10 years of acquisition experience.

Despite the service's new emphasis on placing in management positions those individuals who have professional acquisition management qualifications, a Captain selected for promotion to Rear Admiral was recently named to be the Program Executive Officer for Deepwater even though he lacked a Level III program manager certification at the time of his selection. This choice is even more surprising given that, as of February 2009, the Coast Guard had 27 military officers who had achieved a Level III program manager certification, including 12 Captains.

H.R. 1665 requires the Coast Guard to develop life-cycle cost estimates for projects expected to cost more than $10 million. Independent life-cycle cost estimates will be required for major acquisitions. With these estimates in place, we will know what it will cost to operate and maintain new assets before we commit to acquiring them.

H.R. 1665 mandates that the Coast Guard firmly establish operational requirements before awarding production contracts—so that cost thresholds and testing and evaluation standards can, in turn, be firmly established.

Further, H.R. 1665 imposes a breach ceiling on Coast Guard acquisitions—something that has long been imposed on Department of Defense acquisitions and that is overdue in the Coast Guard. Specifically, H.R. 1665 specifies that for any major acquisition, the Coast Guard must report to Congress when a cost overrun of greater than 10 percent is likely to occur, a delay of more than 180 days is likely to occur, or a failure for a new asset or class of assets is anticipated. More stringent standards are required whenever higher cost overruns or more extensive delays are anticipated.

I note that H.R. 1665 is based, in part, on legislation considered and passed twice by this House in the 110th Congress.

I urge my colleagues to support H.R. 1665.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to voice my support of H.R. 1665, the Coast Guard Acquisition Reform Act.

I have the unique pleasure of representing over 265 miles of pristine Florida coastline, and I will never forget that it is the Coast Guard that keeps these waters safe.

Two of the largest Coast Guard Sectors in the United States, Sector Miami and Sector Key West are located in my Congressional district.

This act will direct the Coast Guard in their Acquisition efforts and make for more of full and open competition contracts.

Overall, this act will be of benefit to the Coast Guard; however, being from a District heavily involved with the Coast Guard, I know that sections of the bill could use clarification and adjustment.

Firstly, in Section 210, the Coast Guard is required to report to the appropriate congressional committees about any cost overruns.

However, the reporting requirement is set a uniquely low threshold, a mere 10 percent.

It would be more appropriate to set this reporting requirement in line with other Department of Defense programs, ranging from 15 percent to 25 percent.

Also, in Section 302a, the act states that an individual may not be assigned as the acquisition program manager for a Level 1 or Level 2 acquisition unless the individual holds a Level III acquisition certification as a program manager.

In the interest of training Level III program manager's for Level 1 projects, this act should leave the Coast Guards current practice in place.

This would allow program managers to gain the experience they need before being assigned to the most important of acquisition projects.

In Sec 301d, the act states that within 45 days after any design or other dispute regarding a Level 1 or Level 2 acquisition, the Coast Guard would be required to provide Congress a detailed description of the dispute and the rationale underlying any decision made by the Chief Acquisition Officer.

In the interest of keeping burdensome reporting requirements to a minimum, the act should have added the word "significant" for any design dispute.

The Coast Guard will make many fact-based and timely decisions on projects that may be internally disputed.

Congress needs to be involved in significant problems that could affect results.

Still, I urge all Members to recognize the crucial need to protect our nation by strengthening the United States' oldest continuous seagoing service, the United States Coast Guard.

I urge my colleagues to vote "yes" on this act.

Mr. CUMMINGS. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 1665, 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. LOBIONDO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECOGNIZING GENERAL AVIATION

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the resolution (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.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 508

Whereas general aviation includes all civilian flying except scheduled passenger airlines;

Whereas there are nearly 600,000 licensed pilots in the United States and an estimated 500,000 of these pilots fly general aviation aircraft;

Whereas the United States accounts for more than half of all general aviation activity worldwide;

Whereas 170,000,000 passengers fly annually using personal aviation;

Whereas there are more than 231,000 active general aviation aircraft in the United States;

Whereas the general aviation industry contributes more than $150,000,000,000 to United States direct and indirect economic output;

Whereas the United States general aviation industry employs nearly 1,300,000 people whose collective annual earnings exceed $53,000,000,000;

Whereas general aviation contributes high-skill jobs in aircraft manufacturing, avionics and technology development, flight training, maintenance, modification, and technical support;

Whereas an estimated 65 percent of general aviation flights are conducted for business and public services, many of which are located in or need access to smaller communities that do not have commercial aviation;

Whereas general aviation helps save lives through the transport of blood supplies, vital transport organs, and other time-critical items;

Whereas general aviation contributes to economic development by facilitating meetings and other activities for businesses of all sizes;

Whereas general aviation is used to protect the environment by assisting with the surveying of wildlife, the mapping of wetlands, and the patrolling of parklands;

Whereas general aviation is a vital tool for agricultural producers, who often rely on air service for crop planting and protection as well as livestock herd management;

Whereas general aviation aids in law enforcement through patrolling highways, apprehending suspects, monitoring national borders, and locating lost children;

Whereas there are 5,200 public use airports and more than 13,000 privately owned landing facilities in the United States; and

Whereas only about 500 of these airports have commercial airline service, making general aviation an integral part of the transportation system that supports communities across the United States and provides essential air travel options to businesses and the public: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the many contributions of the general aviation industry; and

(2) encourages general aviation activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes. The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend remarks and to include extraneous material on H. Res. 508.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 508, introduced by the gentleman from Nebraska (Mr. FORTENBERRY) and urge its adoption by the House today. H. Res. 508 recognizes the contributions made to the United States by the general aviation industry. Current data indicate this industry contributes more than $150 billion

to the United States economy and provides good paying jobs to nearly 1.3 million people in a range of professions.

Approximately 300 U.S. communities have scheduled air service. For the remainder of our Nation's communities, general aviation provides the only option for the movement of persons or cargo by air. General aviation also provides specialized air services such as air ambulance and traffic patrol services to communities that do have scheduled air service.

A recent study commissioned by the Maryland Aviation Administration found that in 2005 general aviation activities at the 34 general aviation commuter airports in Maryland supported nearly 7,000 direct, indirect and induced jobs. General aviation in Maryland also generated nearly $400 million in direct, indirect and induced consumption expenditures and personal income in my State.

As a member of the Committee on Transportation and Infrastructure, I support my colleague's resolution and agree that general aviation makes a significant contribution to the national economy because it fulfills transportation needs which cannot otherwise be met. I urge all of my colleagues to support this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of House Resolution 508 offered by my colleague from Nebraska, Mr. FORTENBERRY. The resolution expresses the sense of the House that the general aviation community be recognized for numerous contributions to the United States.

I'd like to yield to Mr. FORTENBERRY such time as he may consume.

Mr. FORTENBERRY. Mr. Speaker, I am pleased as well to rise today in support of this resolution that recognizes the contributions of general aviation in the United States. The general aviation industry employs nearly 1.3 million Americans throughout the country. General aviation, which includes all civilian flying except scheduled passenger airlines, contributes more than $150 billion in direct and indirect economic output in our country.

The resolution we are considering today celebrates the many areas in which general aviation plays an important role in the lives of everyday Americans. But, unfortunately, many of these contributions are often overlooked. Well beyond the services it provides for businesses of all sizes, the general aviation industry has a significant impact on our society. Across the Nation, 500,000 licensed pilots fly general aviation aircraft, and each year 170 million Americans use personal aviation. The 1.3 million Americans who work in the field hold high-skill jobs in aircraft manufacturing, avionics and technology development, flight training, maintenance, modification as well as technical support.

Mr. Speaker, in my own home State of Nebraska, more than 5,000 people are employed in air transportation, and general aviation airports generate $720 million annually within our State. Additionally, general aviation is used to perform essential services necessary for our safety and well-being, such as aiding law enforcement through patrolling highways, apprehending suspects, monitoring national borders or locating lost children. General aviation also helps to save lives through emergency transport of patients, supplies and other time-critical items.

The aviation industry protects the environment by assisting with the surveying of wildlife, mapping of wetlands and the patrolling of parklands. And, in addition, it serves as a vital tool for agricultural producers who often rely on air service for crop planting as well as crop protection.

For these reasons, Mr. Speaker, and others laid out in the resolution, I encourage my colleagues to join me today in recognizing the great importance of general aviation to America's families and communities.

□ 1715

Mr. CUMMINGS. Mr. Speaker, we have no other speakers, so we would reserve.

Mr. LoBIONDO. Mr. Speaker, in closing, the aviation industry is a vital part of small business. They rely on their fleets to provide the efficient and cost-effective transportation of goods and personnel.

It is very appropriate that we are considering this resolution today. The Experimental Aircraft Association is holding its annual convention this week in Oshkosh, Wisconsin, known as the EAA AirVenture Oshkosh. It is referred to by many simply as ''Oshkosh.'' It is the world's largest general aviation fly-in.

A healthy and productive general aviation industry is important to both our Nation's economy and to the American way of life, and I urge all of my colleagues to support this resolution.

I yield back the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I would just urge my colleagues to vote for this very, very important resolution.

Mr. MORAN of Kansas. Mr. Speaker, I rise in support of H. Res. 508, which recognizes the general aviation industry for its many and valuable contributions to our country. As a member of the Congressional General Aviation Caucus and as a representative from Kansas, I have special appreciation for the contributions of this industry.

In Kansas, the aviation industry accounts for about 20 percent of the state's manufacturing employment and employs tens of thousands of Kansans. Nationwide, the general aviation industry employs nearly 1.3 million people and contributes more than $150 billion to U.S. direct and indirect economic output.

While these numbers are impressive and significant, the industry's impact on our economy is even greater than the value of the products it produces.

General aviation connects businesses and facilitates economic growth. It is estimated that 65 percent of general aviation flights are conducted for business and public services. Especially for businesses located in rural communities that do not have access to commercial aviation, general aviation aircraft help American businesses stay connected with customers and allow companies in small towns to compete across the country.

It is important that my colleagues understand this. I was troubled in January during consideration of the TARP Reform and Accountability Act, that provisions to limit businesses from leasing or using general aircraft for business purposes were almost included in the final legislation. Doing so would have hampered economic activity, lowered national aviation production, and hurt workers everywhere, but especially in Kansas, where a large portion of our country's aviation products are manufactured. Congress must remember the importance of the general aviation industry to not only our national economy but to so many local and regional economies within the country.

That is why I am pleased that we are taking up this resolution today. Like most all industries, general aviation has not been spared by the recession. During difficult times like these, it is especially important for Congress to support general aviation. I urge my colleagues to support this resolution and oppose any future proposal that would damage the general aviation industry.

Mr. EHLERS. Mr. Speaker, as a pilot-in-training, and also the co-chairman of the House General Aviation Caucus, I rise in strong support of H. Res. 508, expressing the sense of the House that the general aviation industry should be recognized for its important contributions to our economy and our transportation system. I thank Congressman FORTENBERRY for introducing this important Resolution.

General aviation is a general category that includes all non-scheduled, nonmilitary aviation. There are more than 230,000 general aviation aircraft in the United States, which fly out of nearly 19,000 small and regional airports, far exceeding the 500 commercial airports in the United States. These airports help connect people and industries that do not always have easy access to our commercial airports.

Recently, general aviation has come under attack by the media and those that view general aviation as a corporate indulgence or an expensive toy used exclusively by the wealthy. Actually, airplanes are a productive tool, and companies that utilize general aviation are generally more competitive. More often than not, these airplanes pay for themselves.

In the wake of recent disparaging stories about general aviation, Congressman ALLEN BOYD and I formed the House General Aviation Caucus to help educate our colleagues and the public about the importance of general aviation to our economy and to our overall transportation system.

The General Aviation industry contributes more than $150 billion to the U.S. economy annually, and it employs nearly 1.3 million workers. In 2008, U.S. general aviation airplane manufacturers delivered over 3,079 airplanes to customers in the United States and abroad. The total value of these aircraft was nearly $13 billion, of which 44 percent were

exports. The General Aviation industry is one of the few remaining U.S. industries that actually maintains a strong, positive foreign trade balance.

As one of the champions of General Aviation in the House of Representatives, I strongly support this resolution, and urge the Members of the House to pass it.

Mr. OBERSTAR. Mr. Speaker, I rise in support of this resolution, H. Res. 508, introduced by the gentleman from Nebraska (Mr. FORTENBERRY), which expresses the sense of the House of Representatives that the general aviation (GA) industry, which includes all civilian flying except scheduled passenger airlines activity, should be recognized for its contributions to the United States. I thank Representative FORTENBERRY for his leadership on this measure.

The United States has the most robust GA industry in the world. GA transports 170 million passengers annually, on over 230,000 aircraft. GA stimulates local and regional economies—it comprises over $150 billion in direct and indirect economic output and supports almost 1.3 million jobs. Many of these jobs are high-skill jobs in manufacturing, avionics and technology development as well as flight training, maintenance, modification, and technical support.

In addition, GA provides communities with essential services, and affords large and small businesses the flexibility and mobility that they need to be successful in both large communities as well as small, rural ones. Many industries and public services depend on GA, including emergency medicine, firefighting, surveying wildlife, law enforcement, news services, energy exploration, and farming.

I urge my colleagues to join me in supporting H. Res. 508.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 508.

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

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

The point of no quorum is considered withdrawn.

CLEAN COASTAL ENVIRONMENT AND PUBLIC HEALTH ACT OF 2009

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2093) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2093

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 ''Clean Coastal Environment and Public Health Act of 2009''.

SEC. 2. WATER POLLUTION SOURCE IDENTIFICATION.

(a) MONITORING PROTOCOLS.—Section 406(a)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(a)(1)(A)) is amended by striking ''methods for monitoring'' and inserting ''protocols for monitoring that are most likely to detect pathogenic contamination''.

(b) SOURCE TRACKING.—Section 406(b) of such Act (33 U.S.C. 1346(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3) SOURCE IDENTIFICATION PROGRAMS.—In carrying out a monitoring and notification program, a State or local government may develop and implement a coastal recreation waters pollution source identification and tracking program for coastal recreation waters adjacent to beaches or similar points of access that are used by the public and are not meeting applicable water quality standards for pathogens and pathogen indicators.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 406(i) of such Act (33 U.S.C. 1346(i)) is amended by striking ''$30,000,000 for each of fiscal years 2001 through 2005'' and inserting ''$40,000,000 for each of fiscal years 2010 through 2014''.

SEC. 3. FUNDING FOR BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT.

Section 8 of the Beaches Environmental Assessment and Coastal Health Act of 2000 (114 Stat. 877) is amended by striking ''2005'' and inserting ''2014''.

SEC. 4. STATE REPORTS.

Section 406(b)(4)(A)(ii) of the Federal Water Pollution Control Act (as redesignated by section 2(b)(1) of this Act) is amended by striking ''public'' and inserting ''public and all environmental agencies of the State with authority to prevent or treat sources of pathogenic contamination in coastal recreation waters''.

SEC. 5. USE OF RAPID TESTING METHODS.

(a) CONTENTS OF STATE AND LOCAL GOVERNMENT PROGRAMS.—Section 406(c)(4)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)(4)(A)) is amended by striking ''methods'' and inserting ''methods, including a rapid testing method after the last day of the one-year period following the date of validation of that rapid testing method by the Administrator,''.

(b) REVISED CRITERIA.—Section 304(a)(9)(A) of such Act (33 U.S.C. 1314(a)(9)(A)) is amended by striking ''methods, as appropriate'' and inserting ''methods, including rapid testing methods''.

(c) VALIDATION AND USE OF RAPID TESTING METHODS.—

(1) VALIDATION OF RAPID TESTING METHODS.—Not later than October 15, 2012, the Administrator of the Environmental Protection Agency (in this Act referred to as the ''Administrator'') shall complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators described in section 304(a)(9)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)(A)).

(2) GUIDANCE FOR USE OF RAPID TESTING METHODS.—

(A) IN GENERAL.—Not later than 180 days after completion of the validation under paragraph (1), and after providing notice and an opportunity for public comment, the Administrator shall publish guidance for the use at coastal recreation waters adjacent to beaches or similar points of access that are used by the public of the rapid testing method that will enhance the protection of public health and safety through rapid public notification of any exceeding of applicable water quality standards for pathogens and pathogen indicators.

(B) PRIORITIZATION.—In developing such guidance, the Administrator shall require the use of the rapid testing method at those beaches or similar points of access that are the most used by the public.

(d) DEFINITION.—Section 502 of such Act (33 U.S.C. 1362) is amended by adding at the end the following:

''(26) RAPID TESTING METHOD.—The term 'rapid testing method' means a method of testing the water quality of coastal recreation waters for which results are available as soon as practicable and not more than 6 hours after the commencement of the rapid testing method in the laboratory.''.

(e) REVISIONS TO RAPID TESTING METHODS.—

(1) IN GENERAL.—Upon completion of the validation required under subsection (c)(1), and every 5 years thereafter, the Administrator shall identify and review potential rapid testing methods for existing water quality criteria for pathogens and pathogen indicators for coastal recreation waters.

(2) REVISIONS TO RAPID TESTING METHODS.—If a rapid testing method identified under paragraph (1) will make results available in less time and improve the accuracy and reproducibility of results when compared to the existing rapid testing method, the Administrator shall complete an evaluation and validation of the rapid testing method as expeditiously as practicable.

(3) REPORTING REQUIREMENT.—Upon completion of the review required under paragraph (1), the Administrator shall publish in the Federal Register the results of the review, including information on any potential rapid testing method proposed for evaluation and validation under paragraph (2).

(4) DECLARATION OF GOALS FOR RAPID TESTING METHODS.—It is a national goal that by 2017, a rapid testing method for testing water quality of coastal recreation waters be developed that can produce accurate and reproducible results in not more than 2 hours after commencement of the rapid testing method.

SEC. 6. NOTIFICATION OF FEDERAL, STATE, AND LOCAL AGENCIES.

Section 406(c) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (5) by striking ''prompt communication'' and inserting ''communication, within 24 hours of the receipt of the results of a water quality sample,'';

(2) in subparagraph (A) of paragraph (5)—

(A) by inserting ''(i) in the case of any State in which the Administrator is administering the program under section 402,'' before ''the Administrator'' the first place it appears; and

(B) by inserting at the end the following:

''(ii) in the case of any State other than a State to which clause (i) applies, all agencies of the State government with authority to require the prevention or treatment of the sources of coastal recreation water pollution; and'';

(3) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(4) by inserting after paragraph (5) the following:

''(6) measures for an annual report to the Administrator, in such form as the Administrator determines appropriate, on the occurrence, nature, location, pollutants involved, and extent of any exceeding of applicable water quality standards for pathogens and pathogen indicators;''.

SEC. 7. CONTENT OF STATE AND LOCAL PROGRAMS.

Section 406(c) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (7) (as redesignated by section 6(3) of this Act)—

(A) by striking ''the posting'' and inserting ''the immediate posting''; and

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

(2) by striking the period at the end of paragraph (8) (as redesignated by section 6(3) of this Act) and inserting a semicolon; and

(3) by adding at the end the following:

''(9) the availability of a geographic information system database that such State or local government program shall use to inform the public about coastal recreation waters and that—

''(A) is publicly accessible and searchable on the Internet;

''(B) is organized by beach or similar point of access;

''(C) identifies applicable water quality standards, monitoring protocols, sampling plans and results, and the number and cause of coastal recreation water closures and advisory days; and

''(D) is updated within 24 hours of the availability of revised information; and

''(10) measures to ensure that closures or advisories are made or issued within 2 hours after the receipt of the results of a water quality sample that exceeds applicable water quality standards for pathogens and pathogen indicators.''.

SEC. 8. COMPLIANCE REVIEW.

Section 406(h) of the Federal Water Pollution Control Act (33 U.S.C. 1346(h)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by moving such subparagraphs 2 ems to the right;

(3) by striking ''In the'' and inserting the following:

''(1) IN GENERAL.—In the''; and

(4) by adding at the end the following:

''(2) COMPLIANCE REVIEW.—On or before July 31 of each calendar year beginning after the date of enactment of this paragraph, the Administrator shall—

''(A) prepare a written assessment of compliance with all statutory and regulatory requirements of this section for each State and local government and of compliance with conditions of each grant made under this section to a State or local government;

''(B) notify the State or local government of such assessment; and

''(C) make each of the assessments available to the public in a searchable database on the Internet on or before December 31 of such calendar year.

''(3) CORRECTIVE ACTION.—If a State or local government that the Administrator notifies under paragraph (2) is not in compliance with any requirement or grant condition described in paragraph (2) fails to take such action as may be necessary to comply with such requirement or condition within one year after the date of notification, any grants made under subsection (b) to the State or local government, after the last day of such one-year period and while the State or local government is not in compliance with all requirements and grant conditions described in paragraph (2), shall have a Federal share of not to exceed 50 percent.

''(4) GAO REVIEW.—Not later than December 31 of the third calendar year beginning after the date of enactment of this paragraph, the Comptroller General shall conduct a review of the activities of the Administrator under paragraphs (2) and (3) during the first and second calendar years beginning after such date of enactment and submit to Congress a report on the results of such review.''.

SEC. 9. PUBLICATION OF COASTAL RECREATION WATERS PATHOGEN LIST.

Section 304(a)(9) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)) is amended by adding at the end the following:

''(C) PUBLICATION OF PATHOGEN AND PATHOGEN INDICATOR LIST.—Upon publication of the new or revised water quality criteria under subparagraph (A), the Administrator shall publish in the Federal Register a list of all pathogens and pathogen indicators studied under section 104(v).''.

SEC. 10. ADOPTION OF NEW OR REVISED CRITERIA AND STANDARDS.

Section 303(i)(2)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1313(i)(2)(A)) is amended by striking ''paragraph (1)(A)'' each place it appears and inserting ''paragraph (1)''.

SEC. 11. NATIONAL LIST OF BEACHES.

Section 406(g)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1346(g)(3)) is amended by striking ''The Administrator'' and all that follows through the period and inserting ''Within 12 months after the date of the enactment of the Clean Coastal Environment and Public Health Act of 2009, and biennially thereafter, the Administrator shall update the list described in paragraph (1).''.

SEC. 12. IMPACT OF CLIMATE CHANGE ON PATHOGENIC CONTAMINATION OF COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator shall conduct a study on the long-term impact of climate change on pathogenic contamination of coastal recreation waters.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) INFORMATION ON POTENTIAL CONTAMINANT IMPACTS.—The report shall include information on the potential impacts of pathogenic contamination on ground and surface water resources as well as public and ecosystem health in coastal communities.

(3) MONITORING.—The report shall address monitoring required to document and assess changing conditions of coastal water resources, recreational waters, and ecosystems and review the current ability to assess and forecast impacts associated with long-term change.

(4) FEDERAL ACTIONS.—The report shall highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate these effects in order to protect public and ecosystem health.

(5) CONSULTATION.—In developing the report, the Administrator shall work in consultation with agencies active in the development of the National Water Quality Monitoring Network and the implementation of the Ocean Research Priorities Plan and Implementation Strategy.

SEC. 13. IMPACT OF EXCESS NUTRIENTS ON COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator shall conduct a study to review the available scientific information pertaining to the impacts of excess nutrients on coastal recreation waters.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under subsection (a).

(2) IMPACTS.—Such report shall include information on any adverse impacts of excess nutrients on coastal recreation waters, including adverse impacts caused by algal blooms resulting from excess nutrients.

(3) RECOMMENDATIONS.—Such report shall include recommendations for action to address adverse impacts of excess nutrients and algal blooms on coastal recreation waters, including the establishment and implementation of numeric water quality criteria for nutrients.

(4) CONSULTATION.—In developing such report, the Administrator shall consult with the heads of other appropriate Federal agencies (including the National Oceanic and Atmospheric Administration), States, and local government entities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2093.

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

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield myself such time as I may consume.

Mr. Speaker, the Clean Coastal Environment and Public Health Act of 2009 increases the authorization of appropriations for the Beaches Environmental Assessment and Coastal Health Act, more commonly known as the BEACH Act bill, through 2014.

First signed into law in October 2000, the BEACH Act provides funding to States, to local governments and to tribes for the creation of coastal water assessment and for public notification programs that monitor our recreational waters.

Mr. Speaker, H.R. 2093, the Clean Coastal Environment and Public Health Act of 2009, increases the authorization of appropriations for the Beaches Environmental Assessment and Coastal Health Act, more commonly known as the BEACH Act, through 2014.

First signed into law in October 2000, the BEACH Act provides funding to states, local governments, and tribes for the creation of coastal water assessment and public notification programs that monitor our recreational waters.

Over the past nine years, my Subcommittee, the Subcommittee on Water Resources and Environment, has held hearings on reauthorization of the BEACH Act and has received recommendations for statutory changes that would strengthen State coastal water quality monitoring and public notification programs.

I applaud the sponsor of this legislation, Mr. PALLONE, and our colleagues on the Committee on Transportation and Infrastructure, Mr. BISHOP and Mr. HALL, for introducing this important legislation.

H.R. 2093, the Clean Coastal Environment and Public Health Act, will increase the annual authorization for State and local monitoring and notification programs to $40 million annually.

In addition, this legislation expands the eligible uses for grants under this program to better understand ongoing sources of contamination to the nation's beaches.

For example, H.R. 2093 allows States to utilize a portion of their BEACH grant funding to develop and implement pollution source identification and tracking programs for coastal recreation waters.

These programs will enable interested States to locate the likely sources of coastal water contamination.

This information will be critical to states to demonstrate ongoing sources of pollution to the nation's beaches.

With definitive information on the causes of coastal water contamination, States can take appropriate action to eliminate these ongoing sources, and ensure that the nation's coastal areas are safe for swimming and other recreational activities.

Mr. Speaker, last Congress, the House considered similar legislation to reauthorize and strengthen the BEACH Act.

That version, H.R. 2537, was approved by the House on a voice vote in April 2008.

Unfortunately, the 110th Congress adjourned before further consideration could be taken on that bill.

H.R. 2093 is modeled on the bill that passed the House in the last Congress.

However, one significant change is the adoption of a statutory deadline for the development of rapid testing methods for measuring the quality of coastal recreation waters.

The development of a rapid testing method will provide a significant safeguard against swimming-related illnesses by ensuring that the public is notified of potentially harmful waters within a few hours, rather than days, as under the current system.

H.R. 2093 adopts a statutory deadline of October 15, 2012 for the development of rapid testing methods, and requires states to implement such methods within one year of their validation by EPA.

This provision should enhance the protection of public health, and hopefully prevent families from coming into contact with harmful pollutants at their favorite beaches.

The bill also defines the term ''rapid testing method'' to mean ''a method of testing the water quality of a coastal recreation water for which results are available as soon as practicable and not more than 6 hours after the commencement of the rapid testing method in the laboratory.''

Mr. Speaker, as made clear in the Committee Report to accompany this legislation, the intent of this definition is to compress the time period for testing water quality to provide real-time information on the condition of coastal recreation waters.

The Committee received information on testing technologies that are currently available which can produce accurate results in two to three hours.

The intent of this legislation is to require that EPA validate a rapid testing methodology that can achieve accurate results as quickly as possible within the confines of existing technologies.

In addition, H.R. 2093 requires the administrator to periodically review the state of water quality testing technologies, and to validate new rapid testing methods that can shorten the time necessary to produce results on the condition of such waters, with a goal of 2-hour testing by 2017.

Mr. Speaker, H.R. 2093 also enhances existing public notification requirements, including making beach warnings and closures available on the Internet.

The bill also clarifies that the public must be notified within 2 hours after the appropriate State or local authority receives the results of a coastal water quality sample.

However, because many States utilize a system where two contaminated samples must be identified before a beach is closed, H.R. 2093 requires that beach closures or advisories must be made within 2 hours of the receipt of any water quality sample that exceeds public health limits, and that a warning sign be posted immediately, thereafter.

Again, precaution against potential public health impacts needs to be the focus of this program.

Finally, the bill requires EPA to conduct annual compliance reviews of state and local BEACH programs.

I strongly urge my colleagues to support this legislation that will make significant improvements to EPA's BEACH program.

Much of our efforts are to provide additional safeguards for our families to ensure they do not come into contact with potentially harmful pollutants and contaminants along the nation's coastlines.

I believe that this legislation accomplishes what we have tried to do.

I reserve the balance of my time.

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

Mr. Speaker, I am pleased the House is moving H.R. 2093, the Clean Coastal Environment and Public Health Act of 2009. This is an example of the good we can accomplish when we're able to work in a bipartisan manner to address the Nation's water resources needs.

Our Nation has nearly 23,000 miles of ocean and gulf shoreline along the continental United States and 5,500 miles of Great Lakes shoreline. Beaches are an important part of American life, providing numerous recreational opportunities for millions of people, including swimming, fishing, boating, beach-combing, surfing, sunbathing, and bird-watching.

This bill enables the EPA and the States to complete the important work they have begun so they can better protect public health and safety and so that they can continue to improve the quality of our Nation's recreational coastal waters.

H.R. 2093 increases the authorized annual funding for grants to States from $30 million to $40 million, and it extends the program through fiscal year 2014. This will help ensure that the public can get timely warnings of potential health hazards associated with a trip to the beach.

H.R. 2093 also requires the EPA to review State compliance with the BEACH Act, and it provides the means for dealing with States that remain out of compliance. H.R. 2093 passed the Transportation and Infrastructure Committee by unanimous vote.

I am pleased the House is moving H.R. 2093, The ''Clean Coastal Environment and Public Health Act of 2009.''

This is an example of the good we can accomplish when we are able to work in a bipartisan manner to address the Nation's water resources needs.

Our Nation has nearly 23,000 miles of ocean and gulf shoreline along the continental United States, and 5,500 miles of Great Lakes shorelines.

Beaches are an important part of American life, providing numerous recreational opportunities for millions of people, including fishing, boating, beachcombing, swimming, surfing, sunbathing, and bird-watching.

Each year, over 180 million people visit coastal waters for recreational purposes.

This activity supports over 28 million jobs and leads to investments of over $50 billion each year in goods and services.

Public confidence in the quality of our nation's waters is important not only to each citizen who swims, but also to the tourism and recreation industries that rely on safe and swimmable coastal waters.

To improve the public's confidence in the quality of our Nation's coastal waters and protect public health and safety, Congress passed the ''Beaches Environmental Assessment and Coastal Health Act of 2000,'' commonly called the ''BEACH Act,'' in the 106th Congress.

The BEACH Act aimed to limit and prevent human exposure to polluted coastal recreational waters by assisting States and local communities to implement beach monitoring, assessment, and public notification programs.

The act also called on States with coastal recreational waters to adopt pathogen-related water quality standards, and directed EPA to conduct research and develop updated water quality criteria to protect human health.

Under the BEACH Act, EPA has been making grants to States to help them implement programs to monitor beach water quality and notify the public if water quality standards for pathogens are not being met.

An important indicator of progress to date is the fact that all eligible States are now implementing the beach monitoring, assessment, and public notification provisions of the BEACH Act.

The number of monitored beaches has increased from approximately 1,000 in 1997 to more than 3,700 in 2008.

In addition, EPA has strengthened water quality standards throughout all the coastal recreation waters in the United States.

All 35 States and Territories with coastal recreation waters now have water quality standards as protective of human health as EPA's water quality criteria. This is an increase from just 11 States and Territories in 2000.

Further, EPA has improved public access to data on beach advisories and closings by improving the agency's electronic data systems.

Moreover, EPA has been conducting cutting-edge research to support the development of new water quality criteria to protect human health from pathogens, and new monitoring methods to more accurately and rapidly detect pathogen contamination in recreational waters.

Faster and better decisions are good for public health and good for the economy in beach communities.

We are optimistic that this work will help State beach managers make the best decisions possible about keeping beaches open or placing them under advisory.

Although EPA and the States have made substantial progress in implementing the BEACH Act, there is important work left to do in the areas of monitoring, research, and updating existing water quality criteria.

H.R. 2093 recognizes this, and reauthorizes and amends the BEACH Act.

This bill enables EPA and the States to complete the important work they have begun, so they can better protect public health and safety and continue to improve the quality of our Nation's recreational coastal waters.

H.R. 2093 increases the authorized annual funding level for grants to States from $30 to $40 million, and extends the program through fiscal year 2014.

In addition, the bill requires the development and use of rapid testing methods and quick notification to State officials and the public if a problem is found.

This will help ensure the public can get timely warnings of potential health hazards associated with a trip to the beach.

H.R. 2093 also requires EPA to review State compliance with the BEACH Act, and provides means for dealing with States that remain out of compliance.

H.R. 2093 passed the Transportation and Infrastructure Committee by a unanimous voice vote.

I would like to thank the chairman of the committee, Mr. OBERSTAR, and the chairwoman of the Subcommittee on Water Resources and Environment, EDDIE BERNICE JOHNSON, and especially thank the ranking member of the committee, Mr. MICA, for all their hard work that enabled us to bring to you today a consensus bill that enjoys strong, bipartisan support.

I urge all members to support the legislation.

I would like to thank the chairman of the committee, Mr. OBERSTAR, the chairwoman of the Subcommittee on Water Resources and Environment, EDDIE BERNICE JOHNSON, and especially their staffs for their hard work on both sides. Also, I would like to thank Mr. MICA for his hard work in helping us to bring this forward.

Again, I urge adoption of this. I am so glad that it enjoys bipartisan support.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield such time as he may consume to the full committee chairman, Mr. OBERSTAR.

Mr. OBERSTAR. I thank the gentlewoman for yielding.

I want to compliment Ms. JOHNSON on her superb chairmanship of the Subcommittee on Water Resources and Environment where she has diligently pursued the work of the committee with numerous hearings—in-depth, thorough work on the precious resources we have of fresh water. All the water we have ever had and will have is with us today, and it's our responsibility to care for it. Her vigilance in holding these hearings over the last Congress and in this Congress have been superb.

The gentleman from Arkansas (Mr. BOOZMAN) has been a splendid partner and a diligent worker on the issues of water resources. He understands the needs that come from his State of Arkansas, which is a Mississippi River State, which is a water-dependent State, and he has devoted great initiative to this work.

Also, we have had success. The old saying is ''success has a thousand fathers.'' Mr. PALLONE, the gentleman from New Jersey; Mr. BISHOP and Mr. HALL—both members of our committee—have been strong supporters of this legislation.

I do have to give special recognition to the gentleman from California (Mr. BILBRAY), who, over several Congresses, has championed this legislation, including the initial BEACH Act. The persistence with which Mr. BILBRAY pursues matters is remarkable, to say the least, and he has been single-minded in his pursuit of this particular issue.

We have here a very splendid bipartisan bill that improves on the previous legislation, that improves on the practices of the previous administration, which, frankly, neglected the needs of beaches. We provide State and local governments greater authority to use a portion of their beach grant funds to identify sources of beach water quality impairments, to track ongoing sources of pollution to coastal recreation waters and to establish the validation of a rapid testing method, which all Members of this body who represent coastal areas, whether they're the freshwater coast or the saltwater coast, have strongly urged. This legislation will define ''rapid testing'' as a method that can produce results as soon as practicable but not more than 6 hours after the commencement of the test.

All of the supporters, including the gentleman from New Jersey (Mr. PALLONE), who is just arriving, have urged action on this particular rapid testing issue, so we give it definition, and we give it urgency and fiscal support.

This is a very good bill, a product of a great deal of experience and interest and support from Members on both sides of the aisle—on the east coast, the west coast, the gulf coast, and the fourth coastline, which is the Great Lakes coast.

I urge support of this legislation.

Mr. Speaker, I rise in strong support of H.R. 2093, the ''Clean Coastal Environment and Public Health Act of 2009'', as amended.

This legislation, and the underlying sections of the Clean Water Act that focus on coastal recreation water quality monitoring and public notification, are vital to protect the public from unwanted contact with potentially-harmful pollutants and contaminants in our coastal recreational waters.

I applaud the efforts of the primary sponsors of this legislation, the gentleman from New Jersey (Mr. PALLONE), and our colleagues on the Committee on Transportation and Infrastructure, Mr. BISHOP and Mr. HALL, for shepherding this important legislation through the hearing process, through Committee markup, and to the Floor of the House today.

I also applaud the efforts of the gentleman from California (Mr. BILBRAY), for his efforts back in 2000 to move the initial BEACH Act to the President's desk.

The BEACH Act that was signed into law in October 2000 authorized $30 million annually for beach monitoring and assessment programs and public notification programs for fiscal years 2001 through 2005. It required States and tribes to determine minimum water quality standards that were considered ''safe''.

In many ways, the BEACH Act has proven successful in making the public aware of the presence of potentially harmful water contamination at local beaches, and has brought about a revolution in terms of States creating and implementing coastal recreational water monitoring and notification programs. The benefits we have seen over the last nine years include uniform standards for coastal recreational water quality, and increased monitoring and notification of contamination of such waters.

However, in as much as the BEACH Act has been successful in providing more information to the public, the previous Administration's track record on utilizing all of the tools contained in the BEACH Act to protect human health was far less successful.

For example, the Environmental Protection Agency (EPA) was given authority to promulgate standards for States that did not have sufficient standards, as compared to those in the 1986 Ambient Water Quality Criteria for Bacteria. EPA was given further direction to continue to study the impacts of waterborne pollutants and bacteria to human health, and to revise the criteria every five years as needed. Unfortunately, EPA failed to complete this task, as demonstrated by a lawsuit by advocates for safe beaches.

Similarly, the last Administration failed to utilize the authorities and direction of the initial BEACH Act to ensure the public has the best, most accurate, and timely information on the condition of their favorite beaches. For example, the BEACH Act called for the creation of a ''National List of Beaches'' that would provide the public with information on which beaches had in place monitoring and notification programs, and which did not. EPA was given the direction to periodically revise this list, based on the availability of new information.

I can assure my colleagues that latest list, published in 2004, is not the most up-to-date assessment of the condition of the nation's beaches. It is regrettable that the last Administration was unwilling to utilize the tools provided by Congress to ensure the protection of human health and safety.

I am hopeful that the Obama Administration will seize the opportunity to enhance the protection of human health and safety, and I expect that passage of the H.R. 2093 will aid in this effort.

H.R. 2093 increases by $10 million annually the authorization of appropriations for EPA to issue grants to State and local governments for the implementation of coastal recreation water monitoring and notification programs.

In addition, the bill provides State and local governments the authority to use a portion of their BEACH grant to identify potential sources of beach water quality impairments. This authority will help State and local governments track ongoing sources of pollution to coastal recreation waters, and allow these entities to take the necessary next steps to control or eliminate these sources of pollution.

The bill also directs EPA to complete its review and publication of revised water quality criteria for coastal recreation waters by October 15, 2012, and to include with this publication, the validation of a ''rapid testing method'' for coastal recreation waters. H.R. 2093 defines a rapid testing method as one that can produce results ''as soon as practicable'' but not more than six hours after commencement of the test.

Today, the majority of States are utilizing culture-based testing methodologies for determining the presence of pathogens in coastal waters. This testing methodology typically requires 24 hours before results can be obtained, which can mean that one or two days

may pass before the public is made aware of the presence of potentially harmful contaminants.

H.R. 2093 directs EPA to reduce the testing time from the current 24 hours to less than six hours, with the hope that communities can provide same day results on the condition of their local waters. To be clear, this legislation does not require that an approvable test actually take six hours, but establishes six hours as the absolute maximum time allowed for an approvable rapid testing method. If science dictates that the amount of testing time can be less than six hours, this bill allows EPA to approve a "more rapid" testing methodology.

It is my understanding that the scientific community believes that current technology is capable of producing a reliable rapid testing methodology that can produce results in two to three hours. This technology could be readily adopted by EPA under the revised definition, and the Agency is encouraged to adopt the shortest, reliable testing methodology possible.

Mr. Speaker, simply put, this reauthorization of the BEACH Act focuses on providing State and local governments with the tools they need to protect public health and reduce the incidence of water-borne illness. As we are in the midst of the summer vacation season, let us make sure that a family trip to the beach will not also result in a trip to the doctor's office.

I urge my colleague to support H.R. 2093.

Ms. EDDIE BERNICE JOHNSON of Texas. I reserve the balance of my time.

Mr. BOOZMAN. Again, I would like to thank the chairman and the ranking member and my chairman, Ms. Johnson. I urge its adoption.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I know that time is short, so I'll be very brief. This is a very important bill to the Nation's beaches, and I represent a coastal area.

Basically, a few years ago, we passed the original BEACH Act, which allowed for the testing of ocean waters so that people would know, as sort of a right-to-know measure, when to go into the water and when not to. It has been very successful in keeping beaches clean and in notifying people when they shouldn't go swimming or when beaches have been cleaned up and they can go back into the water. We found out that we needed some better protection, and that is what we're doing with this bill today.

It calls for more rapid testing, within 24 hours—well, within a few hours, I should say—because, in the past, sometimes it would take 24 to 48 hours before we would know whether beaches should be closed. So there is a much more rapid testing method, which is within a few hours. In addition to that, the grants allow for the support for actually preventing beach closings and for using the Federal money for tracking so that, actually, the waters do not become more polluted.

So there are a lot of improvements in this bill over the current BEACH Act, and I urge its passage. I think we can get it signed into law quickly.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I now yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the chairwoman for yielding, and I will be even more brief than Mr. PALLONE.

Mr. Speaker, let me simply thank Mr. PALLONE, Mr. BILBRAY, Mr. BOOZMAN, Chairman OBERSTAR, and Chairwoman JOHNSON for their leadership on this issue.

This bill builds on the successes of the original BEACH Act. It implements rapid testing procedures which are vitally important. It provides a significantly larger authorization for the grants, and I urge its passage.

Mr. Speaker, on behalf of the residents of eastern Long Island, I would like to commend Chairman OBERSTAR, Chairwoman JOHNSON and Congressmen PALLONE and BILBRAY for their leadership and unwavering dedication to clean water issues. I would also like to thank the Transportation and Infrastructure Committee staff for their hard work and commitment to advancing this legislation to the full House today.

My district encompasses 300 miles of coastline, and I'm very proud to represent some of this country's most popular and beautiful beaches. Maintaining coastal health is an integral objective toward preserving the Nation's environment and sustaining the tourist economies of our States. The beach-going public that flocked to our Nation's shores this summer reminds us that we deserve pristine waterways to enjoy with our families and that we need to preserve them for future generations of Americans.

The water quality monitoring and notification grants established in the original BEACH Act have been absolutely vital to protecting the health of beachgoers on our shores. Today, with the consideration of H.R. 2093, the Clean Coastal Environment and Public Health Act of 2009, we can continue to assure the American public that preserving healthy shores is a priority of our environmental agenda.

After EPA reports marked progress but raised questions about the implementation of the BEACH Act, it has become clear that further development of the legislation was needed. That is why Mr. PALLONE, the author of the original BEACH Act, and I decided to pool our resources to advance better legislation to fix problems and fund grant programs.

The Pallone/Bishop/Bilbray legislation reauthorizes the BEACH Act through fiscal year 2013 and increases authorization for funding from $30 million to $40 million, annually. This bipartisan legislation requires development and implementation of rapid testing methods to ensure that the public is notified of potential health concerns related to water quality in hours rather than days and enhances existing public notification requirements.

In the 110th Congress, a nearly identical bill was agreed to by this committee and passed on the House floor—both by voice vote. Unfortunately, the Senate did not act on the bill.

One in ten tourists is destined for the beach this summer—providing our travel and vacation industries with customers and business. I hope my colleagues agree that the BEACH Act is an excellent example of an effective government program that benefits communities in every region of the country and has yielded tremendous progress in restoring healthy shores.

Mr. Speaker, with the leadership and support of this body, we can ensure that beach visitors throughout the country are assured that local governments have all the resources they need to monitor recreational waters and alert the public of potential health hazards.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I applaud the sponsor of this legislation, Mr. PALLONE, and our colleagues on the Committee on Transportation and Infrastructure, Mr. BISHOP and Mr. HALL, for introducing this important legislation. Further, I appreciate and respect the fact that Mr. OBERSTAR, Mr. MICA and Mr. BOOZMAN helped with this as well, so I urge its adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 2093, 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. BOOZMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3326, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–233) on the resolution (H. Res. 685) providing for consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 1293, by the yeas and nays;

H.R. 556, de novo;

H.R. 509, de novo;

H. Res. 616, de novo;

H.R. 1035, de novo;

H.J. Res. 44, de novo.

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

DISABLED VETERANS HOME IMPROVEMENT AND STRUCTURAL ALTERATION GRANT INCREASE ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1293, 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 California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1293.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 7, as follows:

[Roll No. 650]

YEAS—426

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

NOT VOTING—7

Clyburn
Costello
Kanjorski
McCarthy (NY)
Ryan (OH)
Slaughter
Souder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1752

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.

SOUTHERN SEA OTTER RECOVERY AND RESEARCH ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 556, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 556, 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. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 316, nays 107, not voting 10, as follows:

[Roll No. 651]

YEAS—316

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bono Mack
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Butterfield
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)

Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—107

Akin
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bishop (UT)
Blackburn
Blunt
Boehner
Boozman
Brady (TX)
Broun (GA)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Markey (CO)
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Pence
Petri
Poe (TX)
Price (GA)
Radanovich
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Stearns
Sullivan
Teague
Thompson (PA)
Thornberry
Tiahrt
Walden
Wamp
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—10

Bright
Clyburn
Costello
Kanjorski
Kirk
McCarthy (NY)
Rangel
Schmidt
Slaughter
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1759

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MARINE TURTLE CONSERVATION REAUTHORIZATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 509, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 509, as amended.

The question was taken.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 354, noes 72, not voting 7, as follows:

[Roll No. 652]

AYES—354

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Boccieri
Boehner
Bonner
Bono Mack
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
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
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—72

Akin
Bachmann
Blackburn
Blunt
Boozman
Brady (TX)
Bright
Broun (GA)
Burgess
Buyer
Cantor
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Duncan
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Harper
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Lamborn
Linder
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McClintock
McHenry
Miller (FL)
Moran (KS)
Neugebauer
Olson
Paul
Pence
Petri
Poe (TX)
Price (GA)
Rohrabacher
Royce
Ryan (WI)
Scalise
Schock

Sensenbrenner
Sessions
Shadegg
Shimkus
Sullivan
Teague
Thompson (PA)
Thornberry
Tiahrt
Wamp
Westmoreland
Young (AK)

NOT VOTING—7

Blumenauer
Clyburn
Costello
Kanjorski
McCarthy (NY)
Schmidt
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1806

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to reauthorize the Marine Turtle Conservation Act of 2004, and for other purposes.''.

A motion to reconsider was laid on the table.

CONGRATULATING LOUISIANA STATE UNIVERSITY BASEBALL TEAM

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 616.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the resolution, H. Res. 616.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 426, noes 1, not voting 6, as follows:

[Roll No. 653]

AYES—426

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

ANSWERED ''PRESENT''—1

Barton (TX)

NOT VOTING—6

Blumenauer
Clyburn
Costello
Kanjorski
McCarthy (NY)
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. MARKEY of Colorado) (during the vote). One minute remains in this vote.

□ 1813

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.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained and missed rollcall votes Nos. 650, 651, 652, and 653. Had I been present, I would have voted "yea" on rollcall votes Nos. 650, 651, 652, and 653.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1035.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1035.

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

A motion to reconsider was laid on the table.

RECOGNIZING NONCOMMISSIONED OFFICERS OF THE U.S. ARMY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the joint resolution, H.J. Res. 44.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. MARSHALL) that the House suspend the

rules and pass the joint resolution, H.J. Res. 44.

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

A motion to reconsider was laid on the table.

□ 1815

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 later.

WILLIAM ORTON LAW LIBRARY IMPROVEMENT AND MODERNIZATION ACT

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2728) to provide financial support for the operation of the law library of the Library of Congress, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2728

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 ''William Orton Law Library Improvement and Modernization Act''.

SEC. 2. FINANCIAL SUPPORT FOR LAW LIBRARY OF LIBRARY OF CONGRESS.

(a) FINANCIAL SUPPORT.—In addition to any other amounts made available for the salaries and expenses of the Library of Congress, there are authorized to be appropriated to the Librarian of Congress $3,500,000 for maintaining and administering the operations of the law library of the Library of Congress, including the cataloguing of the collections of the law library. Any amounts appropriated pursuant to the authority of this subsection shall remain available without fiscal year limitation until expended.

(b) ELECTRONIC CATALOGING OF NONPROPRIETARY MATERIAL.—To the extent practicable, in using any funds appropriated pursuant to the authority of subsection (a) to catalog and archive nonproprietary material in the collections of the Law Library after the date of the enactment of this Act, the Law Librarian of Congress shall catalog and archive the material electronically in a nonproprietary and nondiscriminatory format. Nothing in the previous sentence may be construed to affect any cataloging and archiving activities carried out with funds which are not appropriated pursuant to the authority of subsection (a).

SEC. 3. SEPARATION OF LAW LIBRARY SALARIES AND EXPENSES IN PREPARATION OF ANNUAL LIBRARY OF CONGRESS BUDGET.

(a) SEPARATE BUDGET TREATMENT OF LAW LIBRARY.—In preparing the annual budget for the Library of Congress which will be submitted by the President under chapter 11 of title 31, United States Code, and in preparing the annual budget and related materials for the Library of Congress for the use of the Committees on Appropriations of the Senate and House of Representatives, the Librarian of Congress shall ensure that all amounts attributable to salaries and expenses of the law library of the Library of Congress are set forth separately as a separate line item from other salaries and expenses of the Library of Congress.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2011 and each succeeding fiscal year.

SEC. 4. WILLIAM ORTON PROGRAM TO SUPPORT THE MISSION OF THE LAW LIBRARY OF THE LIBRARY OF CONGRESS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Librarian of Congress, acting through the Law Librarian of Congress, shall establish and operate a program to be known as the ''William Orton Law Library Support Program'' (hereafter in this section referred to as the ''Program''), which will—

(A) provide enhanced or special services and programs for the Law Library; and

(B) otherwise support the mission of the Law Library.

(2) RELATION TO OTHER PROGRAMS.—The Librarian shall operate the Program in a manner which ensures that the resources of the Program are not commingled with the resources used to carry out the program operated under section 2.

(b) ROLE OF OTHER ENTITIES.—The Librarian may carry out the Program through agreements and partnerships entered into with other government and private entities, including the American Association of Law Libraries and the American Bar Association.

(c) PRIVATE SUPPORT.—

(1) ACCEPTANCE OF DONATIONS.—Donations of funds and in-kind contributions in support of the Program may be accepted—

(A) by the Library of Congress Trust Fund Board, as provided under the Act entitled ''An Act to create a Library of Congress Trust Fund Board, and for other purposes'', approved March 3, 1925 (2 U.S.C. 154 et seq.); and

(B) by the Librarian of Congress, as provided under section 4 of such Act (2 U.S.C. 160).

(2) USE OF AMOUNTS.—Notwithstanding the second paragraph of section 2 of the Act entitled ''An Act to create a Library of Congress Trust Fund Board, and for other purposes'', approved March 3, 1925 (2 U.S.C. 157), or the third sentence of section 4 of such Act (2 U.S.C. 160), any amounts accepted by the Library of Congress Trust Fund Board or the Librarian of Congress in support of the Program shall be subject to disbursement by the Librarian only upon the recommendation of the Law Librarian (except to the extent otherwise provided under any terms and conditions on the use of the amounts which are imposed by the person making the donation).

(3) ACCEPTANCE OF OTHER VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Librarian of Congress may accept voluntary and uncompensated services in support of the Program.

(d) ESTABLISHMENT OF SEPARATE ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury (among the accounts of the Library of Congress) a separate account for the Program, which shall consist of—

(A) amounts accepted by the Library of Congress Trust Fund Board in support of the Program as described in subsection (c)(1)(A), together with any income earned on such amounts;

(B) amounts accepted by the Librarian of Congress in support of the Program as described in subsection (c)(1)(B), together with any income earned on such amounts;

(C) amounts appropriated pursuant to the authorization under subsection (f); and

(D) interest on the balance of the account.

(2) USE OF AMOUNTS.—The funds contained in the account established under this subsection shall be used solely by the Law Librarian of Congress to carry out the Program.

(e) ANNUAL REPORT.—Not later than April 30 of each year (beginning with 2010), the Librarian of Congress shall submit a report on Program funding and activities to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the American Bar Association, and the American Association of Law Libraries. The report shall include—

(1) a listing of all donations received in support of the Program during the previous year;

(2) the total obligations during the previous year for each Program activity;

(3) the amount appropriated pursuant to the authorization under subsection (f) for the fiscal year beginning on the previous October 1;

(4) a list of Program activities, with budget information for each such activity, planned for the calendar year in which the report is submitted; and

(5) any findings in the most recently completed audit conducted with respect to the Law Library or Program funds or investments.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated to the Librarian of Congress for the Law Library of Congress for a fiscal year, there are authorized to be appropriated for deposit into the account established under subsection (d) an amount equal to 40 percent of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the Program under subsection (c)(1) during the previous fiscal year.

SEC. 5. DESIGNATION OF LAW LIBRARY OF LIBRARY OF CONGRESS AS NATIONAL LAW LIBRARY.

The law library of the Library of Congress shall be known and designated as the ''National Law Library'', and any reference to the law library of the Library of Congress in any law, rule, regulation, or document shall be deemed to be a reference to the National Law Library.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this legislation.

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

There was no objection.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

Madam Speaker, this bill is named after William Orton, a Member of the United States House of Representatives from Utah's Third Congressional District from 1991 to 1997. Bill passed away

in April of this year. Bill was a tireless advocate for the Law Library, and this legislation is a fitting way to honor his memory.

The Law Library of Congress maintains a unique and world-renowned collection. This bill will help ensure that the Law Library will have the resources needed to maintain and expand its collections while at the same time modernizing its systems. The act authorizes, number one, $3.5 million for maintaining and administering the operations of the Law Library, including the cataloging of the collections of the Law Library; two, a line item for the Law Library to ensure the autonomy and ability to improve the Law Library; and, three, the creation of the William Orton Program to provide enhanced or special services and programs for the Library and otherwise support the mission of the Law Library.

The Library may carry out the program through agreements and partnerships entered into with other government and private entities, including the American Association of Law Libraries and the American Bar Association. Donations of funds and in-kind contributions in support of the program may be accepted, and it requires an annual report.

Finally, H.R. 2728 was amended by the House Administration Committee; and during markup, we made a change in the name of the Law Library to the National Law Library to increase the role and status of the Law Library. This bill authorizes to be appropriated for the program an amount equal to 40 percent of the amount of the donations accepted by the Library of Congress Trust Fund Board in support of the program. This is a 60/40 private-public split. The Law Library is an invaluable resource both to the Congress and the Nation, and we have an obligation to future generations to provide for its continuation through the establishment of the William Orton Program.

Some of the organizations that are supporting this bill include the American Bar Association, the American Association of Law Libraries, and the Northern California Association of Law Libraries.

Now, why is this bill important to the point that myself and my colleague from California (Mr. DANIEL E. LUNGREN) have actually spent several years working on this? Not only is this collection unique in the United States and important to the rule of law in the United States; this collection is important to the world. And I will give you an example why. When the Taliban was finally expelled from government in Afghanistan, the people of Afghanistan looked to reinstitute the rule of law; and the only place where Afghani law could be found was in the Law Library at the Library of Congress in the United States. It was through that collection that we were able to help in that civil way in the reinstitution of the rule of law.

I would just like to say one further word about the late Bill Orton. After he left the Congress, he went back into private practice, but he always volunteered his time. He spent countless hours with the bar association and others, coming and trying to help the Law Library.

He understood that it wasn't flashy, but it was important. Actually, that's just like Bill, a guy who wasn't flashy but who was serious and did important things for his country. I can remember sitting on this floor next to then-Congressman Bill Orton, discussing the issues of the day while he had his young son Will sitting on his lap. Many times during State of the Union speeches, young Will would be there with his dad.

I hope that in addition to doing these good things through passing this bill that Will and the rest of his family can take satisfaction that Bill Orton's name will forever be associated with this Law Library, and we will always be in his debt for what he has done.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself as much time as I may consume.

I am pleased to rise in support of the bill that will pave the way for the Law Library at the Library of Congress to more fully serve this community, the legal community, academia and the public. The Law Library has one of the greatest collections of legal documents in the world, unparalleled in its breadth and depth.

The collection is so significant and diverse that following removing the Taliban from power in Afghanistan, as was suggested by my colleague from California, the Afghani people turned to the Library of Congress' archives to find a copy of the laws and Constitution of their country, Afghanistan.

Not much more than a year ago, in May 2008, a good friend and colleague of ours, the late Representative Bill Orton of Utah, appeared before the House Appropriations Committee and delivered compelling testimony toward the importance of properly funding this Law Library. It is, therefore, fitting that it is in his honor that we move this bill forward today.

Among Bill Orton's arguments for passionate support of the Law Library, perhaps two are most salient: the manner in which the current budgetary scheme forces the Library of Congress to balance the various departments against one another and the pressing need for an avenue to facilitate and dedicate private support for this Law Library. The American Bar Association, in a letter this month to the House of Representatives, echoed Bill Orton's testimony, explaining that the spreading of budgetary shortfalls has led at times to the neglect of particular portions of collections. For example, the ABA highlights the fact that the Law Library's loose leaf subscriptions are months out of date.

At the time of his testimony, Bill Orton appeared as a representative of the American Bar Association, which is dedicated and committed to specifically address the maintenance, accessibility and relevance of the Law Library. When pressed as to whether the legal community would pitch in as a partner in financially supporting the Law Library, his response was emphatically, Yes.

With the passage of this bill, we enable our partners in the legal community to fulfill that commitment, and we give them an avenue through which that can be done.

□ 1830

More personally, this bill serves as a tribute to our late colleague, Bill Orton. During his service in this body, he was a passionate advocate for the law library and its many resources. He recognized the value of the careful stewardship of the law library's institutional mission. And so I hope that with our vote today, we will move that much closer to seeing the goal of Bill Orton realized.

I urge my colleagues, therefore, to join me in supporting the memory of Bill Orton, the mission of the law library, and this bill.

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

Ms. ZOE LOFGREN of California. Madam Speaker, before yielding back, I would simply thank the gentleman from California for being my partner in this effort. I thank, again, the members of the House Administration Committee for working with us. And remember, once again, our colleague, Bill Orton, who was such a fine person, who did so much in his life. I know that his sons, Will and Wesley, and his wife, Jacquelyn, were very proud of him, and I know that they will take satisfaction that his volunteerism is being recognized through this effort today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 2728, 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. DANIEL E. LUNGREN of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PROVIDING FOR HOUSE OF REPRESENTATIVES STAFF PAYDAY CHANGES

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules

and pass the bill (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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1752

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

SECTION 1. AUTHORITY OF COMMITTEE ON HOUSE ADMINISTRATION TO ESTABLISH DAY FOR PAYING SALARIES IN OR UNDER THE HOUSE OF REPRESENTATIVES.

Section 116(a) of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60d–1) is amended by adding at the end the following new sentence: ''Notwithstanding the previous sentence, the Committee on House Administration may by regulation provide for the payment of salaries with respect to a month on a date other than the date provided under the previous sentence as may be necessary to conform to generally accepted accounting practices.''.

SEC. 2. MEMBERSHIP IN HOUSE OF REPRESENTATIVES EXERCISE FACILITY FOR ACTIVE DUTY ARMED FORCES MEMBERS ASSIGNED TO CONGRESSIONAL LIAISON OFFICE.

House Resolution 1068, One Hundred Tenth Congress, agreed to April 15, 2008, is enacted into law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this legislation.

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

There was no objection.

Mrs. DAVIS of California. I yield myself such time as I may consume.

Madam Speaker, the principal purpose of this legislation is to allow the Committee on House Administration to oversee and administer a payday schedule for all staff in the House of Representatives. It does not affect pay for Members.

The House passed a similar bill in the 110th Congress. This bill gives the Committee on House Administration the ability to set the day of pay for House employees. This flexibility will allow the committee to be more responsive to the needs of our employees, many of whom have expressed their frustration about the current system. Furthermore, this bill will give us the opportunity to be more consistent with employees in the Senate, the executive branch, and most of the private sector with regard to paydays.

The committee also adopted a technical amendment to provide that staff members of congressional liaison offices assigned to the House who are on active duty in the Armed Forces will continue to be eligible to apply for membership in the House of Representatives staff exercise facility. The House passed a resolution, H. Res. 1068, in the 110th Congress which approved this policy, and the bill before us simply would enact it into permanent law.

Madam Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1752, which will vest in the Committee on House Administration the authority to evaluate and implement best practices to improve efficiency in our payroll process.

The House Inspector General has reported that it may be of benefit to the House to transition to a bimonthly pay cycle with a lag time. Preliminary financial assessments suggest that after incurring up-front transition costs, this change may reduce overpayments over time and reduce errors by more easily distributing the burden of incorporating payment changes into the system.

If the distinguished gentlelady from California would enter into a colloquy on the subject of exactly how this authority is to be exercised, I would like to stress that the legislation before the House simply grants the Committee on House Administration the authority to change the pay cycle and does not in and of itself authorize any changes. As the gentlelady is aware, any change to our current operating status with regard to payroll would have a large impact on the daily lives of House staff. It is thus important that the committee granting this authority will act cautiously and only after soliciting and evaluating the feedback of the House community.

I understand on the majority side that you would be willing to work with us to ensure that the opinions of House staff are gathered and considered prior to any potential change in the pay cycle.

Mrs. DAVIS of California. The gentleman is correct. We would be delighted to work with him on that.

Mr. DANIEL E. LUNGREN of California. I appreciate that very much.

With that, Madam Speaker, I would urge support for this bill.

I yield back the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, H.R. 1752, 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. DANIEL E. LUNGREN of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

ABSENTEE BALLOT TRACK, RECEIVE, AND CONFIRM ACT

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2510) to amend the Help America Vote Act of 2002 to reimburse States for the costs incurred in establishing a program to track and confirm the receipt of voted absentee ballots in elections for Federal office and make information on the receipt of such ballots available by means of online access, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2510

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 ''Absentee Ballot Track, Receive, and Confirm Act''.

SEC. 2. REIMBURSEMENT FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS.

(a) REIMBURSEMENT.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''SEC. 297. PAYMENTS TO STATES.

''(a) PAYMENTS FOR COSTS OF ESTABLISHING PROGRAM.—In accordance with this section, the Commission shall make a payment to a State to reimburse the State for the costs incurred in establishing, if the State so chooses to establish, an absentee ballot tracking program with respect to elections for Federal office held in the State (including costs incurred prior to the date of the enactment of this part).

''(b) ABSENTEE BALLOT TRACKING PROGRAM DESCRIBED.—

''(1) PROGRAM DESCRIBED.—

''(A) IN GENERAL.—In this part, an 'absentee ballot tracking program' is a program to track and confirm the receipt of absentee ballots in an election for Federal office under which the State or local election official responsible for the receipt of voted absentee ballots in the election carries out procedures to track and confirm the receipt of such ballots, and makes information on the receipt of such ballots available to the individual who cast the ballot, by means of online access using the Internet site of the official's office.

''(B) INFORMATION ON WHETHER VOTE WAS COUNTED.—The information referred to under subparagraph (A) with respect to the receipt of an absentee ballot shall include information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor.

''(2) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—A program established by a State or local election official whose office does not have an Internet site may meet the description of a program under paragraph (1) if the official has

established a toll-free telephone number that may be used by an individual who cast an absentee ballot to obtain the information on the receipt of the voted absentee ballot as provided under such paragraph.

''(c) CERTIFICATION OF COMPLIANCE AND COSTS.—

''(1) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State shall submit to the Commission a statement containing—

''(A) a certification that the State has established an absentee ballot tracking program with respect to elections for Federal office held in the State; and

''(B) a statement of the costs incurred by the State in establishing the program.

''(2) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the costs incurred by the State in establishing the absentee ballot tracking program, as set forth in the statement submitted under paragraph (1), except that such amount may not exceed the product of—

''(A) the number of jurisdictions in the State which are responsible for operating the program; and

''(B) $3,000.

''(3) LIMIT ON NUMBER OF PAYMENTS RECEIVED.—A State may not receive more than one payment under this part.

''SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Commission for fiscal year 2010 and each succeeding fiscal year such sums as may be necessary for payments under this part.

''(b) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authorization under this section shall remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''Sec. 297. Payments to States.

''Sec. 297A. Authorization of appropriations.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this legislation.

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

There was no objection.

Mrs. DAVIS of California. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2510, the Absentee Ballot Track, Receive, and Confirm, or TRAC Act. I would like to thank House Administration Committee Chairman BRADY, Ranking Member LUNGREN, and Election Subcommittee Chairwoman LOFGREN for allowing this bill to come forward today. I would also like to especially thank our subcommittee's ranking member, Mr. MCCARTHY, for joining me in introducing this bill. I appreciate my California colleague's input in support of this important legislation. This is a better bill because of his efforts, and I hope that the members of our subcommittee can continue to work together across party lines because election administration need not be a partisan issue.

We introduced this bill after hearing from absentee voters that they would like to know whether their ballots were sent, whether their ballots were received, and whether their votes were actually counted. In most cases, the fears of one's mail-in ballot somehow being lost in the system are unfounded, but we all know that the worry is still there, and sometimes there is real reason for concern.

We have all heard election horror stories from people who simply did not receive a ballot they requested. Other voters have called their overwhelmed election officers and waited on hold for far too long trying to find out what happened to their ballots. And most voters never know whether their absentee ballot actually was counted. Was there a problem with their signature, they might wonder? Was the ballot damaged in the mail?

Our Nation's voters deserve electoral procedures that are transparent and that strengthen their faith in democracy. The good news is that it is possible and practical to track absentee ballots. If voters can identify a problem early, they can work with their election offices to fix it and ensure that their votes count.

The TRAC Act is modeled on a successful piece of bipartisan California State legislation that allows voters to go online or call a phone number to easily find out whether an elections office has sent out a ballot, whether a completed ballot has arrived back at the registrar's office, and whether the registrar has counted the ballot; and if not, why not?

Absentee tracking has been a proven success in California and in several other States. In my home county of San Diego, over 98,000 voters checked their ballot status online last November using such a system.

Tracking gives voters easy access to the answers they need, and it takes a burden off the phone lines at elections offices. Absentee ballot tracking is particularly useful for our men and women in uniform serving overseas who have difficulty phoning their elections offices during regular business hours. The TRAC Act would allow the Federal Government to reimburse States for establishing absentee tracking systems. And setting up these tracking systems can be done for just a few thousand dollars in many jurisdictions. San Mateo County in California, for example, did it by simply linking their database to their Web site, and many other counties have followed that model. In these tough economic times, even the small grants we are offering States today will be especially helpful.

I ask my colleagues on both sides of the aisle to join Mr. MCCARTHY and me in supporting this effort to strengthen the democratic process and give American voters the electoral certainty they deserve.

Madam Speaker, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

I rise in support of this bill, the TRAC bill, which will encourage States to adopt measures toward the modernization of election systems.

The legitimacy of our election systems is based on the public trust that properly cast ballots are counted, and in the case of absentee ballots, reach their appropriate destination. Any time an election system fails to include properly cast ballots there is cause for concern as to the legitimacy of the outcome.

Long gone should be the days when dog-eared absentee ballots are relegated to dark and dusty corners of election offices with voters never having the certainty that their vote counted. By instituting a tracking system, States can further ensure the security of their absentee ballots. Some have said this is really promoting uniform postal progress information for election shipments. Moreover, an absentee ballot tracking system will enable voters to act as guardians of their own vote, providing them the ability to call attention to ballots that fail to reach their destination.

An important aspect of this bill beyond the benefits of a ballot tracking system is that it is a voluntary, incentive-driven program. Whereas each State approaches its election process from a unique background and context, this voluntary program empowers the States to modernize their election systems in a manner appropriate to their particular challenges. The Committee on House Administration has held several hearings over the past year dealing with challenges to the administration of reliable and credible elections. Through the testimony of many qualified witnesses, we have come to realize that one particular subset of voters who are particularly vulnerable to those challenges is overseas military voters. My colleague on the committee, Mr. MCCARTHY, has introduced a piece of legislation which will help remedy that disservice to our men and women in uniform. And just as we take up this bill today, I am hopeful that we will soon see Mr. MCCARTHY's bill brought before this body for a vote.

It simply isn't acceptable for ballots to disappear, some might say, like wandering puppies. We owe our uniformed servicemembers better than that.

Madam Speaker, I urge support for this measure, and I yield back the balance of my time.

Mrs. DAVIS of California. I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I thank the gentlelady from California, and I rise in support of the Absentee Ballot TRAC Act. I commend her and Mr. MCCARTHY for crafting this commonsense measure, and I urge my colleagues to support it.

For the sake of good democracy, we must do all we can to have accessible, reliable, auditable voting. And we must do all we can to remove every reason for voters to believe that the voting system is not working well, to remove any doubt that they might have that votes are not counted as they intended.

□ 1845

Every year, some number of absentee ballots are requested by voters but not received, or delivered to voters but not returned to the election officials. The Election Assistance Commission's 2004 election administration voting survey reported that on average, only 89 percent of absentee ballots requested were returned. The 2006 Election Administration and Voting Survey reported that on average, a quarter of domestic civilian absentee ballots were rejected due to untimely receipt. And according to a survey of military and overseas voting in 2008 conducted by the nonpartisan Overseas Vote Foundation, more than 1 in 5 American voters living overseas, including military personnel, did not receive their ballots on time for them to be counted in the 2008 election.

Every such instance of nonreceipt or nondelivery must be treated as a probable instance of wrongful disenfranchisement because we can assume voters would not have requested the ballots if they did not intend to vote. And that's why I support this commonsense measure. It would reimburse States for establishing programs to track and confirm the receipt of absentee ballots and make available to the individual who cast the ballot information on the receipt of the ballot, and information about whether or not the ballot was counted. This would be done by means of on-line access using an Internet site of the official's office.

I commend this bill to my colleagues, and I thank the gentleman and the gentlelady for proposing it.

Mr. BRADY of Pennsylvania. Madam Speaker, I urge the Members to support H.R. 2510, a bill to amend the Help America Vote Act. This bipartisan bill, sponsored by Representatives SUSAN DAVIS and KEVIN MCCARTHY, and reported unanimously from the Committee on House Administration, will reimburse states for the cost of tracking and confirming absentee ballots.

More voters than ever cast their ballots by mail. Many remain anxious that their ballots may not reach election offices on time—they question whether their votes are actually counted.

H.R. 2510 provides incentives to states to develop systems allowing voters to track their ballots. Voters will be able to use the internet or a voter hotline to track whether the elections office has sent out a ballot, whether the completed ballot has arrived back at the registrar's office, whether the registrar has counted the ballot, and if not, why. Highly effective systems like these are already in place in counties in California, Washington, Virginia, Kansas and my home state of Pennsylvania.

Voters and election offices both benefit from ballot tracking technology. With voters able to track their ballots, transparency and voter confidence in America's election system will be greatly improved. Voters will be able to receive accurate and updated information on the status of their ballots and confirm whether they were counted.

Once this legislation is fully implemented, it will save costs for local governments and take the strain off election offices.

I urge all my colleagues to vote for this bipartisan legislation.

Mrs. DAVIS of California. Madam Speaker, I have no additional speakers. I urge passage of this legislation. And I yield back my remaining time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, H.R. 2510.

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. DANIEL E. LUNGREN of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

COMMENDING THE CONGRESS OF LEADERS OF WORLD AND TRADITIONAL RELIGIONS

Mr. FALEOMAVAEGA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 535) commending the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 535

Whereas religious leaders can be a decisive factor in maintaining peace and security in the world;

Whereas a Congress of Leaders of World and Traditional Religions was established in 2003;

Whereas the purpose of the Congress is to advance tolerance, development, and security;

Whereas the Congress provides a forum for improving understanding and mutual cooperation among religious communities from around the world;

Whereas the Congress considers interfaith dialogue one of the most important instruments for the maintenance of peace and harmony among peoples and nations;

Whereas the Congress regularly holds forums that address, among other issues, religious freedom, inter-religious dialogue, and the role of religious leaders in strengthening global security;

Whereas the world's major religions, including Buddhism, Christianity, Hinduism, Islam, Judaism, Shinto, and Taoism are represented in the Congress;

Whereas religious leaders representing more than 26 nations, including Israel, Egypt, Pakistan, Iran, Saudi Arabia, Libya, Armenia, South Korea, China, India, Thailand, the United States, Switzerland, France, Japan, and the Holy See, participate in the Congress;

Whereas a Secretariat of the Congress was established by the leaders and representatives of the world and traditional religions in 2003 as a permanent body of the interfaith dialogue;

Whereas the Secretariat of the Congress adopted resolutions to convene the second and third Congress in 2006 and 2009; and

Whereas the third Congress was held on July 1–2, 2009: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding; and

(2) supports freedom of religion and conscience throughout the world as a fundamental human right and as a source of stability for all countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Madam Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and include extraneous materials on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in support of House Resolution 535, commending the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding. The Congress was organized in 2003 in recognition of the growing importance of world religions in responding to emerging threats and global epidemics. The Congress is held every 3 years and seeks to foster greater dialogue and cooperation among world religions to address the serious challenge we are facing like terrorism, poverty, war, extremism, and the global collapse of financial markets.

This year I had the privilege of attending the third Congress. Approximately 77 delegations from 35 countries participated, including leading clerics and scholars representing Judaism, Islam, Christianity, Buddhism and other religious traditions. The delegation from the Vatican was led by Cardinal Jean-Louis Turan. Israel's President, Shimon Peres delivered the keynote address, and the Church of Jesus

Christ of Latter-day Saints was also represented for the first time.

Because religious leaders can be a decisive factor in maintaining peace and security in the world, I encourage my colleagues to vote in favor of House Resolution 535. This resolution supports freedom of religion and conscience throughout the world as a fundamental right and as a source of stability for all countries and commends the Congress of Leaders of World and Traditional Religions for the work it is doing to advance tolerance and understanding. Again, I urge my colleagues to support this bipartisan resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume. Madam Speaker, I rise in support of House Resolution 535. This resolution commends the Congress of leaders of World and Traditional Religions and expresses support for freedom of religion as a fundamental human right and a source of stability for all countries. I support this resolution and the broader cause of promoting freedom of religion.

However, I have some concerns about this measure. Kazakhstan initiated the effort to establish the Congress of Leaders of World and Traditional Religious and its capital served as the location for the past three gatherings. However, our U.S. Department of State's report on international religious freedom, as well as a number of human rights NGOs, underscore that Kazakhstan has considerable problems with its treatment of some of its religious minority groups. Some of the reported instances of religious intolerance in Kazakhstan include police officials disrupting religious meetings in private homes, confiscation of religious literature, fines, detentions, harassment and deportation of unregistered missionaries.

It has also been reported that the government-controlled media in Kazakhstan has increased its negative coverage of what they consider nontraditional religions such as Evangelical Christians, Jehovah's Witnesses, Hare Krishnas and Scientologists, depicting those groups as dangerous sects. Although we should support the efforts of the Congress of Leaders of World and Traditional Religions, we must be careful not to inadvertently provide political legitimacy to the government of Kazakhstan in its treatment of some of its religious minorities. Furthermore, Kazakhstan will assume the chairmanship of the Organization for Security and Cooperation in Europe in 2010, and it is important that those responsible nations hold it accountable to the commitments that it has made to implement democratic reforms and to protect human rights.

Again, I would like to express my support for this resolution, although with some reservation, and I ask my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 535, as amended.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECOGNIZING DAY OF THE AFRICAN CHILD

Mr. FALEOMAVAEGA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 550) recognizing the ''Day of the African Child'' on June 16, 2009, devoted to the theme of child survival and to emphasize the importance of reducing maternal, newborn, and child deaths in Africa.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 550

Whereas the ''Day of the African Child'' has been celebrated on June 16 each year since 1991, when it was first initiated by the Organization of African Unity;

Whereas the African Union has designated child survival as the theme of the ''Day of the African Child'', June 16, 2009;

Whereas the African Union Heads of State and Government decided to make child survival a theme of their 15th Ordinary Session in July 2010;

Whereas according to the United Nations Children's Fund (UNICEF), sub-Saharan Africa remains the most difficult place in the world for a child to survive;

Whereas every year in sub-Saharan Africa, 1.2 million babies die in the first month of life and roughly 1 in every 6 children fail to reach their fifth birthday, and the actual number of children under five years old dying each year is increasing;

Whereas an estimated 9 out of 10 women in sub-Saharan Africa will lose a child during their lifetime, and an estimated 700 women will die each day of pregnancy-related causes;

Whereas the top five killers of children under five in sub-Saharan Africa are preventable diseases (neonatal causes, such as respiratory infections, pneumonia, malaria, diarrhea, and HIV/AIDS) which we know how to treat and cure;

Whereas the high level of maternal and child mortality and morbidity in Africa can be attributed, according to African Union Ministers of Health, to weak health systems, a low level of skilled attendance at birth, poor health infrastructure, and inadequate financial resources;

Whereas some sub-Saharan African countries have sustained high annual rates of reduction in child mortality through strong political will, sufficient investment, and concerted action;

Whereas over the past three decades, United States international child survival and maternal health programs have helped save millions of lives in Africa and elsewhere; and

Whereas last year the G8 Summit leaders, meeting in Hokkaido, Japan, stated on July 8, 2008, ''We reiterate our support to our African partners' commitment to ensure that by 2015 all children have access to basic health care (free wherever countries choose to provide this).'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the ''Day of the African Child'';

(2) affirms its solidarity to address the challenge of maternal, newborn, and child mortality;

(3) salutes the health professionals and community health workers on the front lines in Africa who are extending health care and hope to families across the continent; and

(4) reaffirms the importance of United States partnership with African leaders and communities in reducing child, newborn, and maternal deaths from treatable and preventable causes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume. I certainly want to thank our senior ranking member of our House Foreign Affairs Committee, my good friend, the gentlelady from Florida, Ms. ROS-LEHTINEN, for her support of this legislation, as well as the chairman of our Foreign Affairs Committee, the gentleman from California (Mr. BERMAN).

Madam Speaker, the Day of the African Child has been celebrated on June 16 each year since 1991 when it was first initiated by the Organization of African Unity, the precursor of the African Union. According to the United Nations Children's Fund, or UNICEF, sub-Saharan Africa remains the most difficult place in the world for a child to survive. Every year in sub-Saharan Africa, 1.2 million babies die in the first month of life. Roughly 1 in every 6 children fail to reach their fifth birthday. Despite significant overall progress in decreasing mortality rates for children under age 5, each year an

estimated 9.2 million newborns and children die from preventable and treatable causes.

The top five killers of children under five include neonatal causes such as respiratory infections, pneumonia, malaria, diarrhea and HIV/AIDS. According to African Union Ministers of Health, the high level of maternal and child mortality and morbidity in Africa are attributed to weak health systems, a low level of skilled attendance at birth, poor health infrastructure, and inadequate financial resources.

Progress in reducing maternal newborn and child deaths can be achieved through increased coverage of proven solutions. Over the past three decades, U.S. international child survival and maternal health programs have helped save millions of lives in Africa and elsewhere. We join in solidarity with national leaders across Africa, UNICEF and many other humanitarian groups in marking the Day of the African Child with a continued commitment to boost child survival. I strongly support this resolution and urge my colleagues to support this measure.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume. Madam Speaker, I rise in strong support of House Resolution 550, recognizing the Day of the African Child, which is observed each year on June 16. Since 1991, June 16 has served as the day to draw attention to the ongoing threats to child survival in Africa and to highlight the need to reduce newborn and child deaths in Africa. According to UNICEF, 11 million children die each year. In sub-Saharan Africa, which is the most heavily impacted region in terms of child mortality, 1.2 million babies will die in the first month of their life each year. An estimated 1 out of every 6 African children will never reach their fifth birthday.

□ 1900

Of the top 10 countries in the world with the highest rates of mortality for children under 5, nine are in Africa. Unfortunately, that figure does not significantly improve as you look further afield. Of the top 50 countries with the highest rates of child mortality, 41 are in Africa, but perhaps even more devastating than these figures is the fact that many of these deaths are preventable.

According to UNICEF, 70 percent of all child deaths are attributable to six causes, including diarrhea, malaria, neonatal infection, preterm delivery, and lack of oxygen at birth.

More than half of these could be avoided through low-tech, evidence-based, cost-effective interventions, such as vaccines, antibiotics, nutritional supplements, bed nets treated by insecticide, and improved family care practices.

Again, with strong political will, targeted investments in health systems and with concerted action to confront the underlying causes of these high rates of child mortality, many of these deaths can be averted. As the resolution indicates, Madam Speaker, United States international child survival and maternal health programs have helped save millions of lives in Africa and beyond over the past three decades.

Since 1986, the United States Agency for International Development, USAID, has provided over $7 billion in assistance. With other international and private-sector partners, the U.S. has succeeded in reducing child deaths by 50 percent since 1990 from diseases related to diarrhea. The U.S. has provided over 100 million immunizations to children each year, and the U.S. has reduced malnutrition by 25 percent among children under the age of 5, but much more needs to be done. For this reason, I support H. Res. 550.

I reserve the balance of my time, Madam Speaker.

Mr. FALEOMAVAEGA. I yield such time as I may consume.

Madam Speaker, I want to commend the distinguished chairman of our Subcommittee on Africa and Global Health, and I would like to commend his ranking member, the gentleman from New Jersey (Mr. SMITH), not only for their leadership but for their tremendous commitment and efforts in trying to help establish programs that are helpful to the citizens of Africa.

There are approximately 500 million people who live in Africa. Recognizing the children of Africa and recognizing the tremendous health problems that they're confronted with, I think, is certainly something that our government has a moral responsibility to do, and we must do what we can to be of assistance.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am proud to yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), the ranking member of the Subcommittee on Africa and Global Health.

Mr. SMITH of New Jersey. I thank my good friend, Ranking Member ILEANA ROS-LEHTINEN, for her leadership, and I want to thank my good friend ENI FALEOMAVAEGA and, of course, Chairman PAYNE, who is the author of the resolution before us.

Madam Speaker, as ranking member of the subcommittee and as a cosponsor of this resolution, I share Chairman PAYNE's deep and abiding concern regarding child survival, which was the theme of this year's event.

For the record, as a Member of Congress, I've worked for most of the last 29 years on child survival initiatives. I began in the early 1980s with the four pillars of child survival and with the famous Jim Grant, the former UNICEF director, who was a passionate defender of those very low-cost interventions that could literally save lives—including vaccinations, oral rehydration therapy, growth monitoring, and breastfeeding, which can effectuate miracles in the lives of children and their families.

Madam Speaker, there is a universal recognition that our children are our Nation's most precious, vulnerable citizens who demand every protection and safeguard society can provide. In no way is this protection and assistance needed more today than on the continent of Africa.

Africa is home to just over 10 percent of the world's population; yet it accounts for some 44 percent of all children who die before they reach the age of 5. There are estimates that some 4.6 million African children under 5 lose their lives each and every year. The circumstances under which a baby is born and the first few days of life outside the mother's womb are critical.

In the 2009 State of the World's Children report, the U.N. Children's Fund reports that, in 2004, the highest rates of neonatal deaths—deaths within the first 28 days after birth—occurred in West and Central Africa at the rate of some 45 per 1,000 live births. Eastern and Southern Africa also had the highest rates at 36 neonatal deaths per 1,000 live births. That compares to about 3 deaths per 1,000 live births in industrialized nations.

Even within this short window of time, there are great variations in the baby's likelihood of survival. The greatest risk is during the first day after birth when an estimated 25 to 45 percent of neonatal mortalities occur. Almost three-fourths of all neonatal deaths occur within the first week after birth.

As UNICEF points out, a baby's chance of survival is not determined at the moment of birth. The report points out ''the health of mothers and newborns is intricately related, so preventing deaths requires, in many cases, implementing the same interventions.'' Among those interventions are adequate nutrition, prenatal care for the unborn child, antenatal care, skilled birth attendants, and access to emergency obstetric care when necessary.

Basically, we now know that we must treat expectant mothers and their unborn children as two patients to ensure the survival and the sustainable health of both. Therefore, the resolution correctly emphasizes the necessity of improving child, newborn and maternal health in order to ensure child survival in Africa.

Again, I want to thank Mr. PAYNE for introducing the resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I have no other speakers, so I yield back the balance of my time.

Mr. FALEOMAVAEGA. Madam Speaker, I do want to again commend my good friend from New Jersey for his most eloquent statement and for his commitment in helping our people in Africa, and I would like to commend the senior ranking member of our House Foreign Affairs Committee for her support of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa

(Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 550.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECOGNIZING THE 20TH ANNIVERSARY OF THE FALL OF THE BERLIN WALL

Mr. FALEOMAVAEGA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 496) recognizing the 20th anniversary of the fall of the Berlin Wall, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 496

Whereas November 9, 2009, marks the 20th anniversary of the fall of the Berlin Wall and the symbolic end of the Cold War;

Whereas the Cold War was an enduring struggle between communism and democracy throughout the second half of the 20th century;

Whereas the last United States President to speak at the Brandenburg Gate prior to the destruction of the Berlin Wall was President Ronald Reagan, who, in June 1987, stated, ''General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!'';

Whereas two years later, in September 1989, protests that the East Germans called the ''Peaceful Revolution'' broke out, with protestors at first chanting ''We want out!'', and then gradually changing that protest cry to ''We're staying here!'', demonstrating their desire for democracy in their part of Germany;

Whereas on November 9, 1989, in response to protests that had grown to include over 1,000,000 people in Berlin's Alexanderplatz, Gunter Schabowski, the communist East German Minister of Propaganda, announced that the border would be opened for ''private trips abroad'';

Whereas thousands of people in East Berlin immediately flooded the checkpoints at the Berlin Wall and demanded entry into West Berlin causing the overwhelmed East German Border Guards to open the border checkpoints to allow people to cross into West Berlin;

Whereas people in West Berlin enthusiastically greeted those coming across from East Berlin, dancing atop the Berlin Wall and hammering chunks out of it until a section opened through which more East Germans walked and shouted out ''Freedom! Freedom! Just once, Freedom!'';

Whereas over 400,000,000 people were freed from the bondage of communism at the end of the Cold War in Russia, Belarus, Ukraine, Moldova, Georgia, Azerbaijan, Armenia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, East Germany, Poland, Hungary, Czechoslovakia, Romania, Bulgaria, Latvia, Estonia, and Lithuania;

Whereas the victory of the United States in the Cold War will signify freedom from oppression for decades to come;

Whereas Berlin, Germany, will celebrate the 20th anniversary of the fall of the Berlin Wall with the ''Festival of Freedom''; and

Whereas the fall of the Berlin Wall was one of the most significant events of the 20th century and symbolized the triumph of democracy over communism: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 20th anniversary of the fall of the Berlin Wall;

(2) celebrates 20 years of freedom from the bondage of communism with the people of the former communist countries; and

(3) acknowledges the symbolic triumph of democracy over communism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I first want to commend the senior ranking member of our House Foreign Affairs Committee and the chairman of our committee, Congressman BERMAN, for their support of this legislation, and I commend my good friend, the gentleman from Texas, as the chief sponsor of this legislation.

I rise in strong support of this resolution that recognizes the 20th anniversary of the fall of the Berlin Wall.

Twenty-two years ago, in June 1987, President Ronald Reagan spoke at the Brandenburg Gate and issued the now legendary call: ''Mr. Gorbachev, tear down this wall.'' Just over 2 years later, the wall was torn down, chipped away by euphoric citizens from both sides of a divided country following months of peaceful protests by brave men and women across East Germany.

Unforgettable to us are all of the pictures which were broadcast around the world of East and West Berliners dancing together atop a wall that, for over a quarter century, symbolized the tension and divisiveness of the cold war.

The fall of Berlin Wall contributed to a democratic domino effect across the Warsaw Pact region. Over the next 2 years, revolution swept through Eastern Europe as Communist governments were defeated in popular elections and while exuberant citizens reclaimed their freedom and democratic liberties.

On November 9, the people of Germany will commemorate the 20th anniversary of the fall of the Berlin Wall with a Festival of Freedom. The United States will happily join with the German people in remembering the moving events of that autumn and of the democratic era they heralded.

As President Obama recently noted during his speech in Moscow, ''The arc of history shows that governments which serve their own people survive and thrive; governments which serve only their own power do not.''

This momentous occasion should not be used as a time for triumphalism. Rather, it provides an opportunity to celebrate the remarkable progress that has been made in achieving a Europe that is whole, free and at peace.

Indeed, the changes that have occurred in only two decades are stunning. East and West Germany have reunified into a single, strong and prosperous state. Ten countries that previously laid behind the Iron Curtain have joined the European Union and NATO, and democratic progress is slowly being achieved across the rest of the former Soviet region.

I support this resolution, and I welcome the opportunity to recognize this significant date in European history to reaffirm the strong ties between the United States and Germany and to celebrate the enduring power of democratic freedom of institutions that relate to a free people.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am very pleased to yield such time as he may consume to the gentleman from Texas (Mr. POE), the author of this measure.

Mr. POE of Texas. Madam Speaker, I thank the gentlewoman from Florida for yielding, and I thank the gentleman from American Samoa for his support of this resolution, H. Res. 496.

Madam Speaker, it started with these words: ''General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization, come here to this gate. Mr. Gorbachev, open this gate. Mr. Gorbachev, tear down this wall.''

Most everyone has heard these famous words spoken by President Ronald Reagan on the day he addressed a crowd of about 45,000 people at the Brandenburg Gate in West Berlin, Germany. However, it would be 2 years later before those fateful words issued that day would actually come to pass.

It happened on the night of November 9 after hearing East German Minister of Propaganda Gunter Schabowski announce in a live statement that East German citizens now had the right to travel abroad ''immediately and without delay.'' Thousands of East Berliners charged forward towards the border crossings. Upon arrival, they were met by guards at the checkpoints, who, due to the massive

numbers of crowds of people, had no choice but to allow the East German citizens to pass through, and pass through they did. They charged to freedom through checkpoints, including the famous U.S. Checkpoint Charlie.

Once across, East Germans were greeted by their friends, the West Germans, who danced on top of the Berlin Wall in celebration while others hammered away at the wall on both sides until a section came down, at which point more East Germans walked through and shouted, ''Freedom. Freedom. Just once, freedom.''

November 9, 1989, was that date. It did go down in history as an important day for world peace and for world liberty.

Madam Speaker, today, we stand here to recognize the 20th anniversary of the fall of the Berlin Wall. It continues to live in history, not just in the pages of books or in resolutions but in the hearts and minds of people all over the world who were freed that night because that wall came down. They will continue to remember and to celebrate the day that democracy, freedom of the people, triumphed over Communism—the day the Berlin Wall fell and was torn down.

And that's just the way it is.

□ 1915

Mr. FALEOMAVAEGA. Madam Speaker, that's just the way it is.

I commend my good friend from Texas for his most eloquent statement and am in support of his resolution.

I have no additional speakers at this time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

The Berlin Wall has fallen, Germany will be reunited, the Communist regimes in East Germany and across East Europe are falling. For decades during the Cold War, to hear those words spoken was the greatest hope and the most powerful dream of millions of people living behind the Iron Curtain. Today, that hope and that dream are indeed a reality, but we ought to recall why they were so powerful for so many people in those days.

Perhaps some of us have not given thought for some time to the powerful images from the night of November 9, 1989, when thousands of people in East Berlin pushed past overwhelmed border guards at the Berlin Wall and began tearing down the concrete and barbed wire barrier. Their expression of joy as they embraced friends, family, and even strangers on the other side of that wall indeed moved us all who witnessed it.

Why were those people so desperate for freedom on that night almost 20 years ago? Well, the oppressive totalitarian aspect of Communist East Germany had been clearly articulated by the long-time leader of that regime, Walter Ulbricht, in his favorite saying, ''It has to look democratic but we must have everything under our control.''

So while claiming to be democratic, the Communists had, in 1961, begun to literally wall in their own citizens. That regime began constructing the Berlin Wall in the dead of night on August 12, 1961. Behind the new prison wall in Berlin and across all of East Germany, the regime's secret police worked to infiltrate every institution and everyone's personal lives, creating an atmosphere of mistrust, oppression, and insecurity among the people in East Germany.

Under that totalitarian rule, there were at least 15 different separate definitions of who was an enemy of the state. Many living in East Berlin and East Germany were so desperate to escape to freedom that they risked their lives in those attempts. Over the years, a total of 238 people were killed while trying to escape to the West, 120 were injured, and approximately 100,000 were arrested and sent to prison for their attempts.

However, on November 9, 1989, just as the construction of the Berlin Wall in August 1961 marked the beginning of the Communist consolidation of power, so did the destruction of the Berlin Wall in November 1989 mark the beginning of the collapse of the East German Communist regime and ultimately the collapse of the Soviet Union itself.

With this resolution, we commemorate November 9, 1989, as the day when freedom so clearly broke free of oppression. We honor the brave men and women who lost their lives in the pursuit of liberty.

I urge my colleagues to support passage of this important resolution. I commend my colleague, my friend from Texas, for its introduction.

I yield back the balance of my time.

Mr. FALEOMAVAEGA. Madam Speaker, I have no further speakers at this 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 American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 496, 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. POE of Texas. Madam 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.

CONDEMNING TERRORIST ATTACK IN INDONESIA

Mr. FALEOMAVAEGA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 675) condemning the July 17, 2009, terrorist bombings in Indonesia and expressing condolences to the people of Indonesia and the various other countries suffering casualties in the attacks.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 675

Whereas, on July 17, 2009, 2 unidentified terrorists carried out twin suicide bombings at the J.W. Marriott and Ritz-Carlton hotels in the central business district of Jakarta, killing at least 7 people and wounding at least 50;

Whereas the majority of the victims of the attacks were Indonesian citizens, according to reports;

Whereas in addition to the Indonesian victims, citizens of Australia, New Zealand, and Singapore lost their lives in the attacks, and citizens of Australia, Canada, Hong Kong, India, Italy, Japan, the Netherlands, Norway, South Korea, the United Kingdom, and the United States were injured, according to reports;

Whereas this tragic bombing was the first suicide attack in Indonesia since September 2005, demonstrating the progress that the Government of Indonesia has made in combating terrorism in recent years;

Whereas Indonesia is the most populous Muslim-majority country in the world and is founded on principles of religious tolerance and moderation;

Whereas Indonesia is developing into a strong multiparty democracy, as demonstrated by its April 2009 parliamentary elections, in which 9 different parties won seats in the People's Representative Council (DPR) and voter turnout exceeded 60 percent, and its July 2009 presidential election, which was characterized as free and fair by preliminary reports;

Whereas the continued development of Indonesia's democratic norms and institutions will be critical to stemming the tide of violent extremism and therefore is in the mutual interest of the United States and Indonesia; and

Whereas the United States Congress has worked in support of Indonesian democracy through the Congressional Caucus on Indonesia and the House Democracy Assistance Commission, which has had a productive partnership with the DPR since 2006 and remains firmly committed to continuing this partnership: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns in the strongest terms the July 17, 2009, attacks in Jakarta and all other terrorist attacks against targets in Indonesia;

(2) expresses its condolences to the people of Indonesia and the various other countries suffering casualties in the attacks;

(3) supports the efforts of the Government of Indonesia to investigate and prosecute the attacks to the fullest extent of the law, and calls upon Indonesia and its neighbors to work together to combat terrorism in Southeast Asia;

(4) expresses its confidence that Indonesia remains a reliable partner in the global struggle against terrorism and a stable destination for trade, travel, and investment; and

(5) reaffirms the long-term commitment of the United States to the strengthening of democratic institutions and the promotion of peace, prosperity, and ethnic and religious tolerance in Indonesia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms.

ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

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

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

There was no objection.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of this resolution.

At this time, I would yield as much time as he could consume to the gentleman, my good friend, the chief sponsor of this resolution, to now address the Chamber, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Thank you to the distinguished chairman of the subcommittee for his work on H. Res. 675, which I'm proud to rise in support of. It's a message of solidarity to the people of Indonesia.

I want to first thank the leadership of the Committee on Foreign Affairs and the Asia-Pacific Subcommittee, in particular, for their leadership on this issue in putting this resolution forward on behalf of the House Democracy Assistance Commission. Mr. DREIER and I have worked closely with the committee leadership and staff, as well as the leadership of the Indonesia Caucus, Mr. WEXLER and Mr. BURTON of Indiana.

A week ago last Friday, July 17, two terrorists detonated suicide bombs inside the Ritz-Carlton and Marriott Hotels in the central business district of Jakarta, killing themselves and seven others and wounding over 50. It was the first successful attack in Indonesia since 2005, and it comes at a time when the country has made substantial progress in the fight against terrorism.

The attackers appeared to have been targeting a conference of Western businessmen meeting at the Marriott and citizens of over a dozen countries, including eight Americans, who were injured in these horrific attacks. The majority of the victims were Indonesian citizens going peacefully about their daily affairs.

For my HDAC colleagues and me, these attacks hit pretty close to home because our commission had visited Jakarta just 2 weeks before to continue the partnership we have been forging with the Indonesia Parliament since 2006. We met with parliamentary leaders as well as with a number of newly elected members discussing their progress towards democratic reforms during this time of political transition in Indonesia.

In light of this productive and mutually enriching partnership, it's fitting that a delegation from the Indonesian equivalent of our House Administration Committee is visiting the House today and tomorrow for 2 days of meetings arranged by the House Democracy Assistance Commission. Led by Chairwoman Indria Octavia Muaja, the delegation is here to meet with our Foreign Affairs Committee, as well as our House Administration Committee and chief administrative officer, to discuss how to implement and manage an effective human resources system in their parliament.

Now, this may not grab any headlines, but it's this type of partnership that will help build the foundations of a stable and prosperous democracy in the years ahead.

And so, Madam Speaker, we offer this resolution today to extend our condolences to our guests and all of the people of Indonesia and all of the other countries suffering casualties in these attacks, to condemn these senseless acts of terrorism in the strongest possible terms and to reaffirm our commitment to the strengthening of democratic institutions and the promotion of peace, prosperity, and tolerance in Indonesia.

I urge my colleagues to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I rise today in strong support of House Resolution 675. The suicide bombings of the Marriott and the Ritz-Carlton Hotels in the central business district of Jakarta, Indonesia, left at least seven people dead and an estimated 50 persons wounded.

The Jakarta Marriott Hotel, of course, was the site of a previous car bomb attack in the year 2003. This was followed by suicide bombings on the resort island in Bali in 2005. The fact that no attacks occurred for the following 4 years in Indonesia until the events of July 17 is a testimony to the government and security forces of Indonesia that have proved stalwart partners in the global war on terrorism.

The Jakarta bombers have been linked to an an Indonesian-based Islamic militant organization with ties to al Qaeda. It had been inactive for the past several years due to the comprehensive work of the security forces of Indonesia. The fact that it is once again able to carry out the attacks is cause for concern for us all. If JI is back today, al Qaeda could be back tomorrow.

The selection of sites in the international business district of Jakarta shows the clear intent of the perpetrators to spread fear in the international community and to disrupt commercial enterprise between Indonesia's still-expanding economy and its international business partners.

Well, the Congress has a message for these militants. We will continue to stand with Indonesia, its people, during this most difficult time. We salute the brave people of Indonesia. Together we can defeat this international scourge of the 21st century, the hidden weapon of the suicide bomber.

I urge my colleagues to strongly support this resolution.

I reserve the balance of my time.

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

Again, I want to commend my good friend, the gentleman from North Carolina, Mr. PRICE, as co-Chair with our good friend and colleague, Mr. DREIER from California in this House Democracy Assistance Commission, and I do want to commend him for the tremendous job they are doing in promoting democratic principles throughout the world among countries that we give our support to.

This resolution condemns the two terrorist bombings in Indonesia on July 17, 2009, and expresses condolences to the people of Indonesia and other countries who were killed and injured by the attacks.

I want to thank my friend, Mr. PRICE, for sponsoring this important resolution that allows the House to show its strong support for Indonesia and its people after these horrific terrorist attacks in Jakarta.

Shortly before 8 a.m. in the morning on July 17, a bomb ripped through the lobby of the Marriott Hotel in Jakarta. Minutes later, a second bomb exploded in the nearby Ritz-Carlton Hotel. The twin bombings killed nine people, including the two suicide bombers and wounded over 50 others.

I would like to certainly express my condolences and sympathies to both the families who lost their loved ones in the attacks that morning and to those who were injured.

I would also like to condemn in the strongest terms possible the senseless act of violence committed against innocent people by vicious suicide terrorists. The majority of the victims were Indonesian citizens, although citizens from a number of other countries also suffered casualties.

The two bombings serves as a stark reminder to all of us that the threat of terrorism remains very real. It also reminds us that the world must continue to work together to confront violent extremists who will kill innocent people. The United States will continue to work with Indonesia and other countries to combat terrorism and to promote a common vision for a more peaceful and prosperous future for all of the world's citizens.

Madam Speaker, I urge my colleagues to support this legislation, and I also want to commend the recent presidential election in Indonesia that was held and that the President was elected by a margin of over 60 percent of the voters. Indonesia with 225 million people, the largest, most populous Muslim nation in the world has demonstrated to the world that democracy can function quite well even in a Muslim country.

And certainly we want to commend the good people of Indonesia and their leaders in achieving this degree of democracy and how they've developed their government from times past.

With that, I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield back the balance of my time.

Mr. FALEOMAVAEGA. Again, I thank my good friend, the gentlelady from Florida.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 675.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1930

RECOGNIZING THE FIFTH ANNIVERSARY OF THE U.S. DECLARATION OF GENOCIDE IN DARFUR

Mr. FALEOMAVAEGA. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 159) recognizing the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 159

Whereas, on July 22, 2004, the Senate of the United States and the U.S. House of Representatives passed S. Con. Res. 133 and H. Con. Res. 467, respectively, thereby declaring genocide in Darfur, Sudan;

Whereas, on September 9, 2004, then-Secretary of State Colin Powell concurred with the Congress, asserting that, ''genocide has been committed in Darfur'' and that ''the [G]overnment of Sudan and the Janjaweed bear responsibility'';

Whereas this historic determination was made in response to irrefutable evidence of a systematic campaign of ethnic cleansing launched by the Sudanese regime, characterized by the manipulation of ethnic and tribal tensions, the arming of proxy forces, aerial bombardment of civilians, destruction of irrigation systems, poisoning of wells, razing of villages, forced displacements, mass murder, abduction, looting, torture, and rape;

Whereas as a result of the Sudanese regime's genocidal campaign in Darfur, over 300,000 Darfuris have died and nearly 3,000,000 have been displaced;

Whereas the Sudanese regime employed similar tactics during its war in Southern Sudan, which lasted over 20 years and left over 2,000,000 dead and another 4,000,000 displaced;

Whereas the war in Southern Sudan ostensibly ended upon conclusion of the Comprehensive Peace Agreement for Sudan (CPA) in 2005, but the CPA has not been fully implemented and observers repeatedly have warned that it is at risk of collapse;

Whereas the declaration of genocide by the United States was intended to galvanize international attention and serve as a call to action for responsible nations, as well as the United Nations, to take effective action to deter and suppress genocide in Darfur;

Whereas despite the passage of 5 long years since the declaration of genocide by the United States Congress, the signing of the Darfur Peace Agreement (DPA) in May 2006, significant efforts on the part of some responsible nations, the heroic actions of humanitarian workers and human rights campaigners, and the deployment of a joint African Union-United Nations peacekeeping mission for Darfur (UNAMID), the deadly conflict in Darfur continues; and

Whereas the conflicts in Darfur and Southern Sudan are inextricably linked, and if the CPA fails there can be little hope for peace in Darfur: Now, therefore, be it

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

(1) solemnly recognizes the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan;

(2) regrets that this determination has yet to yield effective action on the part of the United Nations and other nations which maintain significant influence in Sudan, including China and certain members of the Arab League;

(3) urges the United States to work with other responsible nations to support a negotiated settlement to the conflict in Darfur and full implementation of the Comprehensive Peace Agreement (CPA) for Sudan, in accordance with the terms and timeline established therein, while implementing a more robust set of multilateral measures against those individuals who act as obstructionists to peace, including those who continue to sell arms to belligerents in Sudan;

(4) urges member states of the United Nations to provide sufficient resources to support the deployment of a fully capacitated African Union/United Nations Mission in Darfur (UNAMID), including by supplying required tactical and utility helicopters and other mission enablers; and

(5) urges the parties to the conflict in Darfur to cease their attacks upon civilians and humanitarian and peacekeeping operations, and to fully commit to finding a political solution to the crisis in Darfur without further delay.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

I would like to thank again my good friend the gentlewoman from Florida for introducing this important resolution commemorating the historic declaration by Congress of genocide in Darfur.

On this day we remember reports from Sudan of aerial bombardments of civilians; of the arming of proxy forces; of the razing of villages; of the destruction of irrigation systems and the poisoning of wells; of looting and murder and rape. Madam Speaker, 5 years later much progress has been made, but there are miles yet to go.

The United States is engaged in rigorous and comprehensive efforts to bring peace to Sudan. It is imperative that we not lose sight of the importance of supporting a Comprehensive Peace Agreement; that we do everything we can to support the national census and the upcoming elections; and that we help the displaced to return when possible.

I join my colleagues in anxious anticipation of the administration's forthcoming comprehensive strategy for Sudan and look forward to speaking this week with the President's Special Envoy to Sudan, General Scott Gration, about steps we can take to ensure that Sudan can break what has been a tragic cycle of violence in this part of the world.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, on July 22, 2004, the United States Senate and the U.S. House of Representatives united to unanimously declare that the atrocities unfolding in the Darfur region of Sudan constitute genocide. Never before had the Congress made such a declaration while the atrocities were occurring. But confronted with irrefutable evidence of a systemic campaign of ethnic cleansing directed by the Sudanese regime and their proxy forces against the African tribes of Darfur, we were compelled to act.

The scene in Darfur was all too familiar. There was the manipulation of ethnic and tribal tensions, the arming of proxy forces, aerial bombardment of civilians, razing of villages, forced displacement, mass murder, abduction, looting, torture, and rape. These were the tactics Khartoum used during its bloody war in southern Sudan, which lasted over 20 years and left over 2 million people dead and another 4 million displaced. These were the tactics the Sudanese regime used to stay in power.

Recalling the horrors of the gas chambers of the Holocaust, the killing fields of Cambodia, the mass graves of Srebrenica, and the bloodied streets of Rwanda, we sought to put real meaning behind the words ''never again.'' On September 9, 2004, then Secretary of State Colin Powell concurred with the Congress, asserting ''genocide has been committed in Darfur'' and that ''the government of Sudan and the Janjaweed bear responsibility.''

Unfortunately, others did not share our sense of urgency. Five long years

have since passed, and while the situation on the ground in Darfur has changed since the year 2004, the crisis continues. The House of Representatives has passed no fewer than 34 bills and resolutions relating to Sudan since 2004, including the Comprehensive Peace for Sudan Act of 2004, the Darfur Peace and Accountability Act of 2006, and the Darfur Accountability and Divestment Act of 2008.

The United States has led efforts at the United Nations to get fully equipped, credible peacekeeping forces deployed both to Darfur and to southern Sudan. We remain the largest international donor and have contributed more than $3 billion for humanitarian programs in Sudan and Eastern Chad since fiscal year 2004, in addition to more than $2 billion in peacekeeping assistance since fiscal year 2008. We have sanctioned and threatened the Sudanese regime. We have helped secure peace, albeit a tenuous peace, in southern Sudan.

When I visited the camps for displaced persons in Darfur and met with leaders in southern Sudan in 2007, I promised that I would remain an advocate for peace in Sudan, and while we have pressing concerns both here at home and beyond, I have sought to keep my word.

For this reason I stand today to ask my colleagues to support House Concurrent Resolution 159. This timely resolution solemnly recognizes the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan, while expressing regret that this determination has yet to yield effective action on the part of the United Nations and other nations which maintain significant influence in Sudan, including China and certain members of the Arab League.

It urges the administration to work with other responsible nations to ensure an end to the conflict in Darfur and full implementation of the Comprehensive Peace Agreement for Sudan. It urges member states of the United Nations to provide sufficient resources to support the deployment of a fully capacitated African Union/United Nations mission in Darfur, including by supplying required tactical and utility helicopters and other mission enablers.

Finally, Madam Speaker, it urges the parties to the conflict in Darfur to stop their attacks upon civilians and humanitarian and peacekeeping operations and to fully commit to finding a political solution without further delay.

With national elections due this year and violence on the rise, the stakes could not be higher. The time for action is now.

I urge my colleagues to support this important and timely measure.

Madam Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Madam Speaker, again I do commend the gentlewoman from Florida for her leadership, for her commitment, and for not only introducing this legislation from years past, but she has never let down in her efforts to make sure we take corrective action to address the serious needs of the people of Darfur.

Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield now 4 minutes to the gentleman from New Jersey (Mr. SMITH), the ranking member on the Subcommittee on Africa and Global Health.

Mr. SMITH of New Jersey. I want to commend our ranking member for authoring this important resolution to mark the tragic fifth anniversary of the declaration by the United States Congress that the systematic violence, killing, and displacement of millions in Darfur, Sudan constitutes genocide.

Madam Speaker, President Omar Hassan al-Bashir has proven once again that he considers the people of Darfur to be merely pawns and throwaways in a shameless game that he is playing with the international community. The gulf between his actions and his words is as wide as the callous attitude that I encountered when I met with and argued with him personally in Khartoum, and the desperate, deeply grieved look on the faces of the refugees I met in the IDP camps in Darfur, including Mujar and Kalma camp.

During our meetings, General Bashir showed no remorse whatsoever for inflicting unspeakable pain, death, displacement, and destitution on large numbers of people. Today, as we know, over 300,000 to upwards of 450,000 Darfurees have been killed and another 3 million have been displaced from their homes. And, of course, this is in addition to some 2 million killed and 4 million displaced in southern Sudan in the aggression that immediately preceded the killings in Darfur.

For all of our efforts in this Congress, Madam Speaker, the suffering continues 5 years after that recognition that what was taking place in Darfur was indeed genocide. The signing of the Darfur Peace Agreement in May of 2006 and the deployment of a joint African Union-U.N. peacekeeping mission has not stopped the violence, much less ushered in a long-term peace for which the people of Darfur so desperately long.

The country of Sudan is going through a critical time that will have serious implications for Darfur as well as other regions of the country. Last week the Permanent Court of Arbitration in the Hague issued a ruling with respect to the boundary dispute in Abyei, one of the major points of contention between the north and the south. National elections, which were supposed to be held this month, have been postponed until April of 2010. Although these developments do not involve Darfur directly, a resolution of the conflict in Darfur is dependent on the complete and peaceful implementation of the Comprehensive Peace Agreement between the north and south.

Over the past 5 years, Madam Speaker, and even before that, the profound bipartisan congressional concern has not diminished nor has it abated. Tomorrow the Africa Subcommittee will hold a hearing on the Comprehensive Peace Agreement. On Thursday the Tom Lantos Human Rights Commission will do likewise, and the Senate Foreign Relations Committee has slated a hearing on it on Thursday. This week we will also hear from General Scott Gration, the U.S. Special Envoy to Sudan, during which time we will hear further details about the administration's strategy in trying to mitigate and hopefully end this despicable violence in Darfur.

This is a very important resolution, Madam Speaker, and I hope the full membership of this House will support it.

Mr. FALEOMAVAEGA. Madam Speaker, I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am so pleased to yield 4 minutes to the gentleman from Kansas (Mr. MORAN), with whom I had the honor of traveling to Sudan in the year 2007.

Mr. MORAN of Kansas. I thank the gentlewoman from Florida for recognizing me and allowing me the time this evening.

Madam Speaker, it is important in life to call things what they are. Five years ago Congress did the right thing by calling what was happening in Darfur ''genocide.''

In 2007 I did travel with the gentlewoman from Florida and others to Darfur and saw genocide and its consequences firsthand. It sticks with me today. Malnourished children, family members mourning the loss of loved ones, people without homes, disease and despair in refugee camps. But whether or not one has been to Darfur, we know what is happening there. And those of us that have seen it have the obligation to tell the story. While calling the killing and violence ''genocide'' is a first and necessary step, we must do more. Our responsibility as human beings extends beyond properly recognizing the atrocities as genocide. As witnesses to genocide, we and all nations are obligated to take every necessary step to end the loss of life.

So today I sadly rise 5 years after Congress declared genocide in Darfur knowing that peace does not yet prevail. Regrettably, we are here again, passing this resolution, to once more call on other nations to join us in taking steps to bring about lasting peace and to preserve the life of other human beings.

The time to act was long ago. And I again urge as strongly as I know how for the United Nations and countries with significant influence in Sudan, including China and certain members of the Arab League, to fully commit to helping end the atrocities in Darfur.

It is important to recognize genocide for what it is, but it is even more important that we stop genocide from taking place. The world has said ''never again.'' The world must mean it. In visiting the Holocaust Museum here in Washington, D.C., I was reminded of an earlier genocide.

□ 1945

While there, I saw the Wall of Honor recognizing those who placed their own lives at risk to save the lives of Jews.

May we be courageous enough to deserve such recognition in a wall of honor today in stopping the genocide of today.

Mr. VAN HOLLEN. Madam Speaker, I join my colleagues today on the floor of the U.S. House of Representatives in recognition of the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan.

On July 22, 2004, members of the U.S. House of Representatives and the U.S. Senate united to pay witness to irrefutable evidence that a systematic campaign of ethnic cleansing was underway in Darfur, perpetrated by the Sudanese government and characterized by forced displacements, mass murder, abduction, torture, and rape.

Five years have passed since Congress first declared this tragedy genocide. To date, over 300,000 Darfuris have lost their lives and nearly 3,000,000 have been displaced. And yet, despite the signing of the Darfur Peace Agreement in May 2006 and the deployment of a joint African Union-United Nations peacekeeping force, the deadly conflict in Darfur continues.

We therefore unite once again and we will continue doing so, until this tragedy ends; to honor the heroic efforts of dedicated humanitarian workers who put their lives at risk; to recognize the actions of responsible nations who refuse to stand idly by as innocent people suffer; and to shame those who, in the face of unspeakable horrors, choose to do nothing.

Mr. WOLF. Madam Speaker, I rise today in support of H. Con. Res. 159, recognizing the fifth anniversary of the declaration of genocide in Darfur.

An August 2008 New Republic piece said the following about Darfur: "No genocide has ever been so thoroughly documented while it was taking place . . . in the case of the genocide in Darfur, ignorance has never been possible." Sobering words as we consider this resolution.

I have visited Sudan five times, most recently in July 2004 when I led the first congressional delegation with Senator SAM BROWNBACK to Darfur. I witnessed the nightmare with my own eyes. Over 300,000 Darfuris have died and nearly 3 million have been displaced.

We saw the same scorched earth tactics from Khartoum in the brutal 20-year civil war with the South.

Five years ago this month Congress was the first to call the atrocities in Darfur by their rightful name, genocide.

But this is not a tragedy relegated to the history books—rather Sudan today demands attention and action.

China has been complicit in this tragedy as Sudan's largest foreign investor and yet China has failed to use its influence. According to the Congressional Research Service, China reportedly imports an estimated 64 percent of Sudan's oil and China's National Petroleum Corporation is the largest shareholder (47 percent) in the two biggest oil consortiums in Sudan, Petrodar and the Greater Nile Petroleum Operating Company (GNPOC).

China also supplies weapons to the Government of Sudan. Some human rights groups accuse the Chinese government of being the principal supplier of weapons in violation of the U.N. weapons embargo on Sudan.

And yet Sudan only earned a passing reference in President Obama's remarks this week at the Strategic Economic Dialogue between the United States and China.

But perhaps most importantly, and most timely, almost six months into the Obama administration, the State Department is still conducting a ''comprehensive review'' of U.S.-Sudan policy.

Virtually nothing concrete has emerged. The little that has leaked out in press reports reveals an administration that appears divided at the highest levels over whether genocide is still taking place in Darfur. On an issue of this magnitude such confusion sends the wrong message.

On this, the five-year anniversary of the declaration of genocide in Darfur, I ask, what is the Obama administration's policy on Darfur?

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 159.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

MESSAGE FROM THE SENATE

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

H.R. 838. An act to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2647. An act 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, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2647) ''An Act 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, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEVIN, Mr. KENNEDY, Mr. BYRD, Mr. LIEBERMAN, Mr. REED, Mr. AKAKA, Mr. NELSON, (FL), Mr. NELSON (NE), Mr. BAYH, Mr. WEBB, Mrs. MCCASKILL, Mr. UDALL (CO), Mr. HAGAN, Mr. BEGICH, Mr. BURRIS, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. GRAHAM, Mr. THUNE, Mr. MARTINEZ, Mr. WICKER, Mr. BURR, Mr. VITTER, and Ms. COLLINS, be the conferees on the part of the Senate.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1390. An act 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.

HEALTH CARE REFORM

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

Mr. OLSON. Mr. Speaker, House Republicans and some Democrats have been highlighting the problems with the proposed Democrat health care bill.

The Rosenberg-Richmond Chamber of Commerce in Fort Bend County, Texas, represents over 800 businesses that have deep concerns with this massive intrusion of government-run health care. Last week they passed a resolution strongly opposing the current health care proposals.

Highlights of the resolution include: ''a government plan would be an unfair competitor, with the government acting as both a team owner and the referee.''

Another quote: ''New taxes and fees for businesses and/or individuals that

cannot afford health insurance would be dramatically counterproductive.''

And one final one: ''Taxation of health benefits will lead to a reduction in benefits offered by employers and will lead to higher taxes for many individuals and businesses.''

Local chambers of commerce and small businesses understand better than most the problems with government-run health care. The Rosenberg-Richmond Chamber of Commerce gets it. I wish my colleagues on the other side of the aisle did.

I include in the RECORD a copy of the resolution.

RESOLUTION IN OPPOSITION OF PROPOSED HEALTH CARE REFORM

Whereas, The United States has the world's best health care system, but it is being priced out of reach for more and more American citizens and companies. Companies struggle to find health care plans that provide adequate coverage and are still affordable, and worry about what will come next year; and

Whereas, the Rosenberg-Richmond Area Chamber of Commerce, under various names, has been working for and with local businesses to create a positive economic environment in Fort Bend County, Texas for over eighty years and is currently the voice of 800 businesses; and

Whereas, the Rosenberg-Richmond Area Chamber of Commerce recognizes that most health care coverage is provided by employers; to make it easier for employers and their employees to afford the health care coverage they need, we SUPPORT legislative action to:

Retain viable employer-sponsored health care. Employers provide voluntary health insurance to over 177 million. ERISA allows many of them the flexibility to provide uniform benefits and is the backbone of employer-provided coverage and must be preserved.

Reform the delivery system including payment and reimbursement reform to reduce costs while increasing quality and outcomes including: implementation of comprehensive strategies to boost health information technology, wellness, prevention, disease management and care coordination.

Create a more vibrant private health insurance market for individuals and small businesses.

Control soaring health care costs due to the explosive growth in medical liability awards and insurance costs through specialized health courts.

Encourage more Americans to purchase health insurance by enacting refundable tax credits for that purpose.

Encourage more Americans to save for medical expenses tax-free by expanding Health Savings Accounts and allowing those with Flexible Spending Accounts to roll over unused balances to pay for future medical expenses.

Whereas, the Rosenberg-Richmond Area Chamber of Commerce OPPOSES legislative action that will:

Create a Government-run (public) plan: A government-run plan would be an unfair competitor, with the government acting as both a team owner and the referee. Government programs shift costs to the private sector. The Lewin Group estimates 130 million people would move from private sector to public insurance. This could lead to a government-controlled single-payer system.

Create Employer Mandates: Punishing employers who cannot afford to provide health insurance coverage, including requirements to pay or play, is not the answer. Employer mandates, by their nature limit flexibility and innovation—the cornerstones of American health care.

Create Minimum Required Coverage Level: Proposing a huge Federal Employee Health Benefits Program (FEHBP)—like minimum coverage package will bankrupt employers and workers. High-end coverage like this will not appeal to the young. The minimum level of coverage should be reflective of a high-deductible health plan with coverage of preventative services.

Impose additional tax burdens individuals or businesses: The implementation of new taxes and fees for businesses and/or individuals that cannot afford health insurance would be dramatically counterproductive. Further, the taxation of health benefits will lead to a reduction in benefits offered by employers and will lead to higher taxes for many individuals and businesses: Now therefore be it *Resolved*, that the Board of Directors of the Rosenberg-Richmond Area Chamber of Commerce OPPOSES the passage of legislation that is currently proposed by the President of the United States and Congress which will create a public insurance plan and employer mandates and major tax increases including imposing an additional ''surtax'' on high income earners.

Adopted this 21st day of July, 2009.

LYNNE HUMPHRIES,
Chairman of the Board
GAIL PARKER,
President/CEO.

SPECIAL ORDERS

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

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

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

AMERICAN RECOVERY AND REINVESTMENT ACT HELPING RESIDENTS OF NEVADA

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

Ms. BERKLEY. Madam Speaker, Nevada has been a boom State for as long as I can remember. My family has been there for 46 years, and with every passing year, more and more people moved in and more and more people flourished in a very strong economy. But when the bust came, it came with a vengeance, and I am afraid that the State of Nevada, like many other States in this country and many other countries in the world, is suffering and is in the midst of an economic crisis.

We have the highest mortgage foreclosure rate in the country in my congressional district and I have one of the highest unemployment rates. And what makes this so startling is perhaps a year ago there was virtually no unemployment in my district and in the State of Nevada.

There has been a lot of criticism about the stimulus package. It is called the Recovery Act, more commonly known as the stimulus package. People say it is not big enough. People say it is not fast enough and that it is not working. But I have to tell you, the people of Nevada have received extraordinary benefits from this stimulus package.

There was a reason that I voted for it. It provided education funding, unemployment benefits, health care benefits, tax breaks, Social Security money for my seniors, and my disabled veterans received substantial funds as well.

According to the Nevada State Treasurer, $426 million in stimulus funds have already been paid out to people in Nevada. That doesn't include the tax cuts, the Social Security payments or the payments to our disabled veterans. Money is flowing into Nevada and is keeping many families afloat during this economic crisis, and it is an economic crisis the likes of which none of us have ever seen and none of us ever thought would happen.

But let me tell you in real terms how this stimulus package is benefiting the folks back home.

Tax cuts: The Making Work Pay tax credit. I know you recall, Madam Speaker, there was $400 for individuals, $800 for families. Ninety-five percent of American families and individuals are already seeing a decrease in their withholding and their paychecks. One million families in Nevada are seeing more money in their monthly paycheck because of this stimulus package at a time when this money is so desperately needed.

118,000 Nevada families are going to benefit from the Child Tax Credit expansion.

American Opportunity Tax Credit. There is a new $2,500 tax credit that is going to help 32,000 Nevadans go to college. I know what it is like when you don't have money to go to college and you have to take out loans and grants. This is going to help kids, like me, that went to school and depended on these loans and grants.

Alternative minimum tax. 31,000 people in my district would have been slammed by the alternative minimum tax if the stimulus package had not been passed.

There is tax relief for business as well. Whether you are a large casino or a small business in the State of Nevada, we provided relief for you: cancellation of indebtedness, bonus depreciation, small business expensing. For most of us, we don't understand what that is, but for small business people and businesses in general, this is their very lifeblood, and we have saved thousands of Nevada's small businesses from going under.

Unemployment insurance. With an unemployment rate of over 12.5 percent and going higher—we haven't bottomed

out yet—the very fact that we were able to provide unemployment benefits, extension of unemployment benefits and expansion, so that Nevada families that find themselves unemployed for the first time ever are going to be able to use this as a bridge to get from where they are now to where we need to be.

Health care. So many of my constituents, the very poorest of us, depend on Medicaid money. The State of Nevada had no Medicaid money. The Federal Government came in and helped the State of Nevada so that we can continue to provide health care for the poorest among us.

Education. We all talk about the importance of education and how it is the most important thing that we can provide children for their future and for the future of this country. Well, Nevada was broke. The State legislature couldn't figure out where we were going to get the money, and the Federal Government came to our rescue; $400 million in fiscal stabilization funds.

What is that? That means that we are going to prevent teacher layoffs and other education cuts. We were restoring the money that was slashed by the Nevada Legislature, $70 million in special education, $70 million in disadvantaged student funding. These were so important for the people of Nevada, so important for our schoolchildren.

And when things get tough and people are laid off, the first thing they are going to need is food stamps in order to feed their families.

I know that my time is almost up, but there are three things that are so important. A $250 one-time payment to all Social Security beneficiaries. That is 100,000 people in Nevada that will benefit from that. Veterans, a $250 one-time payment to disabled veterans. 18,000 veterans in Nevada will benefit from that. And infrastructure funding as well. $200 million will be spent in Nevada on infrastructure. $33 million are for flood control projects, and the rest is going to go to the Regional Transportation Commission to continue to improve our infrastructure, all very important.

The people of the State of Nevada need to know this, and I appreciate the fact that this body passed that legislation.

AFGHANISTAN AND THE LESSONS OF VIETNAM

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, last week on the House floor I mentioned a column that appeared July 19th, 2009, in the Raleigh News and Observer entitled, ''From Vietnam 1959 to Afghanistan 2009.'' The column was written by Joseph Galloway, a military journalist and coauthor of a book on Vietnam called ''We Were Soldiers Once . . . and Young.''

In his column, Galloway uses the history lessons of Vietnam as a cautionary tale to President Obama as he oversees America's military involvement in Iraq and Afghanistan.

Galloway describes a time during the war in Vietnam in 1965 when Secretary of Defense Robert McNamara presented Lyndon Baines Johnson, President, with a top secret memo. It indicated that the United States had reached a decision point, with two available options. The first option was to arrange diplomatic cover and pull out of South Vietnam. The second option was to increase the number of American troops by 200,000, bringing the total to more than 500,000 Americans on the ground.

Regarding this second option, McNamara stated, ''All we can possibly achieve is a military stalemate at a much higher level of violence.'' A couple of weeks later, Johnson assembled what he called the ''wise men'' for a brainstorming session on Vietnam; yet those who participated said there was no real decision of McNamara's option one.

From that time, when Johnson chose to escalate and continue the war until its conclusion 10 years later, Americans suffered 56,000 more casualties.

Madam Speaker, President Obama's administration has reached a similar decision point concerning Afghanistan. With regard to the Obama administration's escalation of troops in Afghanistan, Galloway states, ''Some smart veterans of both Iraq and Afghanistan, on the ground now or just back, say that at this rate we will inevitably lose the war in Afghanistan; that the situation on the ground now is far worse than Iraq was at its lowest point in 2006 and early 2007. They talk of a costly effort both in lives and national treasure that will stretch out past the Obama administration and maybe the two administrations after that.''

In his column, Galloway advises: ''Obama needs to call in the 'wise men and women' for a fish-or-cut-bait meeting. Let's hope that this time around, there's an absence of the arrogance and certainty of previous generations of advisers. Let's hope, too, that they will weigh very carefully all the costs of another decade or two of the war in Afghanistan.''

Madam Speaker, after nearly 8 years of U.S. military operations in Afghanistan, the President needs to outline a clear strategy for victory. I have spoken to many in the Army and Marine Corps who say our Nation needs an end point to its war strategy.

While America's military personnel faithfully conduct their missions abroad, elected officials here in Washington should take seriously their responsibility to develop a viable long-term strategy for these operations.

Many of these servicemembers have gone to Iraq and Afghanistan more than once, and their desire to serve this Nation is greater than ever. But the stress placed on our all-volunteer force and their families cannot continue forever.

While the United States continues to devote its blood and treasure in Afghanistan, the Afghan Government has yet to purge itself of many who funnel support for the Taliban.

Our men and women in uniform deserve to have the President work with his military commanders and the Congress to develop the best strategy for achieving our goals and wrapping up our military commitment in Afghanistan.

Madam Speaker, as I do every night that I have the opportunity and privilege to speak on the floor of the House, my heart aches. I have signed over 8,000 letters to families who have lost loved ones in Afghanistan and Iraq because I regret that I voted to give the President the authority to go into Iraq.

Madam Speaker, because of that, I want to close this way. I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

And three times, Madam Speaker, because America needs the love of God, I close this way: God please, God please, God please continue to bless America.

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BORDER PROTECTORS

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, America lost a great lawman last Thursday near Campo, California. United States Border Patrol Agent Robert Rosas was brutally murdered on July 23 by thugs illegally crossing into the United States. Agent Rosas was shot and killed at approximately 9:15 p.m. while following a group of people who had crossed the border illegally. Agent Rosas was by himself, like a lot of our agents nowadays. He radioed for backup. The group Agent Rosas was following split up before backup agents arrived to help him.

Agent Rosas was following one of the groups; but when fellow officers arrived, they found Agent Rosas outside his Border Patrol vehicle. He had been shot several times in the head and other places in the body. Agent Rosas had served with the Border Patrol for 3 years. He was only 30 years of age. He was married and had a 2-year-old son and an 11-month-old daughter. A suspect, Ernesto Parra-Valenzuela, is in Federal custody in Baja, California. He had a standard Border Patrol-issued 9 millimeter pistol tucked in his clothes when he was arrested. Four other Mexican nationals were also arrested. They were part of a violent smuggling ring, and one of the other men arrested is

wanted for two homicides and a rape. Also detained were 21 illegals.

Shooting at Border Patrol agents is a drug cartel way of life. T.J. Bonner, president of the National Border Patrol Council, said that around 50 border agents a year are shot at. Others are run down by vehicles. For example, in January 2008 United States Border Patrol Agent Luis Aguilar was run down and killed by a drug smuggler in a Humvee 15 miles north of the border in California. When agents spotted a drug-laden Hummer trying to flee back to Mexico, Agent Aguilar threw down a spike strip to stop the vehicle. Witnesses said the driver of the Humvee swerved to intentionally hit Agent Aguilar, and the vehicle was traveling over 55 miles per hour. Agent Aguilar was killed. He was a 6-year veteran of the Border Patrol. He was 32 years of age, and he left behind a wife and two kids. The Humvee driver, the drug smuggler, escaped back into Mexico.

There are others who were killed by smugglers. In August of 2002, United States Park Ranger Kris Eggle was shot and killed in the line of duty at Organ Pipe Cactus National Monument in Arizona. The area has become a haven for drug and alien smuggling. The area is known as Cocaine Alley. A drug cartel hit squad fled into the United States after committing a string of murders in Mexico. Outmanned and outgunned, Ranger Eggle never had a chance. He was 28.

Agent Rosas is the first Border Patrol agent to be shot since Ricardo Salinas and Susan Rodriguez were slain in Texas in July of 1998. The Cameron County, Texas, Sheriff's Department was investigating a report of shots fired in Rio Hondo, Texas. That's in the Rio Grande Valley. Deputies found a woman, Margarita Flores, and one of her daughters, Delia Morin, dead at their home. Her son was also shot and seriously wounded. The killer, Ernest Moore, was seen fleeing in a pickup truck; and with the help of the Border Patrol, sheriff's deputies spotted the vehicle in a driveway of a San Benito house Moore shared with his father.

The deputies and the agents were searching the home and the nearby cornfields when they heard rifle shots. Border Patrol Officers Ricardo Salinas and Susan Rodriguez were both found shot and killed. The perpetrator was also killed.

Madam Speaker, the border regions in this country have become the most lawless areas in the United States. Drug cartel thugs roam the border frontier, transporting drugs, weapons, cash, illegals and victims of sex trafficking across the border at will. The noble Border Patrol agents are outmanned, outgunned and out-financed by the drug cartels; and these outlawed drug cartels need to be captured and brought to justice.

In the meanwhile, our Border Patrol protectors need our support. We owe the brave men and women who guard the border more than gratitude for the sacrifices they make. We owe them the proper funding, manpower and support to guard not just our border but their safety as well. These agents are the first line of defense between the illegal drug smuggling cartels and the American people.

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.)

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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 COST OF MEDICAID, MEDICARE AND THE DEMOCRATIC HEALTH CARE BILL

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

Mr. GOHMERT. Madam Speaker, we heard from CBO that the President's plan for health care could cost an extra $1 trillion to $2 trillion. That's on top of what we're already spending. Well, I started looking at that this year and asked my staff to help me gather the statistics. What we got from the CRS and also the Census Bureau was the estimate for the last year that we had a full year's numbers, for 2007, of how much Medicare and Medicaid cost in tax dollars.

We took the estimate from the Census Bureau of how many households there were in America in 2007. There were 112 million households estimated. You divide the number of households in America into the amount of tax dollars spent for the year 2007, and it's over $9,200 for every household in America being spent on Medicare and Medicaid. When you realize that every house on average is coming up with $9,200 in order to pay for Medicare and Medicaid, what struck me is we can do so much better than this. This is atrocious. We've got seniors all over the country who are buying wraparound or surplus coverage to supplement their Medicare coverage, people on Medicaid; and that didn't even include the amount being paid for SCHIP.

So I have asked for the latest projection from the Census Bureau as of today. The Census Bureau is projecting that for right now in America there are about 117 million households in America. We were told that the President's health care bill would cost somewhere between $1 trillion and $2 trillion.

So I got this chart. I want to do some simple division here. We've got $1.170 trillion because we feel like that is a conservative estimate since the President's projection would cost somewhere between $1 trillion and $2 trillion, and we know there are 117 million households in America. Well, let's see how much the President's plan is going to cost every household in America. It's easy if you have a good public school education like I did back in the day. We'll take that off of both sides, cancel that off of both sides, then divide 117 into $1,170,000.

Folks, the President's plan is going to cost an additional $10,000 for every household in America on top of the $9,200 per household we're paying in America right now. Do you realize, Mr. Speaker, how much we could do with that kind of money? Well, that's what hit me.

So the point is we finally got back tonight the plan that I had submitted. Mr. Speaker, I am so grateful to Leg Counsel. I trash-mouthed them a little bit the last few days because they stonewalled my plan, I thought; but they pushed. They got it through. We got it tonight. For much less money, this plan will buy every household in America that has people on Medicare, Medicaid, SCHIP, it will buy them private insurance with a $3,500 deductible and put cash money in a debit card account for their health savings account. They will for the first time in over 40 years have control of their future, control of their health care; and, by golly, they will have complete coverage. Not in America ever have they had complete coverage. This will give them control.

Then we don't have to read articles like the one in Politico about the President's plan promoting euthanasia. Will it or will it not? We don't need to go there. We don't have to go there.

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

(Mr. MACK 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 Minnesota (Mrs. BACHMANN) is recognized for 5 minutes.

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

POLITICAL TURMOIL IN HONDURAS

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in support of the people of Honduras. I rise in support of Honduran democratic institutions and legal authorities who refuse to be coerced into ignoring their Constitution and the rule of law and who refuse to have their future as a democratic nation and a democratic society hijacked. For months prior to June 28, Manuel Zelaya had engaged in a systematic campaign to subvert the Honduran Constitution in order to strengthen and extend his own rule.

Last November he tried to postpone the primaries for the upcoming presidential elections. This January he tried to stuff the Honduran Supreme Court with his personal buddies. Then this March Zelaya issued an executive decree, calling for a referendum that would ultimately allow for the extension of his presidential rule, all in direct contravention of the Constitution.

The Honduran Supreme Court, the administrative courts, the attorney general, the commissioner for human rights, the Supreme Electoral Tribunal, and the Honduran National Congress all declared this referendum to be illegal; but that did not stop him. In fact, following the decision of the Organization of American States to open its doors to the Castro regime, Zelaya probably felt empowered, if not destined, to follow the tyrannical ways of the Castro brothers.

Zelaya continued to demonstrate a blatant disregard for the legislative and judicial branches of the Honduran Government and the sanctity of the Honduran Constitution. Consequently, he was charged with treason, abuse of authority and usurping of power. On June 26, the Honduran Supreme Court of Justice issued a warrant for Zelaya's arrest. While Zelaya's removal from office was in accordance with the Honduran Constitution and the rule of law, U.S. officials were among the first to rush to judgment and condemn Zelaya's removal. Joining arms with the likes of Hugo Chavez, Daniel Ortega, the Organization of American States, and the United Nations, the U.S. continues to lead the calls for Manuel Zelaya's return to power and, reportedly, for his immunity from prosecution for the political crimes with which he is charged.

The U.S. has suspended more than $20 million in assistance to Honduras. U.S. leaders have now chosen to punish those who are working to preserve the idea of checks and balances in Honduras. They are revoking the visas of all current government officials, even members of the judicial branch. In fact, the vice president of the supreme court has already had his visa taken away.

Sadly, the same officials who continue to call for direct engagement with the Iranian regime, irrespective of that regime's violence, torture and other actions against its own people, the same U.S. officials who recently reaffirmed Iran's so-called nuclear rights are the same ones who are now seeking to intimidate and strong-arm Hondurans into submission and very strongly into difficult humanitarian straits in the coming months.

In fact, as the U.S. increases the pressure on Honduras, the U.S. is making unilateral concessions to the regime in Syria and just eased sanctions on Damascus. This just days after the State Department submitted to Congress a report stating that Syria continues to pursue advanced missiles, and chemical, biological and nuclear weapons capabilities and continues to sponsor violent Islamic extremist groups like Hezbollah and Hamas.

We are at a critical juncture in our foreign policy. In the Western Hemisphere, the situation in Honduras has become the linchpin for the thwarting of ALBA leaders' anti-America and anti-freedom agenda.

□ 2015

Yet, the approach adopted by the U.S. is one where enemies of freedom are emboldened and strengthened while democratic institutions and allies are undermined and weakened.

Let us hope for our Nation's security interests that the U.S. will see the danger in this approach and change course before it is too late. Let us hope that the U.S. leadership will heed the words of Ronald Reagan from March, 1978 when Reagan said, ''Our fundamental aim in foreign policy must be to ensure our own survival and to protect those who also share our values. Under no circumstance should we have any illusions about the intentions of those who are enemies of freedom.''

Mr. Speaker, let us send a clear signal to the enemies of freedom that we will not hedge, we will not waver, that we stand with the people of Honduras and the democratic institutions as they work to preserve their democracy against enemies foreign and domestic.

30-SOMETHING WORKING GROUP

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

Mr. RYAN of Ohio. Mr. Speaker, we are here to discuss the health care reform proposal that is now being discussed in Washington, D.C., and really throughout the country.

We are going to use tonight's hour of our 30-Something Working Group to talk a little bit about what is in the bill—what is actually in the bill, not what is being said on talk radio or from some Internet site that is basing their comments and their critiques of this bill on really things that don't exist. And we want to do that.

It is interesting that tonight the 30-Something Working Group will be articulating this, and then over the course of the rest of the week and into the fall, to discuss this critical piece of legislation for the American people because one of the previous speakers was talking a little bit, and it reminded me, as I heard some of the rhetoric, they were talking about health care savings plans and all of these accounts, a couple of things came to mind.

The origination of this 30-Something Working Group was the creation of then-Minority Leader PELOSI to discuss Social Security privatization. That is how this whole thing originated 4 or 5 years ago with Congressman MEEK, and then Congresswoman WASSERMAN SCHULTZ and I, and then later on CHRIS MURPHY from Connecticut. And we were discussing all of these issues, but one of the issues was Social Security privatization.

So before we get into this bill, I think it is critical for us to remember that our friends on the other side who are now so critical of what we're trying to do here were in charge of the House, of the Senate, of the White House. They had President Bush, they controlled the Senate, they had this Chamber—Tom DeLay was running the show—and they didn't do anything for health care costs. So I think it's important that that's out there. And if they wanted to pass some kind of comprehensive health care reform, they should have done it because we are still dealing with the problems that they failed to solve when they were in. And this is a problem facing millions of Americans, millions of small businesses that we need to help address. So that's why, as we talk today, this needs to be in context.

The Social Security privatization, I mention that because, let's imagine where our country would be today if our friends on the other side had their wish and privatized Social Security. Can you imagine where this country would be today if President Bush and Tom DeLay got their wish and privatized Social Security? I know in my district we're dealing with all kinds of pension issues—Delphi salary, Delphi hourly, UAW, steelworkers have all lost their jobs, their pensions in many cases are in jeopardy. Thank God for the PBGC to help cushion the blow. But can you imagine the cost to this country if the Republicans had been able to fully implement their economic agenda? They did the tax cuts, they did most of their economic agenda, but fortunately we were able to prevent privatized Social Security. So it's important for us to realize that as we begin to debunk some of these myths.

I would just like to suggest, Mr. Speaker, as we go through this, and I have encouraged my constituents and

would encourage all Members of Congress within an earshot to base their critiques on what's actually in the legislation. Don't we at least owe that to the American people? This is big. This is comprehensive. This is complex, multidimensional. Every chip you move moves another chip on the table. But we owe it to the American people to have an honest, mature discussion.

The rhetoric that is being fed to the American people is outrageous. I want to start with one, and I will go through some others and we will talk about the bill a little bit. But one of the commercials about how much it will cost—and my friend from Texas mentioned it a few minutes ago, and I would love to talk about that and the CBO scoring. But one of the things that I'm hearing from people who listen to Fox News or listen to talk radio is this plan is going to cover illegal immigrants.

How dare you drive up my health care costs. I have to lose my pension, but you're going to spend the American tax dollars covering illegal immigrants. It is clear, right here in section 246, ''No Federal payment for undocumented aliens.'' ''Nothing in this subtitle shall allow Federal payments for affordability credits on behalf of individuals who are not lawfully present in the United States.'' Black and white. Can we move on? Can we now move on and talk about how much health care is costing our country, that it may bankrupt our country? Section 246, ''No Federal payment for undocumented aliens.'' Right here. So now let's have an honest discussion about what's in this bill as we start to knock down some of these.

First, the cost of doing nothing, which has happened over the last 13 or 14 years. We haven't done anything since President Clinton tried to move health insurance reform in the early nineties. We know that if we do nothing, that there will be an $1,800 increase for a family of four every single year. That's what happens if we do nothing.

There has been a 4 percent increase in property insurance and an 11 percent increase in health insurance year in, year out; year in and year out. We can pull out boards and say it's going to cost you this and cost you that, but the biggest expense is the cost of doing nothing.

Look at this system. It's atrocious. To even call it a health care system is ridiculous because it's not. Why would you possibly be okay with a system that doesn't try to prevent sickness? Why would you be okay with a system that waits—we don't want to prevent you from getting sick, but gosh, once you do, come right into the emergency room, we'll take care of you because we're a compassionate country. And we are a compassionate country, but let's be a smart country. Let's be a wise country. And true compassion would be not waiting until someone gets deathly sick and shows up at the emergency room. God gave us a brain, too, and he wants us to use that brain. And we are all in agreement here, as we use the gift that God has given us to use logic and process information, that if we take some of this money that we are spending in the system, and instead of waiting and being reactive and rescuing people, we spend a fraction of that money on the front end and we make sure that everyone has some preventative coverage.

This is not a Democratic idea, it's common sense. Talk to the CEOs of hospitals. I've got one in my district. He is a Republican CEO. He says, Please, TIM, whatever you do, give me the opportunity to give this person a $20 prescription instead of having this person show up in my emergency room and costing me $100,000. This is not brain surgery that we're trying to perform here.

And the fear tactics and the fear tactics and the fear tactics that are coming from Members of Congress, they're coming from talk radio, they're coming from Fox News about illegal immigrants are going to be covered under this plan. And as I read earlier in section 246, they're not. They're not. Section 246, ''No Federal payment for undocumented aliens.'' ''Nothing in this subtitle shall allow Federal payments for affordability credits on behalf of individuals who are not lawfully present in the United States.'' I'm going to say that to every single person I meet who brings it up because this debate has more to do with the well-being of all of our citizens than to try to be demagogued and try to alienate people.

You look at our plan, and it covers 97 percent. Why doesn't it cover 100 percent? Well, for the reason I just said. And it is already in law where illegal immigrants can't be covered under SCHIP, they can't be covered under Medicare, they can't be covered under Medicaid. And from the employer-based system that we already have, an employer is not allowed to hire an illegal immigrant, so how could you cover them under this plan, if you're under an employer-based system, when an employer is not allowed to hire an undocumented worker? So let's put this aside and let's have this discussion. The American people want us to have a mature discussion here. Small business owners want us to have a mature discussion.

I got a call today in my office. I periodically pick up the phone and chat with my constituents who call, and the concern was about seniors on Medicare being hurt by this plan. It's important for our seniors to recognize—our friend said, it's $9,200 a family. And I'm happy to pay my share because I remember when my grandparents were in their last months, weeks, years of their life, they had health care because of the Medicare program. So all of these folks who want to not have the government involved in health care, you know, tell your parents and your grandparents to give back their Medicare. Give it back. You don't want it. The government's involved in that. Give it back. No Medicare. Of course you're not going to say that. Of course you're not.

And to have this discussion—honestly, we would say we could save money in Medicare. We should. Not on the backs of our seniors, but there are a lot of overpayments, in Medicare Advantage, for example, that we can squeeze out of the system. One of the costs to Medicare is the fact that there is no previous care for a lot of people. So if you're 60 or 61 or 59, you see the date coming where you're going to be Medicare eligible and you don't have health insurance coverage or you don't have a good plan or you have a preexisting condition in which you can't get health insurance, you have heart disease or you have cancer and it has not been in remission long enough—I had this woman come to a round table I had the other day. She had cancer. She got kicked off her plan, got cancer, and then could not get on any other health insurance plan because she had this preexisting condition. Her cancer wasn't gone for 10 years, so until it was gone for 10 years no one would pick her up. Tragic in the United States of America. But a lot of people do that. And so they wait. Instead of getting health insurance, they think, I'll be on Medicare in a few years, so I will just wait this out. And that leads to some chronic issues, chronic disease issues. That leads to, again, not preventing things from happening. Maybe cancer is spreading, maybe breast cancer, maybe cervical cancer because they failed to go and get preventative care. So they get into the Medicare program, and costs blow up because they've waited. So part of squeezing some of the fat out of Medicare is adding this element of prevention.

□ 2030

And this is what our grandparents told us growing up. An ounce of prevention is worth a pound of cure. Don't get yourself into trouble. You get in a fight, well, I was right, he was wrong. You should have not gotten in the fight, then you wouldn't have all these series of events that happened that you now have to deal with. Prevent yourself from getting in these situations.

That's what we're trying to do with this legislation. It makes a great deal of sense. Another myth that has been forwarded by our friends on the other side is the cost that CBO gave a week or two ago in their analysis that the trillion dollars that we are saying needs to be spent in this plan is actually $2 trillion or $3 trillion. I don't know exactly what the exact number is from the Congressional Budget Office.

Now, this is the point I want to make. The Congressional Budget Office is nonpartisan, so they deal a blow to the Democrats and then they deal a blow to the Republicans, but, you know, we have an opportunity—they're not partisan. They've slammed everybody. But what we want to say, and what needs to be highlighted is, in the

CBO analysis of the health care plan, when they factor in the cost and they try to do the long-term costs and the long-term analysis, they do not factor in prevention.

So as I mentioned with the CEO of the hospital the other day, you know, if you're not factoring in this person who shows up at the emergency room with late stage cancer, when you maybe could have given them access to an OB/GYN or a mammogram or regular prostate checks, I mean, these are the kind of things that will prevent that. So if you're just adding what if this person doesn't have health care and shows up in the emergency room and the long-term cost of that person, without factoring in the preventive side, that cost would balloon. But common sense will tell you that the prevention will lower the costs. And that's what CBO has not factored in.

So this prevention can save the system a heck of a lot of money. Now, the CBO, one of the other myths is that the CBO, or our friends are saying, Well, this is going to dry up the employer health care plan or the employer-based system. And it's going to put—everyone's going to go into the public option and they're not going to stick with their employers. And so CBO did an analysis of this. So, as I said a couple of minutes ago, CBO blasted the Democrats. We have a response to that, saying that they failed to factor in the preventative aspects of our bill. And so the next myth is that our friends are saying that this is going to destroy the employer-based system. So I'd like to read an excerpt from the CBO letter analyzing this. Over the weekend they did this.

It says there will be an increase in employer-sponsored insurance coverage. This is a quote, We estimate that about 12 million people who would not be enrolled in an employment-based plan under current law would be covered by one in 2016 largely because the mandate for individuals to be insured would increase workers' demand for insurance coverage through their employer.

So they're saying that 12 million people who would not be enrolled now would be covered by one in 2016. So an increase of the employer-based system in 2016 by 12 million, largely, because employers want to give their folks a benefit. And under this plan, they will be negotiating with millions of other people, as opposed to, in the instance of a small business, just being out there on their own with five, 10, 15, 20 people trying to piece this whole thing together. And we'll go through the cost of doing nothing for small businesses.

It's incredible. So they see this as a real opportunity to leverage their business with others and therefore, increase the amount of people who will be covered under the employer plan.

Third-party validator, Congressional Budget Office, not always in agreement with the Democrats, says that that's just false; Medicaid coverage does not crowd out private health insurance. CBO does not anticipate a substantial shift from private insurance to Medicaid. Specifically, we estimate that about 1 million people who would otherwise have employment-based insurance or individually purchased coverage would end up enrolling in Medicaid in 2016. So very small numbers.

One of the things, too, there's been this Lewin Group's analysis about the public option and people going into the public option. CBO knocks that down. And it's good to know, I think, I'm trying to remember, I think it was United Health who, yep, the Lewin Group, who did this analysis saying everybody's going to leave employer and go to this public option. That study was funded by United Health Care and requested by the rightwing Heritage Foundation. It's been widely discredited for its flawed review of the House legislation. So it's important, again, that we base our analysis on what the facts are and what's actually in the bill.

So the CBO refuted this Lewin group estimate, quote, For several reasons, we anticipate that our estimate of the number of enrollees in the public plan would be substantially smaller than the Lewin Group's, even if we assume that all employers would have that option.

So CBO's projecting 10 to 11 million people would maybe go into the public option, a very, very small number. And it's important for us to remember that. So, again, another myth, that there's going to be a decrease in employer-based health care. Not true, CBO, nonpartisan, actually an increase of 12 million people by 2016.

Also, stated by our friends on the right, that this is going to drive people to this public option. CBO, again, nonpartisan, saying that's just not true; that that just won't happen.

One of the other things that I think's important to remember, again, doing nothing costs, will cost you or your family next year $1,800 for a family of four, a $1,800 increase. And that is not just next year and then it ends. As people know, it keeps going.

And so there's a business in my district, I was talking to the gentleman who owns the business. He happens to be on both sides of the insurance industry. He's a provider, but he also has 150 people who he employs. And over the course of the last 5 years, he's had an increase, aggregate increase of, I think, 42 percent in his health care costs for his company. And then he's on the provider side, so he gets paid by insurance companies, and with a 42 percent increase on health care for his folks, but yet, he got no increase for the services that he was providing to the insurance company.

So you see again that we need reform in the system where you can't just continue to increase costs, not pay your provider, and deny coverage. And that was really one of the messages that was hammered home in our townhall—it wasn't a townhall, it was a roundtable that we had this weekend in Niles, Ohio, at Vernon's Cafe, that a lot of people are very, very concerned about this preexisting, being denied for a preexisting condition. And with all the money that we have in this system, for us, as a country, to say, Oh, no, you have cancer. You're on your own. You're not eligible for Medicare yet. You're not poor enough to be on Medicaid yet. And you've got to go out and try to get COBRA coverage or something else is completely outrageous and needs to be dealt with in this country.

And I feel like this is a moral issue for our country, for people to have to have that level of suffering that is unnecessary. There's enough suffering already with the cancer or with the issues that, the health issues that people are dealing with. We don't need to add to it. There should be a level of security within the system that we know everybody will get taken care of.

One of the issues that we have to deal with and tried to be helpful with, is this issue of cost. Now, this is a chart of our expenditures up to 2006. As you can see, the United States is in red. France, Canada, Germany and the United Kingdom are in a shade of blue. And this line here is life expectancy. So you can see that we're all pretty much in the same realm of life expectancy, give or take a year and a half, 2 years, which, if it's you, that's a very important distinction. But on the average, we're pretty much around the late seventies, early eighties.

And the cost, as you can see, of health care for Americans goes through the roof. Goes through the roof. So you can see how much we are paying per individual in 2006. It's close to almost $7,000 a person, when France is spending a little over $4,000 a person. And we all have the same life expectancy. What's wrong with this picture here? So, to say that we're going to let this continue, that for a family of four, $1,800 increase next year, $1,800 increase in 2011, another 18, these are compounding on top of one another. Play it out. We bankrupt the country.

You want to talk about small businesses being innovative, being able to compete against China, India, and all of these other countries, which is a whole other issue, but we've got to make these folks cost-competitive. And small businesses? A 129 percent increase for health insurance since 2000. Want to just keep going down that road? We know how it ends. It don't end pretty. We can just keep going.

And that's what many people on the other side of the aisle want to do, they want to say ''no.'' They want to nitpick and make things up to try to put the kibosh on this because they know, as has been stated in a memo from a top Republican consultant, that if they destroy health care they knock the legs out and they kneecap President Obama. This is a political issue for some people, and it shouldn't be, because the people that I met with at Vernon's Cafe want change.

An independent small business person was sitting right next to me, Neil. He had to close his lawn and garden business because he couldn't withstand the health care bills that he was getting. And he was supportive of Barack Obama's plan because he couldn't sustain his business. 129 percent increase since 2000? You want to talk about a tax increase on a small business? You know what? We're going to do it again next year. We're going to put more on next year, another couple of thousand next year per employee, another couple of thousand the next year and the next year and the next year as your energy costs go up, as your health care costs go up, as manufacturing continues to decline in the United States because we don't make anything anymore. On and on and on and on.

And you know what? This is about leadership, Mr. Speaker. This is about leadership. And sometimes some people just aren't going to like you. And sometimes people are going to try to use and score political points to try to prevent progress from happening. We need to do something, Mr. Speaker. We need to do it for the people who are out there suffering. We need to do it for the people whose costs keep going up. We need to do it for small businesses who recognize that this can put them right out of business in every single way.

These small businesses, I tell you, have really gotten the shaft in this whole health care deal. They don't have much bargaining power. And I think part of the magic of this approach that we've been working on and will continue to work on over the course of the next days and weeks is to allow small businesses who now have to go out into the market and try to find something on their own, will now be playing with millions of other people, and that ability to use the buying power, the partnerships through this exchange that's being created, will reduce costs for them.

□ 2045

I mean that's common sense. If you're a small business and if you have 10 people and if you've got to go to a major insurance company and try to strike some kind of deal because you want to provide health insurance for your employees, then you're on your own.

What we're saying is let's pool everybody together and give you an opportunity to go into these different plans, but if you like the plan you've got, you can keep that, too, and that will help drive down costs for these small businesses. It will finally put them on a level playing field.

So there has been a 129 percent increase for small businesses since 2000. Their premiums are 18 percent higher for a small business than they are for a big business. So they get it on that end, too. The percent of premiums that deal with administrative costs are higher for small businesses—25 percent as opposed to 10 percent. Yes, it does make sense. They're a small business. This is a bigger business. There are going to be more administrative costs. Yet, if we allow them to join together, to pool together, then they will begin to reduce some of those costs.

This is a winner for small businesses that are already covering their employees, because they're not going to see that 8, 9, 10, 12—sometimes higher—percent increase. What's great about this plan is that there are limits. We've talked a bit about preexisting conditions. So you get into the plan, and you may be sick, and you may have cancer or heart disease or a variety of other illnesses. What this plan does is it limits and caps for catastrophic coverage. So, if you're an individual, you can't pay more than $5,000 a year for catastrophic coverage. If you're a family, the number now is about $10,000 a year for catastrophic coverage. That's still a lot of money, but the bottom line is it's not going to bankrupt most people.

When you look at what is happening today in the United States, half of our bankruptcies, Mr. Speaker—half—are caused by health care, by a health care crisis. Imagine this: In 2009, in the United States of America, you could have a health care crisis in your family, and you might have to file bankruptcy. Is that incredible? Are we okay with that as a country? I'm not, and I think there are millions of other people who aren't either. This is a problem that we need to solve, to share together and say, hey, wait a minute. What are the values we have in this country? Liberty and freedom. You know, there are a lot of different phrases and words we have, but what do we really believe? Our actions and our policies should be in line with those values that we have. What we're saying is that that is unacceptable.

So our friends on the other side, who had control of the House, of the Senate and of the White House, didn't do anything about it. You want to take the small piecemeal steps? You could have taken that one. In fact, you passed a bankruptcy bill that made it worse. They passed a bankruptcy bill that made it worse. Fifty percent of bankruptcies are health care-related. Unacceptable.

If our friends on the other side found it necessary and found it in line with their values to end denial for insurance coverage due to preexisting conditions, it could have happened. They had control of the House. They had control of the Senate. They had control of the White House, but it didn't happen. So now we've got some Johnny-come-latelies with a piecemeal plan here or there which doesn't solve the overall problem. We've got to bend the cost curve here. We've got to bend it. You don't do that with piecemeal actions. You do that with bold actions that will help bend the cost curve. Ultimately, that's what we're trying to do here.

Also, there is the preventative side here. There are no copays for prevention, so there will be an incentive for us to be assured that people will go to the greatest extent possible to get preventative care.

Let me add this: We can only do so much with the system. People, average Americans, need to do a better job of keeping themselves healthy, too. It's not all us. The government is not going to do that. The insurance industry is not going to do that. Yet, if we tilt the system towards prevention, if we tilt the system to create incentives for it with doctors—and there is a component in here that gives more say to the doctors and to the patients to keep that relationship sacred between those two to make sure that the doctors get rewarded and paid based on quality, not quantity—then there will be an incentive in the system to make sure that our docs are able and willing to provide the most quality care, not having to worry about a variety of other issues. They will deal with the patient. It will be patient-centered.

Barack was at the Cleveland Clinic, which is just about an hour north of my district in Cleveland. He was at the Mayo Clinic. You hear what these top hospitals do. Every time you hear what they're doing successfully, it's patient-based, not insurance-based. You know, it's not ''Some doctor has got to call somebody at the head office and ask, 'Is it okay for me to do this for the patient? Is it paid for? Is it not paid for?' '' That's ridiculous. We're going to weed that out of the system and let the doctor make these decisions, not the insurance companies.

This brings me to another point—again to our friends and to right-wing talk radio, you know, which is at this point pure entertainment because I find very few facts issued out of the right-wing talk radio station as of late. It's the issue of rationing. People are saying, ''Oh, my God. This big, you know, socialist system is going to be in place.'' It's not true at all. This is not Canada. This is a blend of what works here in America to make sure that we can bend that cost curve. This is going to be very uniquely American, which it should be. It maintains competition. It gives choice. You can keep what you've got, but you also have these other options which you may want to choose, including a public option, which should be there, I think, to keep people honest as a component of this whole system. You're able to shop around and to get what you want or to keep what you have and have choice and help contain costs.

What our friends keep saying is the government is going to come in and ration health care. If you don't think health care is being rationed right now, you have not talked to anybody who has been breathing for the last decade. The insurance companies are rationing health care right now. As a nurse said, who was at our town hall meeting this week, The government couldn't possibly ration more than the insurance companies are. We deal with it all the time.

A person will call his Congressman or Congresswoman, and say, Hey, can you help me? My God, this insurance company denied me. I thought it was in my policy. They wouldn't let the doctor do this or that. They're not going to reimburse. They're not going to pay for this.

The insurance companies are rationing right now. They've been hiring people to knock people off the rolls. Their employment has gone up. Their coverage has gone down because of rationing by insurance companies.

What we're saying is you can't do things like deny someone coverage for a preexisting condition. There will be a basic plan. Ninety-five percent of employer plans right now already meet the standard for the basic level, but there will be a basic plan on which people will be covered.

Ultimately, as I've said before, this is going to save us a lot of money, and it's going to help bend that cost curve. Ultimately, by doing that, which we fail to, I think, sometimes incorporate into this discussion, when you insure and assure people that they will have coverage and that they will have preventative coverage and that their kids will have coverage, there will be a level of anxiety that obviously goes away, which is very helpful.

This is going to increase the level of productivity in the United States because people will be healthier. There is a tremendous investment here to make sure that our docs and our nurses have the proper incentives for student loans to go to high-risk areas and practice and make some money so that their loans don't keep them from, maybe, wanting to be helpful in a community that they want to be helpful in. We need to make sure that we deal with the nursing shortage. It's all of these things. It will increase the level of productivity that we have because we're going to have more people who are healthy who are participating in this economy and who are contributing.

There was a story a couple of weeks back—I think it was in the Wall Street Journal—in which there was a kid—not a kid. He was probably in his twenties or early thirties. He wanted to go out and start his own business—I think it was a computer technology business—but he couldn't because the job that he held had insurance. His wife was sick with cancer, I think, but he knew, if he left and tried to get insurance for his wife, that she wouldn't be able to qualify because she would have had a preexisting condition.

How many stories are like that all across the country where you want to leave and want to start a small business and want to create value and grow your business but can't because someone in your family may be sick? So you don't because you have to stay put. How many times does that happen?

We have, really, the gem of Youngstown, Ohio. In the Mahoney Valley, we have the business incubator, the Youngstown business incubator—a great place. Our district office is actually located on the third floor of the business incubator. Last week or 2 weeks ago, Entrepreneur Magazine said that Youngstown, Ohio, was one of the top 10 places in the country to start a business. It was really cool. They had the cover. It read, ''Top 10 Places to Start a Business.'' In parentheses underneath, it read, ''Youngstown, Ohio, anyone?''

So here we are in Youngstown, trying to convert our economy over from manufacturing steel and, just down the road in Akron, rubber. Communities like ours have started this incubator where we have all of these business-to-business software companies that are incredible companies as is the level of talent that works in this incubator. There are, I think, 300 people who work for the company. The average wage is $58,000 a year. Companies from around the country now want to move there.

You can begin to see why we need to do this, because you want these young, bright, intelligent, creative people to feel like they can take a risk, can take a chance, can start a business without having to worry about the burden of health care. This is going to unleash a generation full of young, smart, creative people to get out in the marketplace and to create wealth for us and to hire people.

□ 2100

And especially with the green revolution coming, we're not really sure what's going to happen. There are so many nuances to green technology with solar panels and windmills and biodiesel plants and batteries, and we don't know.

But wouldn't you want, wouldn't it be smart to say, Don't worry about health care. You're going to have to pay some. This is not going to be a free ride. There is going to be shared responsibility here. Everyone's got to do their fair share. No one's going to get on board for free. There is going to be a ticket price here and everybody is going to have to pay something.

But wouldn't you want these young people to feel secure to be able to create the next generation wealth? I know we need it. I know when you're looking at places in the Midwest like Youngstown, we need these young people to feel unleashed and let their creative juices flow as they come out of engineering schools and they want to take a chance and be in an incubator and grow a company or start a company. That's what we need here. This is what America needs right now.

And we're trying to compete, Mr. Speaker, in the United States of America with 1.3 billion people in China, 1.2 billion or 1.3 billion people in India, and we only have 300 million people.

So we're spending all this money on health care, and we're not getting anything out of it. Let's spend this wisely. Half of the money to pay for it gets squeezed out of the current system; $500 billion of the trillion gets squeezed out of the current system. And that's young people and the Youngstown business incubator and incubators like it all over the country and young people like them all over the country. Let's fuel that fire. Let's throw some coal on it. Let's get it nice and hot. Let's let it burn. Because we don't have the same luxury that the Chinese have where if 300 million or 400 million people fall off the side of a cliff, they still have got a lot of people to contribute. We don't have that luxury.

So what we need to do is take the wealth that we have, invest it strategically in this country. And one of the biggest burdens for people to be creative and to start new businesses or for small businesses to grow is the cost of health care.

So our friends on the other side who say they're pro-business are going to allow an $1,800 tax go on the backs of a family of four next year through inaction.

There are acts of commission and acts of omission. And there are taxes of commission and taxes of omission. And through inaction, there will be an $1,800 tax put on the backs of families next year and small businesses next year. How can you say you're for small business development when your inaction allowed health care costs to balloon 129 percent since the year 2000? That is strangling small businesses.

Let's let them compete and pool their resources and get into the exchange, bend the cost curve. Let's have a uniquely American health care system. I mean, not what we got now. This is ridiculous. We're going to keep this system that we got? It stinks. It's not working. We're not okay with keeping it like it is. We want it to change. We want something different. We want it to work for the people. We want it to represent our values. We want it to unleash the creativity that the American people have.

The artists in this country in many ways are small business people. They take risks. They take chances. They go out in the public and they sell their products. They make it happen. That's an art form, and it takes a lot of courage. Let's help them. Let's not sit and turn our head, bury our head in the sand and hope problems go away. That's not what the people voted for. They didn't vote for us to stand by and watch. We're not on the sidelines. We're players in this game. We're supposed to do things. And inaction—and you can argue, Mr. Speaker, they can continue to argue inaction. Keep the government out. Don't do this, don't do that. That's bad. That's bad. No, no, no, no. That's all we've been getting here, and the American people don't want it.

We've got to go out and explain this to the American people. We've got people running around—they're so afraid of this happening, the only argument they think they have, which isn't even true, that oh my God, this is going to cover undocumented illegal immigrants. That's your health care debate

in 2009 in America. That's what you're telling your small business people? That's what you're telling this country? We can't do it because it's going to cover illegal immigrants, when in section 246 it says, No Federal payment for undocumented aliens? That's all you got? That's it?

2009 in the United States of America in Congress and on right-wing talk radio, all you've got is this is going to cover illegal immigrants, when it's not even in the bill?

Come on. American people deserve better than that. This is not what they signed up for.

Running ads. We've got politicians running ads about how this is going to cover illegal immigrants. What are you talking about? Stop it. American people don't want to hear that. I mean, it's continuing—it's very consistent with what President Bush started off fear-mongering to the American people: if we can't beat them, we scare people. If we can't beat them on the merits, we try to scare people. And it's just—it's not right.

And so over the course of the next few days, weeks and months, we're going to go out and we're going to talk to the Americans. But we want to hear what they think this is, what they want, their concerns.

But I can guarantee you one thing right now. I can guarantee you one thing right now, Mr. Speaker, that there is not any level of fear that can come out of right-wing talk radio, that can come out of FOX News, that can come out of the Republican conference, that can come out of the Republican Senate conference, that can come from Karl Rove and Newt Gingrich and everyone else. There's not a level of fear that they could manufacture that will meet or be able to compete with the level of fear the American people feel under the current health care system. They can't meet it, and we are going to try to the best of our ability to alleviate that fear for the American people.

And our friends on the other side have not produced an alternative plan.

Now, as we're wrapping up here—and I'm almost done—but the Republicans have not produced an alternative. They have not produced a plan. Because their sole goal is to destroy this one.

And so, Mr. Speaker, I think it's important that we continue to ask the American people to look at the facts, look at what's in the bill. If you have questions, that's legitimate. This is a big deal. We should have a conversation about this, about what's actually in here. What's the subsidy level? What are the tax rates? Who's getting taxed in this whole deal and who is not? Who's going to get coverage, and what level of subsidy are they going to get? What's Medicaid going to look like? What's Medicare going to look like?

This bill, through the savings that we have here, fills the doughnut hole in Medicare. It fills the doughnut hole through the savings that we squeezed out of the system here. We filled the doughnut hole for the Medicare prescription drug bill so that seniors won't drop off after a certain level and not get covered again until their bill goes up to $5,000 or so a year. That's what we're doing here.

So, Mr. Speaker, it's important that we all ask the American people during the course of this discussion to remember that our friends on the other side who had their opportunity for health care reform, had their opportunity for energy reform, controlled the House, Senate, White House, didn't do anything. Now they're coming to us saying that we're doing it wrong.

But it's important to remember that their top Republican strategists issued a memorandum to the Republicans in the House of Representatives that they have to be against health care because if they defeat health care, they defeat Barack Obama and they bring him down.

Now, when you're listening to the debate on the issues, when you hear unsubstantiated rumors, Mr. Speaker, it's important that the American people hear that and see that within the context of this memo in which the Republicans have been instructed to march down the line of destroying Barack Obama's health care plan, you can keep the plan you have. You will have more choice. This will bend the cost curve, be uniquely American, save us money that we can reinvest so that our small businesses can compete.

Doing nothing will continue the cost curve on small business up 129 percent since the year 2000. If we do nothing, a family of four will see an $1,800 increase in their health care bill next year, if that. And if we do nothing, people will still be denied by insurance companies who will say to them, We won't cover you because you have cancer. We won't cover you because you have heart disease. Those days need to be over.

And let's muster up the courage to communicate to the American people, to have a mature, adult discussion about health care in 2009 in the United States of America.

Since when did Americans get afraid to do big things? This is what we do. We've built transcontinental railroads, we built the interstate highway system, we make sure we lift millions of seniors out of poverty with the Medicare program. We do civil rights. We do big things in America. And this is the next great challenge for us.

And we've got to meet this challenge. Not for the sake of me going home and saying, hey, we met this challenge or Speaker PELOSI saying it or anyone else, but because this is what the American people want. This is what they want us to do.

So the next few days and weeks are going to be talking about this quality, affordable health care, health insurance reform, and we're going to do this. This is going to happen, and this is going to be another landmark achievement in the history of the United States.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Mr. HOYER) for today on account of attending a memorial service.

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. BERKLEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, 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:)

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. FORBES, for 5 minutes, July 29.

Mr. PAUL, for 5 minutes, July 29, 30 and 31.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 27, 2009 she presented to the President of the United States, for his approval, the following bills:

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.

H.J. Res. 56. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

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.

H.R. 3114. To authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force, and for other purposes.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 29, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from

the Speaker's table and referred as follows:

2840. A letter from the Secretary of the Army, Department of Defense, transmitting a request that the submission of section 213 MGV and SAR, required by Pub. L. 110–417, be waived in the belief that the section is no longer operative; to the Committee on Armed Services.

2841. A letter from the Board of Governors, Federal Reserve System, transmitting the System's semiannual Monetary Policy Report, pursuant to Public Law 106–569; to the Committee on Financial Services.

2842. A letter from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule—Department of Energy Acquisition Regulation: Technical Amendment (RIN: 1991–AB62) received July 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2843. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the use of funds appropriated to carry out the Medicaid Integrity Program for Fiscal Year 2008, pursuant to 42 U.S.C. 1396; to the Committee on Energy and Commerce.

2844. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Medical Use of Byproduct Material—Authorized User Clarification [NRC–2009–0098] (RIN: 3150–A159) received July 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2845. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2846. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. RSAT–08–1742, Notice of Proposed Transfer of Major Defense Equipment, pursuant to section 3(d) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2847. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Thirty first annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

2848. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report for the National Tropical Botanical Garden for the period from January 1, 2008 through December 31, 2008, pursuant to 36 U.S.C. 10101(b)(1)(B) Public Law 88–449, section 10(b); to the Committee on the Judiciary.

2849. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Potomac River, Between MD and VA [USCG–2008–1216] (RIN: 1625–AA09) received July 16, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2850. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC [Docket No.: USCG–2009–0489] (RIN: 1625–AA11) received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2851. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Safety Zones; Fireworks Displays in Boothbay Harbor, South Gardiner, and Woolwich, ME [Docket No.: USCG–2009–0526] (RIN: 1625–AA00) received July 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2852. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF6–80C2B5F Turbofan Engines [Docket No.: FAA–2009–0121; Directorate Identifier 2008–NE–36–AD; Amendment 39–15958; AD 2009–14–08] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2853. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Requirements for Amateur Rocket Activities [Docket No.: FAA–2007–27390; Amendment Nos. 1–62 and 101–8] (RIN: 2120–AI88), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2854. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 and -400F Series Airplanes Powered by Rolls-Royce RB211 Series Engines [Docket No.: FAA–2009–0556 Directorate Identifier 2009–NM–112–AD; Amendment 39–15942; AD 2009–13–03 (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2855. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca S.A. Arriel 1A1, 1A2, 1B, 1C, 1C1, 1C2, 1D, 1D1, 1E2, 1K1, 1S, AND 1S1 Turboshaft Engines [Docket No.: FAA–2009–0544; Directorate Identifier 2009–NE–17–AD; Amendment 39–15952; AD 2009–12–51] (RIN: 2120–AA64) Recieved July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2856. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Airplanes [Docket No.: FAA–2008–1071; Directorate Identifier 2008–NM–093–AD; Amendment 39–15951; AD 2009–14–02] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2857. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0100 Airplanes [Docket No.: FAA–2009–0198; Directorate Identifier 2008–NM–129–AD; Amendment 39–15941; AD 2009–13–02] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2858. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Airplanes [Docket No.: FAA–2009–0160; Directorate Identifier 2008–NM–176–AD; Amendment 39–15947; AD 2009–13–08] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2859. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: Microturbo SA Saphir 2 Model 016 Auxiliary Power Units [Docket No.: FAA–2009–0510; Directorate Identifier 2009–NE–16–AD; Amendment 39–15948; AD 2009–13–09] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2860. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca S.A. Arrius 2F Turboshaft Engines [Docket No.: FAA–2005–22039; Directorate Identifier 2005–NE–33–AD; Amendment 39–15950; AD 2009–14–01] (RIN: 2120–AA64) received July 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2861. A letter from the Branch Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Notification Requirement for Tax-Exempt Entities Not Currently Required to File [TD 9454] (RIN: 1545–BG37) received July 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2862. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Qualified Plug-In Electric Vehicle Credit Under Section 30 [Notice 2009–58] received July 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2863. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Industry Director's Directive #2 Examination of IRC Section 165 Casualty Losses [LMSB–4–0309–010] received July 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2864. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Mixed Service Cost—Tier I Issue—Directive #4 Status of Phase I Cases Changed to Monitoring [LMSB–4–0509–022] received July 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2865. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule—Revision of Enforcement Procedures [Docket No.: TSA–2009–0013] (RIN: 1652–AA62) received July 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

2866. A letter from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Roswell International Air Center will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

2867. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2008'', pursuant to Section 902 of the MMA; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PINGREE of Maine: Committee on Rules. House Resolution 685. Resolution providing for consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–233). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SAM JOHNSON of Texas (for himself, Mr. BRADY of Texas, and Mr. REICHERT):

H.R. 3356. A bill to amend title XVIII of the Social Security Act to clarify the use of private contracts by Medicare beneficiaries for professional services and to allow individuals to choose to opt out of the Medicare part A benefits; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. OBEY, and Mr. OBERSTAR):

H.R. 3357. A bill to restore sums to the Highway Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. SCHRADER, Mr. WU, Mr. BLUMENAUER, and Mr. WALDEN):

H.R. 3358. A bill to amend title 10, United States Code, to provide for the retention on active duty after demobilization of members of the reserve components of the Armed Forces following extended deployments in contingency operations or homeland defense missions, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LORETTA SANCHEZ of California (for herself and Mr. GRIJALVA):

H.R. 3359. A bill to raise achievement in international education in elementary schools and secondary schools through grants to improve teacher competency and to support programs in international education that supplement core curricula in such schools, and for other purposes; to the Committee on Education and Labor.

By Ms. MATSUI:

H.R. 3360. A bill to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOUSTANY (for himself, Mr. ROE of Tennessee, Mr. GINGREY of Georgia, Mr. FLEMING, Mr. OLSON, Mr. LINDER, Mr. REICHERT, Mr. BOOZMAN, and Mr. ALEXANDER):

H.R. 3361. A bill to provide a process for public comment and Medicare Evidence Development & Coverage Advisory Committee review of certain Medicare national coverage determinations, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of North Carolina (for himself, Mr. CONYERS, Ms. LINDA T. SÁNCHEZ of California, and Mr. COHEN):

H.R. 3362. A bill to establish guidelines for the assertion of executive privilege, to enhance the authority of Congress to enforce subpoenas and punish for contempt, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, 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. BILIRAKIS:

H.R. 3363. A bill to amend the Small Business Act to improve the preference for small business concerns owned and controlled by veterans; to the Committee on Small Business.

By Mr. FILNER:

H.R. 3364. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the South San Diego County Water Reclamation Project, and for other purposes; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 3365. A bill to provide Medicare payments to Department of Veterans Affairs medical facilities for items and services provided to Medicare-eligible veterans for non-service-connected conditions; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and 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. GORDON of Tennessee:

H.R. 3366. A bill to prohibit the use of funds to promote the direct deposit of Veterans and Social Security benefits until adequate safeguards are established to prevent the attachment and garnishment of such benefits; to the Committee on Ways and Means, 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. LEVIN (for himself, Mr. BLUMENAUER, Mr. DINGELL, Mr. DAVIS of Alabama, Mr. KILDEE, Mr. PETERS, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 3367. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for new qualified hybrid motor vehicles; to the Committee on Ways and Means.

By Ms. MARKEY of Colorado:

H.R. 3368. A bill to enhance benefits for survivors of certain former members of the Armed Forces with a history of post-traumatic stress disorder or traumatic brain injury, to enhance availability and access to mental health counseling for members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. ARCURI):

H.R. 3369. A bill to amend titles XVIII and XIX of the Social Security Act to require provider and supplier payments under Medicare and Medicaid to be made through direct deposit or electronic funds transfer (EFT) at insured depository institutions; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD:

H. Con. Res. 170. Concurrent resolution supporting the goals and ideals of the Army Community Covenant; to the Committee on Armed Services.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. BRADY of Pennsylvania, Mr. BONNER, Mr. CAPUANO, Mr. DOYLE, Mr. DREIER, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, and Mr. MICA):

H. Res. 682. A resolution honoring the memory and lasting legacy of Sally Crowe; to the Committee on House Administration.

By Mrs. MCMORRIS RODGERS:

H. Res. 683. A resolution expressing the sense of the House of Representatives that the House should move forward with health care reform legislation, and costs can be contained through prevention and wellness initiatives that empower parents, families, and communities toward better health; to the Committee on Energy and Commerce.

By Ms. KILPATRICK of Michigan (for herself, Mr. MEEKS of New York, Mr. GRIJALVA, Ms. WATSON, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. SESTAK, Mr. CUMMINGS, Mr. HASTINGS of Florida, Mr. RYAN of Ohio, Mr. CAO, Ms. NORTON, Mr. PAYNE, Ms. JACKSON-LEE of Texas, Mr. MEEK of Florida, Mr. DAVIS of Illinois, Mr. DAVIS of Alabama, Ms. LEE of California, Ms. CORRINE BROWN of Florida, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Mr. GRAYSON, Ms. EDWARDS of Maryland, Mr. RUSH, Mr. TOWNS, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Ms. CLARKE, Mr. BUTTERFIELD, and Mr. AL GREEN of Texas):

H. Res. 684. A resolution recognizing and honoring Howard University School of Law's 140-year legacy of social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars; to the Committee on Education and Labor.

By Mr. GRAYSON (for himself and Mr. PAUL):

H. Res. 686. A resolution recommending that the United States Constitution be taught to high school students throughout the Nation in September of their senior year; to the Committee on Education and Labor.

By Mr. ALEXANDER:

H. Res. 687. A resolution amending the Rules of the House of Representatives to provide greater transparency on earmark requests; to the Committee on Rules, and in addition to the Committee on Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Ms. BERKLEY, and Mr. HELLER):

H. Res. 688. A resolution expressing support for the goals and ideals of the first annual National Wild Horse and Burro Adoption Day taking place on September 26, 2009; to the Committee on Natural Resources.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

136. The SPEAKER presented a memorial of the Legislature of the State of North Dakota, relative to SENATE CONCURRENT RESOLUTION NO. 4020 urging Congress to preserve exemption of hydraulic fracturing from the provisions of the Safe Drinking Water Act and to not enact legislation that removes the exemption for hydraulic fracturing; to the Committee on Energy and Commerce.

137. Also, a memorial of the Legislature of the State of North Dakota, relative to SENATE CONCURRENT RESOLUTION NO. 4003

expressing support for the development of a balanced national immigration policy and urging Congress to work to develop an immigration policy that protects and preserves the safety and interests of the United States and its citizens while also recognizing the needs of businesses to have a stable and legal supply of workers; to the Committee on the Judiciary.

138. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 63 MEMORIALIZING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO ELIMINATE THE 24-MONTH MEDICARE WAITING PERIOD FOR PARTICIPANTS ON SOCIAL SECURITY DISABILITY INSURANCE; jointly to the Committees on Ways and Means and Energy and Commerce.

ADDITIONAL SPONSORS

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

H.R. 39: Ms. TSONGAS.
H.R. 122: Mr. WITTMAN.
H.R. 155: Mr. MARIO DIAZ-BALART of Florida.
H.R. 219: Mr. SCALISE.
H.R. 233: Mr. MELANCON.
H.R. 272: Mr. MOLLOHAN.
H.R. 275: Mr. SCHRADER, Mr. INGLIS, Mr. FILNER, Mr. HOLDEN, Mr. MORAN of Kansas, and Mr. YOUNG of Alaska.
H.R. 391: Mr. MORAN of Kansas and Mr. UPTON.
H.R. 422: Mr. GRAVES.
H.R. 424: Mr. CONNOLLY of Virginia.
H.R. 503: Mr. MILLER of North Carolina and Mr. WATT.
H.R. 510: Mr. BOCCIERI, Mr. MURPHY of New York, and Mr. ALEXANDER.
H.R. 571: Mr. RUPPERSBERGER and Mr. PETRI.
H.R. 615: Mr. FORBES.
H.R. 616: Mr. RYAN of Ohio.
H.R. 621: Mr. ISRAEL, Mr. GRAVES, Mr. SIMPSON, Mrs. EMERSON, Mr. DANIEL E. LUNGREN of California, Mr. HINCHEY, Mr. POE of Texas, Mr. RUSH, Mr. UPTON, Mr. LANGEVIN, Mr. MARCHANT, Mr. ROSKAM, and Mr. MCKEON.
H.R. 622: Mr. BRADY of Texas, Mr. WEXLER, and Mr. Carson of Indiana.
H.R. 653: Mr. THOMPSON of California.
H.R. 658: Mr. HOLDEN, Mr. CONYERS, Mr. ISRAEL, and Mr. WEINER.
H.R. 690: Mr. ROSKAM, Mr. SULLIVAN, Mr. BERRY, Mr. COLE, Mr. KLINE of Minnesota, Mr. BOOZMAN, Mr. INSLEE, Mr. DENT, Mr. GRAVES, and Mr. FRANK of Massachusetts.
H.R. 702: Mr. SESTAK.
H.R. 795: Mr. ETHERIDGE and Mr. MASSA.
H.R. 801: Mr. FATTAH.
H.R. 847: Mr. FATTAH and Mr. GONZALEZ.
H.R. 936: Mr. PRICE of North Carolina.
H.R. 940: Mr. SCALISE, Mr. CAO, Mr. MELANCON, Mr. FLEMING, Mr. CASSIDY, and Mr. BOUSTANY.
H.R. 953: Mr. SMITH of Nebraska and Mr. BOUSTANY.
H.R. 983: Mr. SOUDER.
H.R. 988: Mrs. BACHMANN, Mrs. NAPOLITANO, and Mr. MASSA.
H.R. 1054: Mr. GOHMERT, Mr. DUNCAN, Mr. WALDEN, Mr. TIAHRT, Mr. FLAKE, Mr. MCCLINTOCK, and Mr. LAMBORN.
H.R. 1074: Mr. RADANOVICH.
H. R. 1086: Mr. MANZULLO.
H.R. 1101: Mr. WU.
H.R. 1147: Mr. CARNEY, Mr. KUCINICH, and Mr. JACKSON of Illinois.
H.R. 1173: Mr. CARTER.
H.R. 1177: Mr. ROGERS of Kentucky and Mr. LATTA.
H.R. 1207: Mr. FILNER, Ms. RICHARDSON, and Mr. BOCCIERI.
H.R. 1298: Ms. SUTTON, Ms. HARMAN, and Mr. BISHOP of New York.
H.R. 1326: Ms. HARMAN.
H.R. 1346: Mr. BISHOP of New York, Mr. HEINRICH, and Mr. CARNAHAN.
H.R. 1402: Mr. BERRY.
H.R. 1410: Ms. WASSERMAN SCHULTZ.
H.R. 1425: Ms. HERSETH SANDLIN.
H.R. 1428: Mr. MILLER of Florida.
H.R. 1458: Mr. BRALEY of Iowa.
H.R. 1503: Mr. GOHMERT.
H.R. 1525: Ms. JENKINS and Mr. GRAVES.
H.R. 1526: Mr. SESTAK.
H.R. 1547: Mr. WEXLER and Mr. COBLE.
H.R. 1548: Mr. KANJORSKI and Mr. HEINRICH.
H.R. 1549: Ms. PINGREE of Maine.
H.R. 1585: Mr. TONKO.
H.R. 1597: Ms. MARKEY of Colorado.
H.R. 1616: Ms. SPEIER, Ms. MOORE of Wisconsin, and Ms. KAPTUR.
H.R. 1700: Mr. KENNEDY, Mr. KILDEE, Ms. MOORE of Wisconsin, Mr. MOORE of Kansas, Mrs. NAPOLITANO, and Mr. BERMAN.
H.R. 1739: Mr. MASSA.
H.R. 1751: Mr. ABERCROMBIE, Mr. GENE GREEN of Texas, Ms. TSONGAS, and Mrs. NAPOLITANO.
H.R. 1766: Mr. STUPAK.
H.R. 1831: Mr. SERRANO, Mr. HIMES, Mr. JOHNSON of Illinois, Mr. DUNCAN, Mr. WU, Mr. SHUSTER, Mr. DAVIS of Kentucky, Mr. AUSTRIA, and Mrs. BACHMANN.
H.R. 1835: Mr. BRIGHT.
H.R. 1894: Mr. BERMAN.
H.R. 1895: Mrs. HALVORSON.
H.R. 1974: Mr. ISSA.
H.R. 1995: Ms. BORDALLO.
H.R. 2000: Ms. SLAUGHTER, Mr. MCCOTTER, and Mr. CONYERS.
H.R. 2057: Mr. DELAHUNT, Mr. HASTINGS of Florida, Mr. MORAN of Virginia, Mr. BUTTERFIELD, and Mr. MCINTYRE.
H.R. 2214: Mr. STARK, Ms. SCHAKOWSKY, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2239: Mr. BOSWELL.
H.R. 2254: Ms. FALLIN and Mr. ISSA.
H.R. 2261: Mr. KENNEDY and Mr. GARRETT of New Jersey.
H.R. 2266: Mr. MAFFEI.
H.R. 2267: Mr. MAFFEI.
H.R. 2329: Mr. BRALEY of Iowa.
H.R. 2373: Mr. ADERHOLT.
H.R. 2381: Mr. SESTAK.
H.R. 2387: Mr. LAMBORN.
H.R. 2413: Mr. CONNOLLY of Virginia, Mr. DOGGETT, and Mr. BACHUS.
H.R. 2414: Ms. WASSERMAN SCHULTZ.
H.R. 2420: Mr. TERRY.
H.R. 2427: Mr. BISHOP of New York.
H.R. 2452: Mr. BRADY of Texas, Mr. CULBERSON, Mr. BLUNT, Mr. PETERS, Mrs. MYRICK, Mr. TURNER, and Mr. DUNCAN.
H.R. 2476: Mr. WELCH.
H.R. 2480: Mr. NADLER of New York and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2492: Mr. MCNERNEY.
H.R. 2499: Mr. MEEK of Florida.
H.R. 2517: Ms. SPEIER.
H.R. 2523: Mr. DEFAZIO.
H.R. 2529: Mr. AL GREEN of Texas.
H.R. 2590: Mr. MASSA.
H.R. 2662: Mr. WALZ.
H.R. 2715: Mr. SMITH of Texas.
H.R. 2743: Mrs. MCMORRIS RODGERS, Mr. MOLLOHAN, Mr. MILLER of North Carolina, Mr. KIRK, Mr. PRICE of North Carolina, and Mr. SALAZAR.
H.R. 2753: Mr. BOOZMAN, Mr. MINNICK, and Mr. GERLACH.
H.R. 2782: Mr. HODES.
H.R. 2840: Mr. GENE GREEN of Texas, Mr. ARCURI, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. BISHOP of New York, Mr. SERRANO, Mr. SIRES, Mr. FARR, Mr. HOLT, Ms. WASSERMAN SCHULTZ, Ms. DELAURO, Mrs. LOWEY, Mr. PAYNE, Ms. WOOLSEY, Mr. YARMUTH, Mr. FILNER, Mr. MAFFEI, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. HARE, and Mr. COURTNEY.
H.R. 2866: Mr. ALEXANDER.
H.R. 2930: Ms. SCHAKOWSKY.
H.R. 2932: Mr. JACKSON of Illinois and Mr. GRIJALVA.
H.R. 2935: Mr. TERRY, Mr. MCDERMOTT, Mr. GORDON of Tennessee, Mr. SHULER, and Mr. HONDA.
H.R. 2936: Mr. PERRIELLO.
H.R. 2942: Mr. PITTS and Mr. GARY G. MILLER of California.
H.R. 2954: Ms. BERKLEY.
H.R. 2964: Mrs. MCMORRIS RODGERS.
H.R. 3001: Ms. SPEIER.
H.R. 3006: Mr. HOLT.
H.R. 3009: Mr. MELANCON, Mr. BOREN, and Mr. CHILDERS.
H.R. 3011: Mr. CARNAHAN.
H.R. 3015: Mr. SHULER.
H.R. 3042: Ms. SCHAKOWSKY, Mr. BACA, Ms. LEE of California, and Mr. SERRANO.
H.R. 3085: Mr. BACA, Mr. PASTOR of Arizona, and Mr. HEINRICH.
H.R. 3116: Ms. PINGREE of Maine.
H.R. 3165: Mr. INSLEE, Mr. DOGGETT, and Mr. ISRAEL.
H.R. 3175: Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, Ms. WASSERMAN SCHULTZ, and Mr. MEEK of Florida.
H.R. 3178: Mr. MASSA and Mr. PERRIELLO.
H.R. 3189: Mr. PERRIELLO.
H.R. 3226: Mr. MILLER of Florida, Mr. BOOZMAN, and Mr. YOUNG of Alaska.
H.R. 3227: Mr. TERRY.
H.R. 3245: Mr. RUSH, Mr. ISRAEL, and Mr. SERRANO.
H.R. 3246: Mr. LIPINSKI.
H.R. 3249: Mr. SERRANO, Ms. BORDALLO, Mr. FILNER, and Mr. STARK.
H.R. 3286: Mr. MORAN of Virginia.
H.R. 3289: Mr. WITTMAN.
H.R. 3308: Mr. WITTMAN, and Mr. CALVERT.
H.R. 3309: Mr. CHAFFETZ and Mrs. BACHMANN.
H.R. 3310: Mr. HERGER and Mr. LAMBORN.
H.R. 3325: Mr. SAM JOHNSON of Texas.
H.R. 3336: Mr. MCGOVERN.
H.R. 3342: Mr. HEINRICH.
H.R. 3353: Mr. PIERLUISI.
H.J. Res. 47: Mrs. KIRKPATRICK of Arizona and Mr. SHIMKUS.
H. Con. Res. 74: Mr. HONDA, Mr. OBERSTAR, Mr. DUNCAN, and Mr. BISHOP of Georgia.
H. Con. Res. 144: Mr. RAHALL, Mr. THOMPSON of California, Mrs. NAPOLITANO, Mr. AL GREEN of Texas, and Ms. GINNY BROWN-WAITE of Florida.
H. Con. Res. 159: Mr. MORAN of Kansas and Mr. LANGEVIN.
H. Con. Res. 169: Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. CASSIDY, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. MORAN of Kansas, Mr. HARPER, Mr. SHUSTER, Mr. ROGERS of Alabama, Mr. MARCHANT, and Mr. INGLIS.
H. Res. 6: Mr. HILL, Mr. LARSEN of Washington, Mr. DAVIS of Tennessee, Mr. EDWARDS of Texas, Mr. CARNEY, Mr. SCOTT of Georgia, Mr. TAYLOR, Ms. LINDA T. SÁNCHEZ of California, Mr. CUELLAR, Mr. LEWIS of Georgia, Mr. BOCCIERI, and Mr. SHIMKUS.
H. Res. 278: Mr. STARK.
H. Res. 399: Mr. SESTAK.
H. Res. 403: Mr. SESTAK.
H. Res. 408: Mr. JOHNSON of Georgia, Mr. LARSEN of Washington, Mr. REYES, Mr. SNYDER, and Mr. COURTNEY.
H. Res. 440: Mr. LOEBSACK and Mr. INGLIS.
H. Res. 445: Mr. YOUNG of Florida.
H. Res. 452: Mr. GRAYSON and Ms. WASSERMAN SCHULTZ.
H. Res. 483: Mr. SABLAN.
H. Res. 487: Mr. MCCOTTER, Mr. LEVIN, Mr. KILDEE, and Mr. BURGESS.
H. Res. 494: Mr. COURTNEY and Mrs. DAVIS of California.

H. Res. 513: Ms. GINNY BROWN-WAITE of Florida, Mr. DENT, and Mr. GONZALEZ.
H. Res. 542: Mr. LAMBORN.
H. Res. 561: Mr. HINCHEY and Mr. SERRANO.
H. Res. 562: Mr. SERRANO and Mr. HINCHEY.
H. Res. 563: Mr. HINCHEY and Mr. SERRANO.
H. Res. 581: Mrs. MCMORRIS RODGERS, Mr. BISHOP of Utah, Mr. GRIFFITH, and Mr. ROONEY.
H. Res. 605: Mr. LANGEVIN.
H. Res. 615: Mr. MCHENRY, Mr. MARIO DIAZ-BALART of Florida, Mr. SCHOCK, Ms. GINNY BROWN-WAITE of Florida, and Mr. CAMPBELL.
H. Res. 619: Mr. MCHENRY and Mr. CAO.
H. Res. 659: Ms. CORRINE BROWN of Florida.
H. Res. 679: Mr. MCGOVERN, Mr. SOUDER, and Mr. GARRETT of New Jersey.
H. Res. 680: Mr. CARTER.
H. Res. 681: Mr. SMITH of Texas and Mr. KING of Iowa.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MURTHA, or a designee, to H.R. 3326, the Department of Defense Appropriations Act, 2010, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

61. The SPEAKER presented a petition of Board of Alderman for the City of Unionville, MO, relative to A RESOLUTION OPPOSING THE FEDERALLY-MANDATED CARBON CAP AND TRADE SYSTEM; which was referred jointly to the Committees on Energy and Commerce, Foreign Affairs, Ways and Means, Financial Services, Education and Labor, Science and Technology, Transportation and Infrastructure, Natural Resources, Oversight and Government Reform, Agriculture, and the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, JULY 28, 2009 No. 115

Senate

The Senate met at 10 a.m. and was called to order by the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Eternal God, whose power is unsearchable and whose judgments are great, quiet our hearts in Your presence. Teach us to be still and know that You are God.

Bless our Senators. Give them hearts to listen, teachable minds to learn, and humble wills to obey. Let the light of Your purposes guide them from bewilderment to trust in Your infinite wisdom and resources. Lord, use them to bring about an ordered society of nations that gives substance to humanity's dream of unity and peace. Watch over the entire Senate family and surround us with Your protections.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 28, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for 1 hour. Senators during that time will be allowed to speak for up to 10 minutes. The majority will control the first 30 minutes and the Republicans will control the second 30 minutes. Following morning business, the Senate will resume consideration of the Energy and Water appropriations bill. The Senate will recess from 12:30 p.m. until 2:15 p.m. today to accommodate the weekly caucus luncheons.

Mr. President, I have spoken with the Republican leader at some length over the last few days, and we all know what we have to do before we leave here. We are going to finish the Energy and Water appropriations bill, the Agriculture appropriations bill. We have the Travel Promotion Act we have to do. We have to complete the Sotomayor nomination.

We have a package of extenders, for lack of a better description, the House is going to send us. They are going to likely be out next week but not for certain. In that package they are sending us, there will be an extension of the highway bill. I think all of this goes until about December. The Postal Service, we have to help them. We have to do something with FHA. We have to do something with unemployment compensation. That is all in one thing they are going to send us for short extensions. I have not seen what they are going to put together; therefore, I could not share it with my esteemed colleague. But as soon as we have some information, we will make sure the committees of jurisdiction on both sides have knowledge of what that is. But we have to complete that work before we leave here, and I hope we can do it sooner rather than later. I hope we do not have to work this weekend.

We have a finite number of things we need to do before we proceed on to the summer recess. This is something Members look forward to. I personally have a very busy schedule, as I am sure most Members do. But once a year, I get together with my family. I am looking forward to that. It is for 7 or 8 days. But to justify that, we have a lot of work to do. If we look back in the years past, Congress adjourned by this time in years past. They were through for the year. We are, unfortunately, not able to do that as much as we would like that. There is a lot of work we could do at home but we cannot because this is where business is when we are in session. So we are going to continue to work through these things and do it as quickly and as efficiently as possible.

HEALTH CARE REFORM

Mr. REID. Mr. President, fixing our broken health care system after decades of inaction is no small task. With such an effort comes no shortage of strong convictions, diverse ideas, rigorous analysis, and constructive criticism. But as the plans, proposals, and policies evolve, our principles remain constant. Although we navigate a sea of choices, we know where we will land. First, we will bring security and stability back to health care. Second, we will not add a penny to the considerable national deficit that has ballooned over the past 8 years. This work we are doing on health care is budget neutral.

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

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That means it will not run up the debt. We are obligated to do that because that is in the budget resolution we passed earlier this year. That is what it says. We cannot do health care if it costs an extra penny. So we will do that. Finally, we will remain focused on seeing this fight all the way through because we are long overdue for a change.

Those who are fortunate enough to have health care now and who hear us debate how to make it better might wonder: What are you talking about? You may wonder what is in it for you—the people who are listening in. Well, health care reform helps everyone and affects everyone. It will help those who have insurance today but do not know if it will be there tomorrow. It will help those who worry about being just one illness away or one accident or one pink slip away from losing the insurance they have. It will help those who are covered but fear their children very likely will not be able to say that when they grow up—that they have coverage. And it will help nearly 50 million people who have none to begin with.

The reform we are pursuing means making sure that if you lose your job, your health care will not go with it. It means that if you change jobs, you will not have to worry about losing your coverage. Health care reform means lowering the costs of care and keeping them low. It means improving the quality of the care you get and keeping the quality of care high. Reforming health care means that if your mother had breast cancer or you had minor surgery last year or your child gets allergies every spring, your insurance company cannot say: I am sorry, you are too much of a risk to cover. It means the premiums you pay every month will not go up just because your insurance company feels like it. It means keeping costs stable so the price of staying healthy does not fluctuate like a gallon of gasoline. It not only means making sure you can keep your family's doctor or keep your health care plan if you like it but also that you can afford to do so. No one can predict when that next accident may occur or when one might lose their job. We do not know when we will get sick next or when one of our loved ones will become ill. But we can take the uncertainty and unfairness out of the current system. We can make sure it is stable, more secure, more reliable, and more dependable.

Second, all of the many plans we have heard for fixing health care have something else in common: They each have maintained President Obama's commitment that this effort, I repeat, will not dig us any deeper into debt than we already have. Any plan that passes this body will be fully paid for, I repeat. When all the numbers are crunched, the No. 1 bottom line is zero. It will not cost anything. In fact, as we improve disease prevention, reduce health disparities, and better coordinate medical services, we will be lowering future costs even further.

Families will also save in the long run because the status quo comes with a hidden health care tax. If you have health care now, you are paying at least $1,000 more for that health care then you would need to if other families had some insurance. When we reform health care and you are no longer responsible for covering the uninsured, you will see those savings in every paycheck you get.

The only costs that worry me are the costs of doing nothing, of inaction. We have already seen what happens when we do nothing. Over the past 8 years, health care costs rose to record levels and the number of Americans who cannot afford insurance did the same. The number of people who lost their insurance rose dramatically. Every day, 14,000 people in America—7 days a week—lose their health insurance. Right now, in Nevada, half a million people already lack the coverage they need or struggle with inadequate coverage. If we do not act, many, many more Nevadans and millions more Americans will lose their health care as it gets more expensive day by day.

For a generation, we have been working to fix this broken health care system. Throughout this year, we have explored numerous proposals in numerous bipartisan roundtables and committee hearings. This has been the No. 1 issue on our agenda for a long time now. And today we are closer than ever to getting something done.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Mr. REID. Mr. President, let me just add to what I said to open the Senate. Senator DORGAN is an experienced legislator. He is working with one of our outstanding Republican legislators, Senator BENNETT of Utah. They are here and will be, in an hour, ready to start accepting amendments, if there are any. I had one of my Democratic colleagues say: I have a problem with that bill. I said: Get your amendment there today because if you wait until tomorrow, you may not get a chance to offer it.

We need to move forward. These are appropriations bills, and if Democrats and Republicans have not agreed on much here, there has been an absolute commitment to get our appropriations bills done. We are behind schedule even now. We do not want another big omnibus bill. We want to do these appropriations bills, get them done. And we are going to be able to say, when we leave here this work period, we at least got a third of them done before the August break. We are going to come back in September and continue to work through these.

So I repeat, if you have an amendment, you better get it over here today because tomorrow it may not be available to you.

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE WEEK VIII, DAY II

Mr. MCCONNELL. Mr. President, as the debate over health care continues, it is important that we not lose sight of the fact that the American people expect results. No one was ever elected to Congress to push a problem down the road or to point fingers. Americans certainly want reform, and that is exactly what they expect us to deliver. At the same time, Americans have a right to expect that the legislation we pass actually addresses the problems they face and that we do not use the need for reform as an excuse to pass legislation that does not really help or that makes existing problems worse.

This is the nature of the debate we are in: Some in Washington seem to be rushing to push through so-called reforms just for the sake of reform, regardless of whether they actually help the situation, while others are insisting we take the time to get it right.

Fortunately, with each passing day, more and more Americans and now more and more Members of Congress are insisting that we take the responsible path to health care reform—even if it means hitting the reset button and meeting in the middle on reforms that all of us can agree on and that Americans can embrace.

Here are some of the cautionary notes we have heard from Senators just in the last few days.

One top Senator said:

> It's better to get a product that's based on quality and thoughtfulness than on trying to just get something through.

Last week, nine freshmen Senators wrote an open letter to the Senate Finance Committee calling for a solution that doesn't bankrupt our health care system. Here is what those nine Senators wrote:

> In the face of exploding debt and deficits, however, we are concerned that too little focus has been given to the need for cost containment.

We are hearing the same things over in the House. One Congressman said on Sunday morning that:

> The American people want to take a closer look. They want to feel comfortable with it. We have a long way to go.

Another Congressman said he thinks Americans are ''shell-shocked'' after last year's financial bailout, the stimulus, the cap-and-trade bill, and other major bills approved this year.

Another Congressman, referring to health care reform, asked:

> Why are we rushing? Why are we rushing? Let's get it right.

America's Governors are also calling on the administration and Congress to slow down and insisting that Congress take the time to produce the right reform.

One Governor recently was quoted as saying he:

> Personally was very concerned about the cost issue, particularly the $1 trillion figure being batted around.

Here is another one commenting on proposals to shift Medicaid costs on to already cash-strapped States. She said:

> As a governor, my concern is that if we try to cost-shift to the States, we are not going to be in a position to pick up the tab.

Another Governor had the same concerns about Medicaid. Here is what he was quoted as saying in the New York Times last week:

> Medicaid is a poor vehicle for expanding coverage . . . It's a 45-year-old system originally designed for poor women and their children. It is not health care reform to dump more money into Medicaid.

All these people have something in common: They all want reform. They have concerns about the proposals we have seen so far, and they have something else in common too. Every one of the lawmakers I have quoted is a Democrat—every one of them.

Some are trying to portray this debate as a debate between Republicans and Democrats. This is a distortion of the facts and is a disservice to the millions of Americans who want us to get this reform right. As I and others have said, the only thing that is bipartisan about the reforms we have seen so far is the opposition. The reason is clear: It costs too much; they don't address the long-term challenges in our health care system; they don't reduce long-term costs; they would add hundreds of billions to the national debt; and there is no way the American people will embrace them because all of them fall well outside the boundaries of the middle path Americans are asking us to take.

This is why so many within the President's own party are now standing and telling the administration to slow down and to reassess. This is why even traditionally Democratic groups, such as the AFL–CIO, are having second thoughts. Just last week, the AFL–CIO criticized a plan to tax so-called gold-plated insurance plans because of the impact it could have on workers. Why? Because they know that when politicians talk about raising tax on business, it is average Americans who end up shouldering most of the burden.

Americans don't want to lose the quality of care our current system provides, and they certainly don't want to pay trillions of dollars for a government takeover of health care that could lead to the same denial, delays, and rationing of treatment we have seen in other countries. They have heard the same stories we have—of someone with cancer being denied a drug because it costs too much or the woman who came here from Canada to deliver her babies because there wasn't any room in the neonatal intensive care units back home or they visited places such as the M.D. Anderson Center in Houston, TX, as I have, and saw how dozens of patients from other countries go there for treatments.

We don't know the exact circumstances that brought these people here, but we do know this: that they decided to come to the United States, in some cases traveling thousands of miles to do so, to get the kind of care that only America could provide.

Some people, for some reason, seem afraid to admit it, but the fact is, American health care is the envy—the envy—of many people around the world, and Americans don't want to lose it. That is why Americans are telling us we can reform health care without bankrupting the country or destroying what is so unique and special about our current system. That is why a growing number of politicians in Washington are hearing the people's concerns and speaking out. That is why many of them are now urging the administration to take a different path.

TRIBUTE TO METEOROLOGIST TOM WILLS

Mr. MCCONNELL. Mr. President, I rise on behalf of the people of Louisville, my hometown, and across Kentucky who were saddened by the news that after 40 years on the air, WAVE–3 chief meteorologist Tom Wills is retiring. Tom first joined the station and began to be welcomed into people's homes over the airwaves back in 1969.

Many Louisvillians cannot imagine turning on the TV and not being able to find a forecast from Tom Wills. It is a rare and remarkable achievement to reach 40 years in broadcasting and even more so at the same station, serving the same community.

Tom earned the level of respect he has in Louisville by being one of the best meteorologists in the Nation. He is the only broadcast meteorologist in Louisville to hold the Certified Broadcast Meteorologist Seal from the American Meteorological Society, and he is among the earliest holders of the AMS Seal of Approval in the Nation to still be on the air.

We Louisvillians have appreciated waking up every morning the last 40 years knowing Tom is there to tell us whether we need our coat or our umbrella. Tom has also been a calming presence on the television screen at the time of severe weather, helping to save lives by providing crucial information.

Tom was on the air on April 3, 1974, the day when the most severe tornadoes in living memory cut a path of destruction through the city of Louisville. When it was over, lives had been lost, hundreds were injured, and over 900 homes were destroyed.

Throughout the night and into the early morning hours of the next day, Tom Wills was on the air telling people the information they needed to know. As tragic as those events were, we know things could have been worse if not for the lives saved and the tragedy averted thanks to Tom's work.

Tom Wills grew up in West Reading, PA, and knew by age 7 he wanted to do the weather when he grew up. While earning meteorology degrees at Penn State and Colorado State, he specialized in the science of tornado formation.

In addition to his WAVE–3 duties, he has passed along his knowledge and experience by teaching meteorology at the University of Louisville.

Now that he will no longer have to wake up at 2:30 a.m. every day, I hope Tom will have time to pursue his other interests, including gardening and following our Louisville Cardinals sports teams. Of course, his wife Pam, his kids, and his grandkids will be happy to see more of him. Tom is known throughout the community not just as a fine meteorologist but also a gentleman and friend to the many people he has met in his 40 years on the air. He is going to be greatly missed, and I wish to take this moment to thank him on behalf of Kentuckians everywhere for his service.

We are honored that for four decades he chose to share his talents with the people of Louisville and the Commonwealth of Kentucky.

REMEMBERING DAVID FULLER

Mr. MCCONNELL. Finally, I am saddened by the recent loss of my good friend David Fuller. This was a man who certainly had an impact both on his community and on the Nation as a whole. It is no exaggeration at all to say that thanks to David, thousands of workers at nuclear plants in this country have safer jobs and healthier lives.

That includes David's coworkers at the Paducah Gaseous Diffusion Plant in Paducah, KY, where for 10 years David served as president of the Nuclear Workers Union. You see, the Paducah Gaseous Diffusion Plant has produced enriched uranium since 1952 and is currently the only operating uranium enrichment facility in the United States.

For much of the Cold War, the Paducah plant produced fissionable material for our country's nuclear arsenal. It also enriched uranium for commercial nuclear reactors, helping to provide the benefits of cleanly generated electric power to millions of people.

Those Kentuckians who worked in the Paducah Gaseous Diffusion Plant played a vital role in America's victory in the Cold War. Unfortunately, their own government did not look out for them as it should have.

About 10 years ago, we learned there were risks associated with working at the Paducah plant, particularly during the early years of its operation. Some workers were exposed to cancer-causing chemicals and radiological hazards. Some would later sicken and even die.

David was tireless in advocating for the workers at Paducah. He was one of them. He put in 33 years as a cascade operator and electrician. His testimony before Congress was key to advancing the effort to care for those who had been harmed by the government's careless treatment. Thanks, in part, to

David, we created the Energy Employees Occupational Illness Compensation Program to ensure that our Nation's nuclear workers finally now get the attention they deserve from their government. Medical screening is available to all Paducah workers so they may be tested and treated for any illness they contract as a result of working at the plant. We are working to clean up some of the legacy waste materials left at the Paducah plant.

I also might say my wife Elaine Chao, who served as Secretary of Labor during the Bush years, was deeply involved in setting up this compensation program there at Paducah and she too became a friend of David Fuller's.

David testified before Congress on behalf of his fellow workers, including before a committee I chaired. He served as his union's president for 5 years, longer than anyone before, and never lost an election.

David and I worked side by side for a long time on this issue. He visited my office frequently here in Washington, and on several occasions I was his guest at the Paducah Nuclear Workers Union Hall to meet with and speak to the local membership. In that time, I saw how determined David was to help develop a program that would ensure all current and former plant employees were tested for exposure and that would provide sick employees with the treatment they need and deserve.

Of course, nothing can take the place of a life or good health, but David wanted to see every effort made to provide compensation for the workers and their families. Thanks to his extraordinary work, he lived to see that happen.

I know his tireless service will not be forgotten by his friends and coworkers. Even the Paducah workers who did not get to know David personally know they certainly have him to thank for the justice that was provided to the workers who took on this vital duty.

Elaine and I have lost a good friend. We send our prayers to his wife Katherine Cooper Fuller; his daughters, Julie Fuller Leidecker, Laura Ann Nichole ''Nikki'' Fuller, and Meagen Joan Fuller; his son John David Fuller; his three grandchildren; and many other beloved family members and friends.

Not everyone, after he or she is gone, will be able to show as easily as David that theirs was a life spent helping others. David gave so many the simple gift of time: more time spent with their family, friends, and loved ones.

Sadly, David's family has run out of time with David himself, as he passed away on July 19 at the age of only 62. But I hope they can take some solace in the tremendous work he did on behalf of others. Kentucky has lost a great man. He will not be forgotten.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from Washington is recognized.

HEALTH CARE REFORM

Mrs. MURRAY. Mr. President, a few moments ago, the Republican leader, on the floor, talked about a concern about ''rushing'' to a health care reform debate and bill. I want to assure everyone that no one is rushing to anything. Everyone is working hard to come up with a good, strong health care reform bill that addresses an urgent need in this country.

In fact, last week, President Obama spoke to the Nation about the urgent need to reform the health care system. He spoke about premiums that have doubled over the last decade. He talked about the out-of-pocket costs that have been shooting up by over a third. He talked about deductibles that all of us have seen skyrocket. He talked about the families and the small business owners who have to work harder and harder to stay afloat. President Obama spoke about the work that has been done to put a health care reform plan together.

I sit on the health care committee in the Senate. We spent months having hearings and working through some of the tough, difficult challenges. We spent weeks and hours working through a debate on a health care reform package. We looked at hundreds of amendments, many of them Republican, a lot of them accepted into our health care bill before it passed out. We are working very hard now with the Finance Committee for them to work through the challenging issues and come up with a solution, as the House is as well.

We are working hard to come to a solution with the health care reform plan that protects patient choice, that reins in those costs I talked about, and provides coverage for millions of Americans who don't have any today.

The President of the United States spoke frankly about some of our Republican colleagues who are speaking out for the status quo. President Obama spoke plainly to Americans about the devastating costs of inaction—the devastating costs of inaction if we do nothing, and what will happen if we maintain the status quo. I am telling you what would happen if we do nothing: Premiums are going to continue to rise, benefits will continue to erode, out-of-pocket costs are going to continue to skyrocket, and more and more employers will do what I have seen too many in my State have to do: drop coverage for their workers. We talk about 47 million Americans today who don't have coverage at all. That will seem like the good old days if we do nothing.

Despite what some of our colleagues wish us to believe, Americans do want health care reform. They need health care reform desperately, and they are not going to accept another year of talking and bickering and stalling.

Last month, I sent a letter to families across my State of Washington asking for their help as we work very hard to reform the health care system. I told them I wanted to pass a plan that protects existing coverage when it is good, improves it when it is not, reins in costs today, and lowers them long term, and guarantees care for the millions of people who don't have health care today.

I asked my constituents to share with me their stories and ideas about how to make this vision a reality. I told them that I know health care is a very personal issue, but I also told them their personal stories have the power to change minds and transform debate. The response I got was overwhelming. I came to the floor last week several times and shared some of the over 5,000 stories that have now poured into my office from my State. I underscored the need to fix this broken health care system and do it this year.

I come to the floor to share a few more stories, and I want to talk about a specific aspect of health care reform I have been working very hard on, and that is, as we reform this health care system, we have a skilled health care workforce that is ready to step up and provide the care we need.

Judy Allen, from Moses Lake, WA, sent me a story about her son. She said he had been diagnosed with cystic fibrosis at the age of 5 and was given a 50–50 chance of making it to his ninth birthday. Judy said she and her husband had good health insurance, but they had to travel over 3 hours to get to a clinic with the resources her son needed. They could not move close to this facility, because moving would force them to switch health care insurance providers, and they knew if that happened, they would get rejected because of their son's preexisting condition. Sadly, Judy's son died 3 years ago, but the reforms we are working on will help mothers such as Judy across the country.

We want to stop insurance companies from spending our premium dollars on figuring out ways to exclude people from coverage. We are going to ensure that nobody will be denied health care coverage even if they have a preexisting condition.

Unfortunately, Judy's story is not unique. Millions of Americans who have insurance today—good insurance—struggle with a broken health care system. They struggle with the skyrocketing costs, with the complicated system that works for the insurance companies but not for the patients. So I agree with President Obama that we need to reform the health care system this year.

As we work to provide quality affordable health care coverage to all Americans, we have to make sure there are enough health care professionals to provide that care. We can write and pass a bill that improves the coverage and reins in the costs, but without an educated, accessible system of doctors, nurses, x-ray technicians, physical therapists, and other health care professionals, that coverage isn't going to mean much. If we provide health care coverage without the workers, it is like building schools and not hiring any teachers. So it is common sense, but it makes economic sense as well.

Not only does this shortage make it hard to access care even if you have insurance today, it makes it more expensive. That is why we have made a number of investments that are going to create and sustain good-paying jobs and ensure access to care so that Americans stay healthy and productive.

We all know today that too few medical students are going into high-demand general care fields. Many students enter specialty fields, in part to pay for the cost of medical school, and because they tend to be more lucrative long term. So the health care bill we passed out of committee on health care includes incentives such as loan repayment programs, scholarships, and grants to encourage students to go into high-need fields and to work in underserved areas. It invests in education, training, and retention efforts, not just for new health care workers but for all of those who are already providing quality care in this country.

Investments in our health care workforce create jobs, ease the strain on overworked health care professionals, and keep Americans healthy, so they can be productive on their jobs. I am going to keep working to make sure these investments remain a priority.

Quickly, before I yield the floor, I want to reiterate the critical need I talked about a minute ago to fix the health care system. I want to share a story.

Sharon Alexander wrote to me from Steilacoom, WA, about her battle with brain cancer—the same type Senator KENNEDY suffers from. Sharon had health insurance, but she wrote and told me that while she was running from doctor to doctor and undergoing radiation treatments, she and her husband had to spend a great deal of time navigating different copayments and acceptance policies of all of her doctors. She told me she was lucky she had insurance, but she still had to jump through hoop after hoop to get the care she needed. Sharon discovered that in our broken health care system, high-priced insurance doesn't guarantee high-quality health care.

That is why we need to act. We need to lower the cost of health care, we need to ensure Americans have affordable health care and, in these difficult times, with all of the challenges Americans have with premiums rising three times faster than wages and every day 14,000 more Americans losing their health insurance, we are not rushing; we are working hard to get this right, and it needs to be done this year.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I have sought recognition to comment about the status of efforts to legislate comprehensive health care reform.

Recently there was a comment by a Senator opponent of President Obama, who disclosed what has been known for some time as to the tactics of President Obama's opponents. The Senator who opposes President Obama said this:

> If we are able to stop Obama on this, it will be his Waterloo. It will break him.

This is essentially the same tactic that was used by President Obama's opponents on the stimulus package. I am not betraying any confidence about matters that were on the public record, but immediately after the inauguration, within 2 weeks, when the Senate took up the stimulus package, it was apparent that President Obama's opponents in the Senate were simply going to say no and obstruct the matter. It is a matter of public record that only three then-Republican Senators would even talk to the Democrats about the stimulus package—Senator COLLINS, Senator SNOWE, and myself. Now it is apparent, with what the Senator opponent of President Obama has said what the plan is.

Now that we know we will not vote on comprehensive health care reform until September, there is time for a little bipartisanship—perhaps even a little statesmanship—to come together on this issue. We have been sent by our constituents to Washington to solve problems, not to obstruct potential solutions. There are many items where we can all agree. There are many potential savings available, which I outlined a few weeks ago in an extensive floor statement. For example, on advanced directives, estimates are that as much as 27 percent could be saved on Medicare. So much money is spent in the last few hours, few days, few weeks of a person's life. We know from the statistics that funding from the National Institutes of Health can prevent illness and can cut down tremendously on the cost.

We also know that by changing the prosecution on Medicare and Medicaid fraud and imposing jail sentences, there would be a deterrent to that tremendous amount of fraud and abuse. A fine is simply a license.

We know also that substantial savings are possible by covering those 47 million Americans so that we have medical care at an earlier stage to avoid chronic illnesses that are so very expensive, so that we could come together on these items where I think there is general agreement.

The Senator opponent of President Obama is referred to in this morning's Washington Post as saying that he is in favor of fixing the system, it has been one of the main causes of his career, and a specific:

> We need some real health care reform.

Well, it would be worthwhile to have that Senator opponent of President Obama say whether he believes we ought to cover the 47 million Americans now not covered. I believe there is a consensus that that ought to be done. But if there are differences of opinion, let them be stated, because if we agree that the 47 million Americans have to be covered, then the next question a responsible elected public official would have to ask is: How do we pay for it?

But if someone is going to say ''I am not in favor of covering the 47 million Americans,'' let him or her answer to his constituents. The Senator opponent of President Obama ought to note, as reported in the Post this morning, that there are 700,000 of his State's residents who are uninsured. If he believes we ought not to cover those 47 million Americans, including the 700,000 in his State, let him respond and say so.

It may be that there is a political price to pay if you face up to that. But if you move beyond the question of whether we need to have health care for all Americans, then we need to move forward.

When you talk about the Waterloo of President Obama, it sounds as if we are fighting some foreign power as opposed to the collegiality which is supposed to be present in the Senate, reputedly the world's greatest deliberative body.

I was pleased to see the Senator who is opposing President Obama with his Waterloo statement—I am glad to see a number of his colleagues on that side of the aisle distance themselves. But as yet we have not had a proposal which comes from the Republican side of the aisle, just as we did not have a proposal coming from the Republican side of the aisle on the stimulus package.

It was my view, as I spoke on the floor on February 6, that the problems about sliding into a 1929 Depression were present. We faced that risk. Complaints have been made about the stimulus package that it has not worked, but there have only been 5 months which have elapsed.

Yesterday I was in Pennsylvania at a major interchange, I–81 and Route 39, announcing $12 million for road repairs; earlier, at the Philadelphia International Airport announcing a substantial grant; in western Pennsylvania in Pittsburgh announcing millions of dollars for locks and dams.

It may be that a better proposal could have been crafted on the stimulus package. But there were negotiations.

President Obama was sworn in on January 20. In the week of February 2, within 2 weeks from the inauguration, taking the oath of office, we were already having obstructionism.

It is my hope that while we adjourn for the August recess, there is time to have a bipartisan plan, a plan which will reject partisanship, a plan which might even bring a little statesmanship to this body.

When the three of us on the stimulus issue joined with the Democrats in providing the necessary votes, the indispensable 60 votes to invoke cloture and allow the stimulus package to move forward, the comment was made from the other side of the aisle: Three Senators don't make a bipartisan bill.

So far, only three Republicans are negotiating on comprehensive health care reform. So let's see if we can't have in the intervening weeks between now and September a concerted effort made to move forward to answer some of these basic questions. If someone is opposed to covering the 47 million Americans, let's hear it. If someone is opposed to having a public option, as proposed by Senator SCHUMER, which maintains a level playing field, let's hear the specifics so that our constituents can judge us, so that the 700,000 people who are not covered by insurance in the home State of the Republican Senator who has spoken out to break the President, to promote the President's Waterloo—we will have a chance to evaluate that kind of an attitude.

I thank the Chair, note the expiration of my time, 10 minutes, and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, we stand at a critical juncture today as we grapple with how to fix our broken health care system. Rapidly escalating health care costs are compounding the current economic crisis in America. Families and businesses across the country are struggling to afford increased premiums, copayments, and deductibles. Premium increases are taking an increasing portion of workers' wages, and more firms are under pressure to reduce or possibly eliminate health care coverage for their workers.

Helping middle-class families and small businesses afford health care coverage is a critical component of improving the Nation's economy. Families and business owners in Oregon have told me at length how concerned they are about the rising costs of health care. Those families who have health care are concerned about losing it, and they are concerned about the rising cost of premiums and the copays. And those citizens without health care—nearly 47 million Americans are unable to afford the cost of health care—those citizens are worried about getting sick or they are sick and they are worried about how to pay for the drugs and treatments to get well. Under this system, our small businesses that are working hard to provide health care coverage for their employees are worried they will not be able to continue, that they will have to raise the share of the costs the workers carry or maybe they will have to eliminate the health care plan altogether.

I wish to share with my colleagues the experience of one of my constituents, Jeanette Hall of Milwaukee, OR. She was employed, but she could not afford health insurance. Jeanette had a mole on her arm. It was a mole she thought should be looked at. Her friends and family urged her to have it looked at. Finally, she went to the emergency room to have it examined. The diagnosis was melanoma, but Jeanette could not afford to have the surgery to address it.

Sometimes one gets a fortunate turn in life, and Jeanette just got such an example. She was interviewed by a local news station that was doing a story about the plight of the uninsured. Jeanette says she is only alive today because of that moment when a news station covered her story because after that story aired, she received a call from a local hospital that offered to help. They basically said that in exchange for being the subject of an observational surgery for medical students, the hospital would cover the cost of the surgery. Jeanette is now cancer free, and she feels very blessed about that. What is more, she now has a job where she has health insurance, and that certainly puts a brighter horizon in place for her. But while she is pleased about her personal health and her personal health insurance, she is worried about health insurance for families and friends and health insurance for all Americans in this broken health care system.

Her brother is very ill. Her brother does not have health insurance. Her brother needs an operation to save his life, but he is not getting that operation. She anticipates that his life expectancy is very short now as a result. She sees it very personally, very directly.

Just as she hopes for health care for her and her family and for American citizens, so do citizens across this Nation. Citizens such as Jeanette are not looking for a government handout. They don't expect something for free. But what they do want is access, choice, quality health coverage, affordable health coverage for their families and their workers.

We need to offer citizens such as Jeanette a lifeline in these hard economic times. As a member of the Senate Health, Education, Labor, and Pensions Committee, I am very proud of the bill we passed 2 weeks ago which puts us a significant stride closer to providing affordable, quality health care for every American. It is a plan that will lower costs, provide consumers with more choices, and increase competition.

That act, the Affordable Health Choices Act, is a landmark bill. It gives every American a full range of health insurance options, including a community health plan. It ensures that those who like their current health care coverage can keep it. And it guarantees that no American will be denied coverage because of preexisting conditions. That act makes sound investments in disease prevention, in health promotion, and it strengthens the health care workforce.

The Affordable Health Choices Act gives small businesses better choices for high-value health insurance by creating a new health insurance marketplace, or gateway as it is called, which will help lower costs and increase competition. In fact, let me explain this a little bit more.

Right now in America, if you are an individual trying to get health care, you have to pay an extraordinary premium because you don't bring any market share clout to the negotiating table. And right now in America, if you are a small business, you don't get a good deal because you don't bring any market clout to the negotiation. This health care bill at its heart addresses this problem. It creates an exchange where you would purchase health care, not as an individual but as a group of hundreds of thousands of fellow citizens. That health care plan would bring the combined negotiating clout of those hundreds of thousands or even millions of individuals, so you get a much better deal as an individual and you get a much better deal as a small business. I know that every individual and small business in America that has gone through this process of trying to get a fair, decent health care plan knows exactly what I am talking about. And that is the heart of this reform.

But even as we make historic progress on guaranteeing affordable quality health care for all, there are powerful forces underway to halt this effort. There are those who favor the status quo, and they are working on their talking points, they are rallying their special interests, they are doing polls to see what phrase will most scare Americans from changing. They want to defeat this historic march toward quality, affordable health care for every single citizen.

One thing is clear: We cannot afford to fail. Maintaining the status quo is not an option. The last time we attempted to tackle the problem in 1992, health care spending was $849 billion. Today, health care spending in America is $2.2 trillion and growing by over 10 percent a year. March it forward next year, and it will be over $2.4 trillion; the year after that, $2.7 trillion; the year after that, $3 trillion, and so forth. We will be spending nearly $40 trillion under the status quo over the next 10 years.

Premiums in the early 1990s were 7 percent of a family's income. Today, premiums eat up 17 percent of a family's budget. In 1996, employers paid about $3,700 toward a family plan. Now that is well over $10,000 and growing, and workers are picking up an increasing share of the costs.

Today, under the status quo, 60 percent of bankruptcies are due to health care costs—more than half. More than half of personal bankruptcies are due to health care. What is more, more than half those personal bankruptcies due to health care are with folks who have health care insurance, but their health care insurance simply was not adequate to cover the extraordinary costs of a medical emergency. Indeed, 75 percent of those individuals who are going through bankruptcy due to health care costs had health insurance.

If we look to the future, the consequences of inaction are even more dire. But, despite all that, every day we hear from special interests, we hear from their allies who are standing up, using their poll-tested phrase such as ''government takeover'' in order to scare the American people into rejecting health reform.

Here are citizens who know firsthand the challenge and the stress of health care. But they are being manipulated. There is an effort to manipulate them by powerful special interests that want to scare them, to turn them against reform and change. The opponents of reform have a health strategy. Their strategy is the status quo. Why do they like the status quo so much? Because the special interests are making so much money with the current health care system—huge profits for insurance companies, huge profit for other health care players. But here is the problem. Soaring profits for health care companies equate to out-of-control, unaffordable premiums for America's working families.

Let's examine the status quo plan put forward by the opponents of reform. Under the opponents' status quo strategy, the premiums that are paid by a family would go from about $13,000 a year now to, just 8 years into the future, $24,000—nearly double in a short period of time. If you want out-of-control premiums, then support the opponents' status quo efforts.

Second, under the opponents' status quo plan, the cost of health care for a small business would more than double. The cumulative costs are extraordinary. We see the costs here, in billions of dollars, start in 2009 at $156 billion—the cost imposed on small businesses—and soaring to $2.4 trillion by 2018—cumulative costs. So over a 10-year period, small businesses carrying a multitrillion-dollar burden under the status quo.

Third, under the opponents' status quo plan, the number of uninsured Americans increases. Why is that? It is very simple: Families cannot afford these premiums, small businesses can't afford these premiums, even large businesses may not be able to afford this more than 10-percent-a-year increase in premiums. Indeed, under one study, the number of uninsured Americans, under the status quo, the opponents' plan, would reach 66 million Americans over the next 10 years, up from about 47 million right now. That is a huge increase.

Fourth, under the opponents' status quo plan, our community hospitals would see uncompensated care go through the roof. Why is that? Because we have more uninsured. They have to go to the emergency room to get their care. So the hospitals end up carrying that burden. What does that do? That results in a cost shift from those who do not have insurance and go to the emergency room—those costs get shifted to those with insurance. It continues the death spiral in soaring insurance premiums that we have right now in America.

What is more, under the opponents' status-quo approach, we get the same failure to invest in prevention and disease management. Insurance companies do not have an incentive to invest in disease management that might make you healthier 10 years from now or 20 years from now because they assume you probably will not be their customer 10 or 20 years from now. We get the same investment in a fee system, in a cost-plus system, that is driving up the cost of health care.

Let me make this very clear. If you have any form of expense in which the compensation is cost-plus, the person providing those services is going to provide as many services as possible. If you are building a fighter and you say: We will pay your costs plus 10 percent, you are going to make sure that fighter plane is as expensive as possible. The same is true in health care. Yet that model of compensation is the dominant model in health care today.

We need to invest in an integrated approach, such as the Mayo Clinic does, where the doctors are not motivated by profits but by providing health care to their patients. They have no incentive to run you through that MRI machine four or five times. Their only incentive is to help you get well. That is a very different approach, an approach we need to expand on in America, an approach that says we need an integrated health care system, not a cost-plus fee system.

When the opponents of reform try to scare you and say we don't need to change anything, remember how scary their plan is. I know you understand what I am talking about because you see it every day. The opponents are saying it is OK if insurance companies routinely deny necessary medical care and cancel policies in order to increase their profits. The opponents are saying they prefer an America where parents will lie awake at night, worried if they can afford health care their children need because they do not have health insurance for their children. The opponents want an America where workers are just one pink slip away from losing their job and their health care. That is a double calamity that strikes millions of families in America every year.

The opponents are arguing for an America where a would-be entrepreneur who works hard and wants to start a business may not do so because he or she cannot afford health coverage in a volatile, expensive small business market. The opponents want an America where small businesses that do offer insurance are faced with double-digit, budget-straining premiums that threaten the economic viability of that small business.

I wish to see our small businesses thrive. Our small businesses are incredibly creative, with far more patents per capita than large businesses. Our small businesses expand and grow and absorb more workers. We want them to expand and thrive, and a major challenge they have today to their thriving is our broken health care system.

I do not accept that vision for America, the vision put forward by opponents of health care reform. We need to create a simple health care exchange, where individuals and small businesses can go and be part of a large pool so they can negotiate a fair deal. Today we do not have that fair deal. Tomorrow we will.

We need a health care system that invests in prevention and disease management. We need a health care system that works to expand the health care workforce, because we have a big challenge. Many of our health care workers in America, our doctors and our nurses, are retiring. They are baby boomers. They are reaching retirement age. We will have increasing demand for more of their services as baby boomers retire. The bill we put forward works to address that discrepancy; otherwise, greater demand and lower supply will drive up the cost of health care.

We need to create a system that eliminates insurance that doesn't cover preconditions. What kind of health care do you have if you have a bad back but your bad back is not covered? What kind of health care system do we have if you have melanoma, such as Jeanette did before her operation, and you cannot get it covered because it is a preexisting condition?

This bill changes that. I believe we need to create a health care system that expands citizens' choices instead of constraining them as in our current system. We have many markets in America that only have a single dominant provider. We need to create a Community Health Care Plan to hold the feet of insurance companies to the fire. Competition in the marketplace—a 100-percent apple pie, American concept—is needed in health care to help control costs.

Americans across the country are counting on us to work together to find a solution, to help ease the burden of health care costs on family and business budgets and create more affordable health care options. I urge my colleagues to set their partisanship aside,

set aside the goal of trying to torpedo America's future because you want to torpedo the Presidency of Barack Obama. Think about the quality of health care for our working families and what we in this Chamber could do to make that quality of life far better. The costs of inaction, the costs of our broken status quo system, are too great to allow their solution to fall to petty, bitter partisan bickering.

Let's come together. Let's fight for a brighter future for America's families.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. 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. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Would the Chair please let me know when I have 1 minute remaining.

The PRESIDING OFFICER. The Chair will.

HEALTH CARE

Mr. ALEXANDER. Madam President, some friendly person is exercising his or her constitutional first amendment rights in Memphis these days running television ads urging me to vote for the health care proposal that is currently pending before Congress. That person may be wasting their money, because we are getting a fair number of calls in my Memphis office congratulating me for suggesting that we ought to slow it down and come up with a better plan.

We should start over in terms of what we are doing to try to find the right way to provide health care for the American people at a cost they can afford and, at the same time, provide a government they can afford. We are going in the wrong direction.

I know a lot of good effort has been put into the plan that came out of the Senate HELP Committee, and to the plans that have come out of two of the House committees and currently are being discussed in the third. But the most charitable thing I can say about it is, very well-intentioned people are working hard to try to find the best way to go in the wrong direction.

When you are going in the wrong direction, is it not the best course to start over, especially when we are dealing with something as big and complex and as personal and as important as the health care of every one of 300 million of us? We all know we will only have one opportunity to get it right. And that opportunity is before us. So if we are headed in the wrong direction, let us start over and let us get it right.

Who says we are headed in the wrong direction besides one Senator from Tennessee or maybe several members of the Republican Caucus?

The Mayo Clinic said that in an opinion it released about 10 days ago. The Mayo Clinic is often cited as an example of what we ought to be doing more of—good results, lower costs. But it said, we are headed in the wrong direction. It did release an addenda after someone obviously called, probably from the White House, and said, what is going on here? So the Mayo Clinic said one thing the White House said did seem to be helpful, but fundamentally it said we are going in the wrong direction with the idea of a public option.

A public option, as the President has said, is to help keep the insurance companies honest. That is like the President saying he is going to buy the rest of General Motors to keep Ford Motor Company honest, or to buy a drugstore to keep Walgreen's honest, or to have a government restaurant to keep O'Charley's honest. That is not the way our country works.

Who else says we are headed in the wrong direction? Democratic Governors as well as Republican Governors as I mentioned here on the floor last week—the Governors of Colorado, Montana. My State Governor said, this is the mother of all unfunded mandates. These Governors are looking at the idea of dumping—I use that word carefully—another 20 million low-income Americans into a failing government-run program called Medicaid, when 40 percent of the doctors will not see Medicaid patients.

The proponents of these proposals call it health reform, and then they are going to shift the cost to the States after about 5 years. The Governors are appalled by this plan. The Congressional Budget Office says we are going in the wrong direction. Senator MCCONNELL, the Republican leader, has said that the only bipartisanship thing about the health care debate is the opposition to it.

So let me take each of those points one by one. There are seven big problems with the two health care plans, one in the Senate, one in the House, that are before us. One is it flunks the first test which is reducing cost.

Two, it cuts grandma's Medicare and spends it on another program.

Three, it would pass big, new Medicaid costs on to the States, causing big increases in State taxes.

Four, despite what the President has said—or because the President said it, there is another reason to step back and take a different direction—millions would lose their employer-provided insurance.

No. 5, millions more Americans would find themselves in government-run health programs.

No. 6, during a recession, we would impose new taxes and new fines on employers in order to encourage more health care.

And, No. 7, with those government programs, you are more likely to wait in line and you are more likely to have your health care rationed.

Let's take them one by one. Flunking the first test, reducing costs. We should start with the 250 million Americans who already have health care and make it more affordable. We know there are 47 million Americans who do not, but 5 million are college students, 10 million are noncitizens, 11 million are people making $75,000 a year or more who can probably afford it, 11 million are eligible for an existing program.

Those are important things to do, but the idea here is to try to reduce the growing costs of Medicaid so you can afford your health care, and so that you can afford your government.

The Congressional Budget Office said on the 17th of this month that the legislation before us significantly expands Federal responsibility for health care costs. Over the weekend, in looking at the next 10 years, the Congressional Budget Office—that is our Congressional Budget Office—said: The proposal would probably generate substantial increases in Federal budget deficits during the decade beyond the current 10-year budget window.

No. 2, it cuts grandma's Medicare. The New York Times yesterday, in describing the proposal in an editorial, said: Reformers are planning to finance universal coverage in large part saving money in the traditional Medicare Program, raising the question of whether all beneficiaries will face a reduction in benefits.

If we are going to cut grandma's Medicare, we ought to spend it on grandma and grandpa.

We ought not to take that money from that program, which the Medicare Trustees have told us may be broke by 2017, and spend it on a new program.

Then there is the third issue, expanding Medicaid and increasing State taxes. As a former Governor, I am concerned that Congress hasn't got a real sense of how this will affect States—this plan to expand one government program, a failing, embarrassing program called Medicaid, into which we dump low-income Americans, and where we are going to dump another 20 million more. This is the reason the Democratic and Republican Governors, at their meeting in Biloxi a couple weeks ago, were up in arms about this. And after 5 years, we will shift the cost of that to the States. To expand it that much, to 133 percent of the Federal poverty level, would cost our State about $423 million a year for the State share. If we really want to give people a bus ticket to a bus line that actually has buses, we will have to pay doctors more because today doctors, 40 percent of the time, don't see Medicaid patients. As a result, that adds another $600 million. That equals a 10-percent new State income tax. It is inhumane to dump low-income Americans into a failing government program.

Then there are the employer taxes and fines. I have talked to a number of

businesspeople. If given the choice between paying $750 per person, which the Senate plan does, or providing every single full-time and part-time employee health care, they will take the $750 a person. And where are the employees going to be? They will be out of employer health care. That is not what the President said he wanted. Where are they likely to be? A lot of them will be in these government programs, one of which is being extended and one of which is being created.

Then there is the problem of waiting in line and rationing. If we create government programs with government people in between ourselves and doctors, there is more of a chance that we will be waiting in line and that we will have our health care rationed.

Republicans have offered a number of plans that make more sense. A number of us have joined with Senator WYDEN in a bipartisan plan that makes common sense. That plan, to be specific, would take the subsidies which we now spend on health care and spend them in a fairer way, giving low-income Americans a chance to buy health care like the rest of us have. It wouldn't create any new government programs. According to the Congressional Budget Office, it wouldn't add to the debt. If we are starting over, that framework would be a good place to start.

People at home in Tennessee, the Mayo Clinic, 1,000 local chambers of commerce that have made their announcement today, the Congressional Budget Office, and the Democratic Governors all say: Whoa, let's get it right. This has too many problems. Let's start over with something that Americans can afford in terms of their own health care plan and a government they can afford.

I ask unanimous consent to have printed in the RECORD an article by Martin Feldstein, President Reagan's former Chairman of the Council of Economic Advisers, from the Washington Post of today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OBAMA'S PLAN ISN'T THE ANSWER

(By Martin Feldstein)

For the 85 percent of Americans who already have health insurance, the Obama health plan is bad news. It means higher taxes, less health care and no protection if they lose their current insurance because of unemployment or early retirement.

President Obama's primary goal is to extend formal health insurance to those low-income individuals who are currently uninsured despite the nearly $300-billion-a-year Medicaid program. Doing so the Obama way would cost more than $1 trillion over the next 10 years. There surely must be better and less costly ways to improve the health and health care of that low-income group.

Although the president claims he can finance the enormous increase in costs by raising taxes only on high-income individuals, tax experts know that this won't work. Experience shows that raising the top income-tax rate from 35 percent today to more than 45 percent—the effect of adding the proposed health surcharge to the increase resulting from letting the Bush tax cuts expire for high-income taxpayers—would change the behavior of high-income individuals in ways that would shrink their taxable incomes and therefore produce less revenue. The result would be larger deficits and higher taxes on the middle class. Because of the unprecedented deficits forecast for the next decade, this is definitely not a time to start a major new spending program.

A second key goal of the Obama health plan is to slow the growth of health-care spending. The president's budget calls explicitly for cutting Medicare to help pay for the expanded benefits for low-income individuals. But the administration's goal is bigger than that. It is to cut dramatically the amount of health care that we all consume.

A recent report by the White House Council of Economic Advisers claims that the government can cut the projected level of health spending by 15 percent over the next decade and by 30 percent over the next 20 years. Although the reduced spending would result from fewer services rather than lower payments to providers, we are told that this can be done without lowering the quality of care or diminishing our health. I don't believe it.

To support their claim that costs can be radically reduced without adverse effects, the health planners point to the fact that about half of all hospital costs are for patients in the last year of life. I don't find that persuasive. Do doctors really know which of their very ill patients will benefit from expensive care and which will die regardless of the care they receive? In a world of uncertainty, many of us will want to hope that care will help.

We are also often told that patients in Minnesota receive many fewer dollars of care per capita than patients in New York and California without adverse health effects. When I hear that, I wonder whether we should cut back on care, as these experts advocate, move to Minnesota, or wish we had the genetic stock of Minnesotans.

The administration's health planners believe that the new "cost effectiveness research" will allow officials to eliminate wasteful spending by defining the "appropriate" care that will be paid for by the government and by private insurance. Such a constrained, one-size-fits-all form of medicine may be necessary in some European health programs in which the government pays all the bills. But Americans have shown that we prefer to retain a diversity of options and the ability to choose among doctors, hospitals and standards of care.

At a time when medical science offers the hope of major improvements in the treatment of a wide range of dread diseases, should Washington be limiting the available care and, in the process, discouraging medical researchers from developing new procedures and products? Although health care is much more expensive than it was 30 years ago, who today would settle for the health care of the 1970s?

Obama has said that he would favor a British-style "single payer" system in which the government owns the hospitals and the doctors are salaried but that he recognizes that such a shift would be too disruptive to the health-care industry. The Obama plan to have a government insurance provider that can undercut the premiums charged by private insurers would undoubtedly speed the arrival of such a single-payer plan. It is hard to think of any other reason for the administration to want a government insurer when there is already a very competitive private insurance market that could be made more so by removing government restrictions on interstate competition.

There is much that can be done to improve our health-care system, but the Obama plan is not the way to do it. One helpful change that could be made right away is fixing the COBRA system so that middle-income households that lose their insurance because of early retirement or a permanent layoff are not deterred by the cost of continuing their previous coverage.

Now that congressional leaders have made it clear that Obama will not see health legislation until at least the end of the year, the president should look beyond health policy and turn his attention to the problems that are impeding our economic recovery.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3183, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Dorgan amendment No. 1813, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, this legislation comes from the Appropriations Energy and Water Subcommittee. It has passed through the full Appropriations Committee and reported to the floor of the Senate. This is another one of our appropriations bills that we very much hope we can get done, have a conference with the House, and send to the President for signature. Regular order for this bill has not happened for a couple of years, which is a failure of the Congress and the White House because of the way things developed in the last few years. We need to change that.

I thank Senators INOUYE and COCHRAN, the chairman and vice chairman of the full committee. They have made a decision that they want to drive these individual appropriations bills through the process, get them conferenced, then send them to the White House to sign them into law. That is the way they should be done.

We have put together legislation that we think is a good bill. It funds all of the energy functions across the country, including programs attached to the Energy Department. It funds all of the water policy issues across the country, all the projects that are ongoing. It is a very important bill. If we think of the subject of energy and water, there is not much more controversial or important at this point than those two subjects.

This bill is 1.8 percent under the President's budget request and 1.4 percent over the amount spent in the previous fiscal year. This is a fairly conservative, austere bill we have put together. We have tried to make the best case we can for the best investments for the future.

The other thing that is important to understand is that, at a time when our country is in a deep recession, funding water projects and energy projects provides a way of putting people to work and creating jobs. At the end, rather than only spending and having the money disappear, we have invested and we have returns on those investments in the form of water and energy projects that will benefit the country for many years.

Yesterday, I talked for a moment about the Department of Energy's national laboratories. We fund a lot of issues in this appropriations subcommittee, including all of our science, energy, and weapons laboratories. I am so proud of those laboratories. They remind us of the old Bell Laboratories, where so much good research and scientific inquiry occurred. The Bell Labs are now largely gone. The laboratories that we have—the science, energy and weapons labs—are the repository of the most important research that goes on in this country.

I believe it was in the last fiscal year that Los Alamos in New Mexico announced it had completed work on what is called the Roadrunner, which is the most powerful computer in the world. That most powerful computer does not exist somewhere else, it exists here at Los Alamos Laboratory.

It is a computer that has met the speed of what is called a petaflop. That sounds like a foreign language.

Let me start first by talking about a teraflop. A teraflop is something where a computer can do 1 trillion discrete functions per second. In 1997, we reached that standard of a teraflop, 1 trillion functions per second. Ten years later, the amount of space for the hardware to do what was called a teraflop was a very large home essentially. That is the amount of space it took for the hardware. The amount of energy it took to run all that computer power was the amount of energy it took to supply hundreds and hundreds of homes. Then, 10 years later, a teraflop, the same 1 trillion functions per second, could be provided with the energy equivalent of a 60-watt lightbulb on equipment the size of a very small token.

Now we are not talking about 1 trillion functions per second or a teraflop. We are talking about a computing standard called a petaflop. The Roadrunner achieved it. A petaflop is 1,000 trillion functions per second. It is so powerful and unbelievable, it is almost hard to describe. I asked a scientist: What does it mean that you can do 1,000 trillion functions per second? He said: As an example, they are using them on stockpile stewardship and weapons issues. There are something like 1 or 2 billion synapses in the brain that communicate with each other. This is the first computer that has the capability and the power to analyze what these billion synapses of the brain are doing in communicating in order to produce something from one's eye called vision. We understand we can see. We just don't understand how it is all possible. Yet the development of very powerful computers like the Roadrunner, the world's most powerful computer in this country, allows us to do almost unbelievable things in science and research and inquiry. Is that an investment in the country, in the future? Yes, it is a big investment, an investment that will pay dividends for decades to come.

I point that out to say that we have brought a bill to the floor that deals with so many important energy and water issues. It attempts to accelerate research into renewable energy for programs like wind and solar and biomass. It attempts to evaluate how, through science and research, we can understand our ability to continue to use our most abundant resource: coal. We understand we will have to have a lower carbon future and capture carbon and sequester it or use it for beneficial use. The way we will do that is by investing in the kind of research and inquiry that will unlock the mystery of doing that. I am convinced we will. This is the legislation in which we make those investments.

Senator BENNETT has no doubt had the experience I have had because we lead the committee that funds all of this. I have had people from all around the country come to my office breathless about the silver bullet they have now patented that will solve all of our problems in energy, either the newest form of energy or the newest approach to capture carbon. They come in breathless. By the time they are finished talking, we are out of breath because they are so excited about what they are doing.

We have a guy who was a witness at a hearing on the beneficial use of carbon so that we can continue to use coal and not severely impact our environment. He has developed and patented an approach by which he takes the effluent coming out of the stack of a coal-fired generating plant and doesn't separate the CO_2. Through chemicals, he mineralizes it and creates a product that is equivalent and harder than and better than concrete. Is that the silver bullet? I don't know. But he made a strong and interesting case before the committee that this will dramatically advance our ability to use coal in the future while at the same time protecting our environment.

Senator BENNETT and I, in this legislation, provide the investment funds necessary to begin to scale up and demonstrate new approaches and new patents and new technologies in so many of these areas. Why is all this important? We are unbelievably dependent on foreign oil. Almost 70 percent of the oil we use comes from outside of our country. That makes us vulnerable from a national security and an energy security standpoint. The country knows we have to move off that dramatic dependency and find ways to produce more here. That means more of all kinds of energy. That is what we support in this legislation. We produce, we conserve. We provide greater efficiency for virtually everything we use every day, as we use energy in our daily lives.

Then, in addition to that large area of energy, which we will describe in greater detail as we have amendments to the bill, all of the water projects in this country, through the Army Corps of Engineers and the Bureau of Reclamation, are projects that are making life better for people, providing access to clean water and the storage of water.

We understand how controversial water is, but we also understand that water is essential to economic growth and human health. To monitor and conserve water resources and make the best use of all of those resources is exactly what we are trying to do with this legislation.

I won't describe more except to say this legislation includes the President's recommendations, his wide range of earmarks, and what the White House would like to be funded in water projects. We respect that and have accepted most of what the President has recommended for specific project requests. We have added some, while eliminating some of the President's, that we believe have higher value for various States based on information we have gleaned.

We will have amendments. I think there are already a couple dozen amendments filed. Some say the Congress should not have any imprint on what should be funded here, let's just let the White House tell us what they want funded.

Well, that does not make a whole lot of sense because the folks in this Chamber are elected by their constituents and perhaps have the best sense of what kinds of water projects will best meet the needs of their region or their State. But, as I said, we respect the President's views, and we have funded most of the specific projects he has asked us to fund and made some modifications where we think appropriate and where we think it will improve the legislation.

I say on behalf of myself and Senator BENNETT, we were here yesterday, and we did not have amendments offered. We had some filed but not offered. It is a quarter to 12 today, and we will be here all day. We very much hope, if people have amendments, they will come to the floor of the Senate, offer them, and debate them so we can proceed. So we are here. We very much would like to finish this bill by tomorrow evening—perhaps this evening, if people would be as optimistic as we

are. But we would like people to come and offer amendments as soon as possible.

Madam President, I do not know whether Senator BENNETT wishes to speak. Well, I believe we have someone who wishes to offer an amendment. We appreciate Senator VOINOVICH coming to the Chamber.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1841 TO AMENDMENT NO. 1813

Mr. VOINOVICH. Madam President, I ask that the Voinovich-Carper amendment No. 1841 be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH], for himself and Mr. CARPER, proposes an amendment numbered 1841 to amendment No. 1813.

Mr. VOINOVICH. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the authority of the Nuclear Regulatory Commission regarding the acquisition and lease of certain additional office space)

On page 63, after line 23, add the following:

SEC. 3____. AUTHORITY OF NUCLEAR REGULATORY COMMISSION.

The Nuclear Regulatory Commission may use funds made available for the necessary expenses of the Nuclear Regulatory Commission for the acquisition and lease of additional office space provided by the General Services Administration in accordance with the fourth and fifth provisos in the matter under the heading ''SALARIES AND EXPENSES'' under the heading ''NUCLEAR REGULATORY COMMISSION'' under the heading ''INDEPENDENT AGENCIES'' of title IV of division C of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 629).

Mr. VOINOVICH. Madam President, I thank Chairman DORGAN and Ranking Member BENNETT for allowing me to bring this amendment to the floor.

This bipartisan amendment renews authorization granted to the Nuclear Regulatory Commission and the General Services Administration in the fiscal year 2009 Omnibus appropriations bill that allows GSA to acquire additional permanent office space near the Nuclear Regulatory Commission headquarters location in Rockville, MD. We need to renew this authorization in the fiscal year 2010 appropriations because the current lease negotiations will likely extend beyond September 30, the end of fiscal year 2009.

This is a fairly straightforward and simple amendment, but I want to take this opportunity to underscore the importance of the original intent of the authorizing language.

Having served as either the chair or ranking on the Clean Air and Nuclear Safety Subcommittee for the past 8 years side by side with my good friend, the senior Senator from Delaware, I take great pride in the fact that the NRC has become one of the best regulatory agencies in the world.

Senator CARPER and I, together with other members on the Environment and Public Works Committee, have worked hard to provide the NRC with the necessary resources to do its job; that is, ensuring safe operation of the 104 operating nuclear powerplants while conducting licensing reviews of the 17 applications for construction and operation of 26 new reactors. That may sound like some new information, and it is. We have 17 applications filed with the Nuclear Regulatory Commission for construction and operation of 26 new reactors.

With three pieces of legislation included in the Energy Policy Act of 2005, we were able to help NRC hire more than 1,000 new workers and rehire retirees in the last 4 years to meet the increasing demand. The rehiring was to train new people who are being brought on board.

Now we need to follow through and provide NRC with adequate, colocated headquarters office space to ensure maximum efficiency and effectiveness. I must say that the subcommittee has looked at this over and over again, and we have concluded that it is very necessary to have them have space in the same vicinity so they can more adequately and more efficiently run the operation.

Lately, we have been hearing a lot about how we need to increase the use of nuclear energy if we are to achieve our energy independence, reduce greenhouse gases, and create jobs. I would point out that the NRC is at the center of all of this in the midst of reviewing those 17 applications for 26 new reactors.

Providing NRC with the tools necessary to achieve regulatory stability, efficiency, and effectiveness not only makes sense, it is the job of Congress. I urge my colleagues to vote for this amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, I am in favor of the Voinovich amendment. To use the language of the cloakroom, it has not yet been hotlined. I do not know of any objection to it, and at least on this side, we will do what we can to get it hotlined, get it cleared, so it can be adopted, I would hope by voice vote, as quickly as possible. But because it has not been hotlined on our side, I would suspect the vote will probably take place this afternoon, if that is acceptable to the chairman.

There has been, as Senator VOINOVICH has pointed out, a significant increase in the NRC workload, and GSA has been in negotiations with NRC to construct additional building space next to the existing NRC headquarters. The negotiations may extend beyond the end of this fiscal year, with the lease award occurring in 2010. So in order to anticipate that, the NRC and GSA agreed that the language should be continued in the fiscal year 2010 appropriations for the NRC. That will facilitate the procurement process and protect the government from any protests after a contract is awarded. This would mean the NRC could continue the current procurement without interruption. For those reasons, I think we should facilitate this.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

Mr. DORGAN. Madam President, if the Senator would withhold?

Mr. BENNETT. Madam President, I will withhold the suggestion of an absence of a quorum.

Mr. DORGAN. Madam President, I, too, rise in support of the amendment offered by Senator VOINOVICH. It is a good amendment. In fact, it would extend authority we have previously carried in this legislation in fiscal years 2008 and 2009. So I believe we would be able to clear this amendment by voice vote, but it has to be hotlined, I think. So my expectation is we will be able to clear this amendment at some point after lunch today.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL of New Mexico. 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. UDALL of New Mexico. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. Madam President, as to the bill that is before the Congress, I heard Chairman DORGAN mention Los Alamos National Laboratory and the Roadrunner computer. I thank him for his attention to the two national laboratories in my State, Los Alamos and Sandia. This computer, the Roadrunner computer, is a very important computer in dealing with issues such as climate change, national security, and other scientific research. I applaud his efforts in moving us forward, and also Ranking Member BENNETT. I applaud them both for their leadership.

HEALTH CARE

Madam President, if you follow the debate in Washington about health reform, it is easy to get the wrong idea. The press likes to cover what we are doing out here as if it is a game of chess—one side wins by passing health care reform; the other side wins by blocking it.

I understand that somebody will disagree with whatever plan we produce to reform health care. That is democracy. Some Members of this body might decide they have to vote no on health reform. But let's be clear on one thing: If we fail to pass a health reform

plan, nobody wins. If we keep the status quo, all of our constituents will be worse off.

The health care debate can get complicated. Both sides have a list of numbers a mile long that are supposed to explain the problem and the possible solutions. But these numbers do not tell the whole story. For example, we know that 22,000 Americans die each year because they do not have health insurance. But that is only part of the story because every one of those 22,000 is a unique and irreplaceable individual—somebody's mother, somebody's son. Numbers cannot convey the injustice of it all, the needless pain for families and friends. Every year, this country produces 22,000 unnecessary stories of loss and suffering—22,000 stories that could go unwritten if we act now. These stories are everywhere we look, if we look.

Last week, I got a short note from a man in Pena Blanca, NM. The man wrote:

> My wife and I have been self employed craftsmen for 25 years. We never made enough money for health insurance. My wife now has terminal colon cancer. If she could have had a colonoscopy at 50 [years old] she would not be dying at 54. My heart is broken.

All this woman needed was the simple preventive care that should be available to every American—care that costs little and saves lives. But our system did not provide that, and now she is dying. If we do not get health care legislation passed, thousands of women like my constituent in Pena Blanca will not get their colonoscopies and thousands more hearts will be broken like her husband's. I do not care where you stand in this body, that is not a victory for anybody.

Another thing we talk about in Washington is ''preexisting conditions'' reform. It sounds as if it should be something complicated, something most Americans do not quite understand. But my constituents know exactly what a preexisting condition is. It is the heart attack from 10 years ago that prevents dad from getting insurance through his job. It is mom's age. It is the fact that Sarah from down the street might get pregnant—a fact that forces her to pay more for insurance than her male coworkers.

I have held a number of townhalls on health care reform in New Mexico, and everywhere I go I hear stories.

A couple of weeks ago, I heard a story about a constituent who had come to my office for some casework a few years ago. This is one of those people whom you would expect to do great things. He works an incredibly technical job at Los Alamos National Laboratory. Until recently, he thought his knowledge and hard work would get him through any crisis. Then John began suffering from a host of unexplained neurological problems. The problems got so bad that he was actually relieved when a doctor told him about a tumor in his brain. He chuckles when he remembers that day. He was so relieved to know what was wrong with him, and his doctor said something could be done.

But John's insurance company had other ideas. Months went by, and John was not approved for the operation his doctor recommended. Only just recently was he approved for the procedure he needs. But now he has other problems. His medical leave is about to run out, and he does not know what to do. If he loses his job, he loses his insurance. And if he loses that, he could lose everything. He will become just another American whose preexisting condition prevents him from getting health care.

John was supposed to be one of the lucky ones. Before he began having problems, he assumed he was one of the 55 percent of New Mexicans who have adequate health insurance. But John was just one illness away from the edge. And he is not alone. If we do not act, millions of Americans will fall off the edge in the coming years. I do not care how you feel about the President's health care plan, that is not a victory.

Because John cannot work, he could lose his health insurance. But you do not have to lose your insurance to lose everything.

When I was back in New Mexico over the Fourth of July recess, I stopped at a local TV station for an interview. I went to the front desk to check in and introduced myself to the woman sitting there. It was like I had touched a nerve.

''Senator UDALL,'' she said, ''I need your help.''

This woman works full time and she has health insurance through her work. Not too long ago, her doctor told her she needs cataract surgery or she will lose her sight. On Monday, before I met her, she was scheduled to get that surgery. Then, days before her appointment, she was informed that the deductible would be more than $2,200, not including the cost of any followup care. Like many Americans, she has been struggling to make ends meet in this economy. She cannot spare $2,200 from her paycheck, so she canceled her operation. Now she is afraid she will lose her sight and she doesn't know what to do. So when a Senator walked through the door, she asked me for help.

We can help this woman. She shouldn't have to choose between paying her rent and keeping her sight. Nobody should. And we can make it so. We can create a system where people can find and afford to pay for quality health insurance that provides the care they need. We can create a system where people do not have to worry that they are one layoff away from losing their insurance or one medical emergency away from losing everything. We can guarantee quality affordable health insurance to every American. If we don't—if we miss this opportunity—this is not a victory of one political party over another; it is a massive loss for all of us and for everybody we represent. It would be a national disgrace.

We are better than this. We can pass something that helps every American. We can declare victory not over the other political party but over the status quo. I hope we do so.

Thank you, Madam President.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KOHL. 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. KOHL. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Madam President, I rise today to talk about our effort to achieve comprehensive health care reform. Most people agree that reforming our health care system is a necessity and that we cannot afford to wait another 10 or 20 years until health care costs consume the American economy as well as the budgets of most American families. However, as urgent as this issue is, we must approach every aspect of health care reform thoughtfully and not rush to complete what might be one of the most important legislative initiatives any of us will ever work on during our time here.

As the HELP Committee and the Finance Committee release their proposals for health reform, we know we cannot consider a bill that does not control costs. Controlling costs is an enormous priority. I believe it is as important as ensuring universal coverage, because if we provide universal coverage without controlling costs, the result would be financial catastrophe for our Nation.

I want to be clear that lowering costs does not mean limiting access to care, although opponents of health care reform will try to convince the American people that it does. These political talking points are a distraction at a time when we are trying to expand access to health care. No one will be forced to change their health plan, their doctor, or their hospital if they like what they have now. Health care reform will provide coverage to those who do not have it today, and it must lower costs for both families and businesses.

One key component to cutting costs is to eliminate unnecessary testing and overtreatment. If we can do that, then our health care system and America's patients will be in better shape. We can move in this direction if the Federal Government starts paying for value of care, not volume. As it stands, the Medicare reimbursement system provides perverse incentives. Currently, geographic areas that provide the most inefficient care oftentimes get the highest reimbursements. We need to ensure that all health care systems provide better care in a more efficient

way and reward those systems that already do so; otherwise, we will never get costs under control.

As chairman of the Aging Committee, I am familiar with many of the health care issues that affect seniors as well as all Americans. In this capacity, I have been pushing for health reform to include improvements to our long-term care system. Our Nation's population is aging at a record rate, and with every passing year more elderly Americans find themselves in need of long-term care. Most of us will at some point struggle with the high and rising costs of caring for a loved one. These too are costs we must get under control as part of health care reform, and I applaud Chairman KENNEDY for including the CLASS Act in the HELP Committee bill. This bill will provide new funding for long-term care through a voluntary social insurance program.

We can also get long-term care costs under control by promoting a move toward home and community-based long-term care services in Medicaid. These programs break away from a ''one size fits all'' approach, offering flexibility and choices tailored to an individual's needs. Even better, they save a lot of money that would otherwise be spent on nursing home care. Senators KERRY, GRASSLEY, and CANTWELL all have good ideas in this area that I hope will be considered.

We must also protect those consumers who are making an effort to plan for the costs of their own long-term care in advance. In recent years, long-term care insurance has gained popularity. Over 40 States have initiated programs to encourage residents to buy long-term care insurance in an attempt to ease the burden of Medicaid costs on State budgets. I believe we have a duty to make sure these policies, which may span several decades, are financially viable.

Many long-term care insurance companies have been raising their policyholders' monthly premiums, which can be devastating for older persons who are living on a fixed income. Until we can guarantee that consumers have strong protections, that carriers will not deny legitimate claims, and that premiums will not skyrocket down the road, long-term care insurance is not ready to be a major part of the health care reform solution.

The funding of care is not our only concern. It has been 22 years since we raised the standard of care in nursing homes, and quality improvements are long overdue. Every year, as part of our Medicare and Medicaid reimbursement system, our government collects information about all 16,000 nursing homes across the country. We should make this information available to consumers so they can judge a home's track record of care for themselves before deciding where to place a loved one. We should make nursing homes safer by instituting a comprehensive background check system for long-term care workers. Pilot programs have shown that this would keep thousands of predators out of our nursing homes where they can cause, and do cause, terrible physical, financial, and emotional harm to residents and their families.

The truth is that while there are some hot button issues that divide us and while there is seemingly endless ground to cover, there is a lot about improving health care we do agree on. We all recognize the need to bolster the ranks of those who provide care. As America ages, we will face a severe shortage of workers who are equipped to manage seniors' unique health needs. It is important to expand the training and education for licensed health professionals, direct care workers, and family caregivers, and I applaud the HELP Committee for recognizing this need in their bill.

We agree that America's health systems should expand the use of health information technology, which has been shown to save lives by reducing medical errors and save money by promoting efficiency in testing and communication. We agree that those who have suffered from a health problem in their past should not be denied insurance that will protect them for the future by ensuring that these individuals with preexisting conditions can purchase coverage.

We also agree that we should do everything we can to remove fraud, waste, and abuse from the system. We must employ a vigorous health care fraud enforcement program that will protect policyholders, businesses, and taxpayers.

We agree that we should work to provide appropriate care at the end of life. We need to break down the barriers to advance planning and encourage Americans to talk with their doctors about end-of-life care long before such choices must be made.

Finally, we agree that we have a lot to gain if we get this done in a thoughtful, deliberate way. We can do this right and we must do this soon because so many Americans are depending upon us.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

Mr. THUNE. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Madam President, I think the American people are beginning to react in a negative way to what they perceive to be happening in Washington, DC, today with regard to the debate about health care, the debate about new energy taxes in the form of a cap-and-trade program. Of course, we know there are a lot of questions about whether there was any value in the trillion dollar stimulus bill that passed earlier this year, which was supposed to keep unemployment below 8 percent, and now in many States it is well into the double digits and continues to go north from there.

They have seen a lot of government spending with the stimulus, a takeover of many industries, whether it is auto manufacturing, financial services, or insurance companies in this country. They have seen the cap-and-trade bill, which passed the House of Representatives, which they know—there are debates about how much, but they know it will increase what they pay for energy in this country. And now we are having this discussion about the government taking over one-sixth of the American economy in the form of health care.

I think what we are starting to see is that the American people, as they engage in these issues, are becoming increasingly concerned about the level of government expansion and intervention in the marketplace, and the amount of new taxation and new borrowing and spending that is going on in Washington, DC, at a time when the American people are being, by virtue of the fact that they have to live within a balanced budget, required to make hard choices in their daily lives. They see a disconnect between what they are experiencing in their family lives and what is happening in Washington, DC, where there continues to be this pattern of new taxes, spending and borrowing.

Logic would dictate, I think, when you are in a recession, you should not raise taxes. The worst thing to do in a recession is raise taxes and actually crush any economic recovery that might occur because, as we all know, what helps create jobs is small business. If small businesses are faced with higher taxes, they have less to invest in new equipment and in hiring new employees.

The other thing I think logic dictates is that when you are running trillion dollar deficits as far as the eye can see, you should not be piling more debt upon future generations. It seems as if everything we are talking about these days is an expansion of government in Washington, at greater additional costs to the American people, either in the form of higher taxes or increased borrowing from future generations, neither of which is something I think most Americans would acknowledge we ought to be doing when you have an economy in a recession and trillion dollar deficits as far as the eye can see.

The current health care debate is a good example of something about which people have reservations and concerns, because they see the attempt by the Federal Government to take over one-sixth of the American economy, to essentially nationalize it—whatever you want to call it. In any

event, it will mean greater government intervention and greater government involvement and an expansion of government in Washington, DC. I think they are starting to react in a negative way against that, and more and more members in Congress, in the House and Senate, are hearing that.

I think that is why it is becoming increasingly difficult now to move in the quick way in which the Democratic leadership in the House and Senate wanted to in order to enact some form of health care reform before the August break.

The way I view this issue is that we ought to look at starting over. Clearly, what has been proposed and rolled out so far is not working. It is not working in terms of winning the minds of the American people, in terms, in Washington, DC, of putting together what ought to be a bipartisan solution to probably one of the biggest challenges and crises facing the American people and our economy.

So far, we have seen a bill being debated at the committee level in the House of Representatives, and perhaps scheduled for the floor—if not this week, when we get back—and we have seen action by the HELP Committee in the Senate on a bill that, by CBO's estimate, is about a trillion dollars in new costs. Somehow, it will have to be paid for.

It seems as if we ought to push the reset button and figure out, OK, how can we do this in a way that achieves savings to the American people and the health care costs in this country, as opposed to actually adding new costs by increasing government spending in Washington, DC, expanding the size of government, and putting the government in the way of—I guess intervening in that fundamental relationship between physicians and patients.

There are a number of things that are, in my view, wrong with the current plan, the plan that passed the HELP Committee in the Senate, as well as the one currently being considered in the House of Representatives. The first fundamental test it flunks is that it doesn't do anything to reduce costs. To me, reform ought to be finding efficiencies, streamlining, looking at ways of doing things in a less costly way to achieve savings. We know that is not the case with the bill that passed the HELP Committee in the Senate, and we know the House of Representatives, in their bill, according to the most recent Congressional Budget Office estimates, also does nothing to find savings or achieve any sort of savings as a result of all these changes being proposed. So it flunks the first fundamental test of reform; that is, it does nothing to reduce costs.

Secondly, it does cut payments, reimbursements, under Medicare to providers, whether it is hospitals, whether it is the cost of pharmaceuticals. All of these things in this country that add to the overall cost of health care are obviously going to take a nick in this. We don't want to see the health care currently provided under Medicare to American senior citizens somehow be hurt by the fact that they are trying to find money to pay for this whole new expansion of government health care in this country. So you have the issue of cuts to reimbursements currently under Medicare, which very likely would impact the delivery of care, the quality of care for America's seniors.

The third thing, and another big problem, is that it adds new Medicaid costs to our States. States currently are participants. Medicaid is a shared program between the Federal and State governments, and there is talk about a significant expansion, the size of the Medicaid Program, which obviously costs the Federal taxpayers a lot more money. But it also passes on an incredible new and costly mandate to State governments. Many States are figuring that out and are starting to react to it.

My State of South Dakota is a good case in point. Our State legislature, Governor, and people who looked at this have concluded it would cost South Dakota an additional $45 million a year in Medicaid costs, which may not sound like a lot of money in Washington, DC, but in a State such as South Dakota, where there is a requirement to balance the budget every year, that represents a lot of money. Obviously, it will have to be paid for somehow. When you get to the larger States, the numbers increase in multiples.

You are talking about new taxes on States, in addition to the new taxes being talked about in Washington, DC, to pay for all this. You have new Federal and State taxes, again, at a time when already many State governments and budgets are strapped and they are trying to figure out how to balance their budgets currently.

Another reason why the current plan is such a big problem, and why we need to start over and hit the reset button, is because you are going to have a lot of people who are going to lose employer-provided insurance. Most of the studies conclude—and the House bill is a good example—that about 83 million people would lose their private health insurance under the bill that is under consideration in the House of Representatives. There are other studies that have been done. This was a Congressional Budget Office estimate. Other studies suggest that the number of people who could lose insurance on some of these plans under consideration in Congress could be in the 120 million range.

If you consider that we have 177 million people today who get their insurance through their employer, that is a significant number of people who are going to lose their privately provided health insurance and be pushed into a government plan.

That brings me to the next point of why the current health care plan being debated is the wrong direction in which to head and creates problems; that is, you are going to have more people going into the government-run plan—literally millions of people, the ones who are going to lose their insurance in the private marketplace. They are going to be pushed into a government-run plan. Obviously, there are a lot of people who would like to see that. I don't happen to be one of them. We ought to preserve what is best about the market and competition we have and allow people to have more choices. We don't want to, by default, shove more and more people into a government-run plan, when there are opportunities out there available to them today where they can get their health care coverage and insurance in the private marketplace. That is a much better model and has worked very well for a long time.

That isn't to say there are not things we can do better. I don't know of any Senator on either side of the aisle who doesn't acknowledge that there are things we need to do to reform health care in this country, to get costs under control, provide access to more people. But certainly taking away private coverage and pushing people into a government-run plan is not a reform of the health care system that makes sense to me or, I argue, most Americans, especially when it will cost trillions of dollars to do it.

As I said, I think most people look at reform as something that would actually reduce or somehow eliminate costs or create greater efficiencies and savings in the health care system in this country. You have a lot of people who will lose private insurance, and millions of Americans would be pushed into a government-run program.

As I said before, another big problem with this idea is that for employers, during a recession, it imposes new taxes and fines, both of which would be very costly, and both of which would deprive them of the opportunity, as the economy hopefully starts to recover, to hire new people, create new jobs, which is what small businesses do best. They are the economic engine of this country. We are talking about imposing new taxes and fines on them, at great cost, and so that takes away a lot of the resources, as they generate revenue that they can be able to devote or allocate toward capital investment or hiring more people. They are going to be paying fines and taxes to the Federal Government to underwrite this new expansion of government in Washington, DC.

Logic would dictate, and history would suggest, that the worst thing you can do in the middle of an economic recession is to raise taxes on the job creators in the economy. Raising taxes on small businesses is a bad idea. In fact, the House bill that is under consideration, with the surcharges and increased taxes, would actually increase marginal income tax rates from the top rate today of about 35 percent to about 37 percent. Think about that. The size of the increase in marginal income tax rates that would occur in

State and Federal marginal tax rates, under the plan under consideration in the House of Representatives, and how that would impact the economy, would be the largest tax increase we have seen since the end of World War II.

Frankly, if you think about most Americans and most small businesses, when you start paying half, or 50 cents out of every dollar, in taxes, you are getting to a point where it is going to be very difficult for these businesses which might say: Why should I continue to try to create jobs and provide health care coverage for my employees, when the government takes more and more of the profits I make in this business? I think that is the risk we run with the job creators, the small businesses, which are the economic engine and create as many as two-thirds to three-quarters of all of the jobs in our economy, in a recession. When you put new taxes and fines on them, you are layering them and burdening them with more costs that will make it very difficult for them to lead us out of the recession and start to expand the economy and create jobs. Intuitively it makes no sense for us to head in this direction.

Finally, I think the last problem—and, as I said, there are many with the current health care proposals—is we will have to start dealing with the lines and the rationing that so often occurs when we see a system such as they have in Europe or the Canadian system. Some here actually believe that is the best way to do this. They believe in a single-payer system. They believe we ought to nationalize our health care system in this country. Inevitably, what we will end up with is people ending up in lines. We will have government making decisions about what procedures will be covered, what the reimbursement will be for this procedure, that procedure. It is a disaster and a train wreck in the making, and it is a direction I don't think we ought to go.

These are all issues that I think point to the need for us to hit that reset button and to sit down and actually figure out what can we agree upon that will be a bipartisan solution to the challenge of increasing costs and a lack of access for millions of Americans.

That being said, we have a large number of proposals out there which, I submit, we ought to be able to debate. As the HELP Committee and the Finance Committee go through their deliberations, there are many things that have bipartisan support in the Congress for which we could get big majorities and which would address the fundamental issues of access to health care and cost of health care but none of which are being considered because right now the only plan out there is the one that has been written by the Democratic leadership, which consists of this government plan or this government takeover of the health care system.

We believe the principles in this debate ought to continue to maintain: People ought to be able to keep their health care; it ought to be health care they can afford; it ought to provide choices; and it ought to be patient centered.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

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.

HEALTH CARE REFORM

Mr. BROWN. Mr. President, I come to the floor today, as I will in the next few weeks fairly often, to share letters with my colleagues in the Senate and the people of this country, letters I have gotten from people in Ohio. I have letters today from a woman in Clermont County, Cincinnati; a lady in Lake County, Cleveland; a gentleman from Lake County also; and a gentleman from Columbus. I want to read these letters because this is really what the health insurance debate is all about. It is partly about preexisting conditions and exclusivity and gateway and exchange and public option—all those terms we all throw around. But what this debate is really about is people who are hurting because of the health insurance situation in this country. We know it is broken. We know we need to fix it. These are real people I want to discuss, people my office has talked to and I have talked to in some cases, people, for instance, like Lee Parks, whom I sat next to at Medworks in Cleveland this weekend. She was helping people with intake, people without insurance. They had some 1,500 people who came by without insurance. They needed dental care, eye care, medical care. There were several hundred volunteers, as I said, like Maria Parks and her husband Lee, who came and worked with us on health issues. Let me share some of these letters.

This is Wes from Columbus:

I am a 42 year old single male, small business owner. I had been able to make sure that I have health insurance up until March of 2007. It was then that Anthem raised my premium by 40 percent to $725 a month.

I had to decide whether to pay for the insurance or to continue to put money into my business. I chose the business, since without it I wouldn't have had access to insurance anyway. Since then I have tried to get coverage, but because of my 3 spinal surgeries, 2 sinus surgeries, and a prescription, NO ONE will cover me.

He capitalizes ''no one.''

Ohio has something called ''open enrollment'' which is a joke. Each month a different insurance company has legally to accept anyone who has pre-existing conditions. BUT, the way they keep people away is by making the rates so high.

We know that is what the insurance companies do. That is why we wanted the public option.

In 2008 Aetna quoted me a rate of $26,000 a year for coverage.

This is a small business owner. He says:

That is over half of my pre-tax income.

He said:

It's clear to me I will never get coverage under the present system.

Margaret, from Amelia, OH, writes:

I am a 61-year-old woman who has oral cancer. I worked in a law firm in Cincinnati for over 27 years, as the records manager. I've had four recurrences of cancer, and so far have been very lucky, but the doctor has said it will be back . . . and will get progressively worse. I'm worried about the pain, disfigurement and death, but right now—

She has oral cancer, she says—

I am most worried that I will be unable to work following surgery or treatments and lose my job and health insurance.

So she loses her job, she loses her insurance. We know that happens to so many people.

In 4 years I will be on Medicare but the cancer is coming back within months, now, not years. My husband is several years older and will probably be retired before I could get Medicare.

She writes:

Do you really want a truck driver on the road in his late sixties?

Her husband.

I am worried that we will lose the house and everything we've worked for.

This is a letter from a woman from Lake County:

I am 80 years old and have several health problems making it necessary to take 8 prescription drugs. Last year I fell into the donut hole.

This was the President Bush privatization of Medicare. It provided a prescription drug benefit, sort of—a good one for some people. But it was a bill, as you remember, written by the drug companies and written by the insurance companies at the betrayal of the middle class in this country.

She writes:

I fell into the donut hole by July, and only made it through the rest of the year due to the doctor giving me samples. . . .

My son had been diagnosed with rheumatoid arthritis several years ago. The insurance he had with his employer agreed to allow the treatments with remicade.

Remicade is that very expensive biologic drug that costs tens of thousands of dollars a year for which there is no generic substitute, for which there is no way to get the price down.

Then [my son] changed jobs and his new insurance would not allow the remicade, but would allow the use of humira, if my son would co-pay $1,000 per treatment—every other month. . . . That was almost more than his salary. He is barely making out.

That is the reason we need generic biologic reform, the reason we need a health insurance reform plan.

The last letter I will share today is from Thomas, from Lake County.

My name is Tom Zidek. I work for the United Steelworkers Union. Today I received information from one of the companies I represent that Kaiser is requesting a 30 percent increase in premiums next year.

This company has received another quote from Anthem, and ''Anthem's increase will be 15 percent for next year.''

He then goes on and tells me about his son who has Down's syndrome, has had open heart surgeries. His wife has cancer, and the medications she takes, according to Medco, cost approximately $5,000 to $6,000 a month.

As I said, me and my wife have good healthcare but earlier this year we were both concerned that we might lose our jobs.

He has worked for 36 years in the steel industry. He, along with millions of other workers, he tells us, middle-class families, played by the rules, and this is what happened.

These letters are four of hundreds that we get, many of us, every single day. I have had more calls and letters and e-mails this week about health care than any other week in my whole Senate career, my whole House career, for the last 18 years; more letters on health care, on this subject, than total letters I have gotten in any other week since I have been in the Congress. This is so serious. It is absolutely a necessity that we work on this. People who say go slow need to understand there are 14,000 Americans every single month losing their health insurance. Many of them live in my State. We need action.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. DORGAN. 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.

CHINA HUMAN RIGHTS

Mr. DORGAN. Mr. President, I wish to make a very brief statement while we are awaiting Members of the Senate to come and offer amendments. Senator BENNETT and I have been very patient. We have a good many amendments filed, so we are waiting for our colleagues to come offer those amendments on the underlying appropriations bill. But I wish to take a couple of minutes while we are waiting, to offer a brief statement.

I am Chairman of the Congressional-Executive Commission on China. The Commission examines human rights and rule of law developments in China. I would like to talk for a moment about these issues and some developments in China that concern me a great deal.

I want to discuss the increasing harassment of human rights lawyers in China, which this Commission had reported on in great detail. Some have been disbarred, and their law firms have been closed. Others have been physically harassed or beaten. What do these lawyers share in common? The tenacity and courage to take on politically sensitive cases.

I wish to say a few words about China's most famous human rights lawyer, a very courageous man named Gao Zhisheng.

It is 174 days now since Mr. Gao was last seen taken from his bed by more than 10 men. His captors, apparently the ''national defense'' unit of China's public security agency according to the renowned China expert Jerome Cohen, had threatened to kill the young lawyer during previous detentions that were marked by horrific torture. What was his transgression? Why is he in trouble with the Chinese authorities? He agreed to take politically sensitive cases as a lawyer, and represented some of the most vulnerable people in China. He sought to use the law in China to battle corruption, to overturn illegal property seizures, to expose police abuses and defend religious freedom in China.

In October of 2005, Gao wrote an open letter to President Hu and Premier Wen detailing the torture of Falun Gong practitioners by authorities. A month later, the authorities shut down his law firm and revoked his license to practice law.

In 2006, he was convicted of ''inciting subversion of state power,'' and was placed under ''home surveillance'' which was harsher than prison, for Gao and his family.

In 2007, public security officers abducted him again. He was brutally tortured for 50 days. His abduction was prompted by the publication of an open letter he wrote to us in the U.S. Congress.

Think of that. A lawyer in China wrote an open letter to us, Members of the Congress. In it, he alleged widespread human rights abuses in China and described the government's treatment of him and his family. His captors called him a traitor. They warned him he would be killed if he told anyone about being abducted and tortured.

Once released, he was placed again under ''home surveillance''. His family faced constant police surveillance and intimidation. His daughter, barred from attending school, lost hope as a young girl. The treatment became so brutal the family finally decided that their very survival depended on their escaping from China.

But Gao was too closely monitored and could not think of leaving without placing his family at great risk because he was monitored 24 hours a day. He did not want to be in a situation where he would leave his family at even greater risk.

So in January of this year, Gao's wife, 6-year-old son, and teenage daughter were smuggled out of China and into the United States. This is a photograph of Gao, his wife Geng He, his son, and his daughter. This photograph depicts a beautiful family living in China, Mr. Gao and his family, a lawyer who practiced law in support of the most vulnerable in China. As a result, he ran afoul of the Chinese Government.

Mr. Gao disappeared 174 days ago, has not been seen or heard from since. After his family fled China, Gao was abducted once again from his home and no one has seen him alive. We know his situation is extremely grave. I have met with his wife. I have spoken about this on the floor of the Senate previously. His wife came to Washington, DC, and was in the balcony when I and other colleagues spoke about the plight of Mr. Gao.

Of course, he may have been killed. The Chinese Government has not let anyone know his whereabouts or given access to him despite repeated appeals by U.N. agencies, by our government, by foreign governments, NGOs, and the media. The Chinese Government has signed and ratified many international agreements, human rights agreements, that would require it to come clean about Mr. Gao.

I have written to the Chinese Ambassador to the United States, and received a letter back from him that was a nonanswer. I call on the Ambassador again to answer the questions: Where is Mr. Gao being held? Is Mr. Gao alive? What is the Chinese Government doing to this poor soul who had previously been tortured simply because he ran afoul of the state by speaking out and practicing law on behalf of those who are vulnerable in China?

We call on the Chinese Government to give us information about Mr. Gao, to allow him access to a lawyer and to his family and to publicly state and justify the grounds for his continued abuse. The right to speak freely and to challenge the government, all of these are enshrined in the constitution in China. Yet it appears the Chinese Government and the Communist Party seem intent on upholding the violation of these rights in the case of Mr. Gao.

What has the Chinese Government done to Mr. Gao? How do they justify it? When will they allow his family to see him? The government's continued refusal to produce Mr. Gao makes this case resemble those of the ''disappeared'' in Latin American dictatorships.

American law has the practice of habeas corpus. It is the legal action through which a person can seek relief from the unlawful detention of themselves or another. I am aware of nothing similar to America's habeas corpus that exists in Chinese legislation or

legal practice. But the U.N. Convention Against Torture, which China ratified almost 20 years ago, obligates it to come clean about Gao.

I urge the government of China to disclose his whereabouts and justify the grounds for his continued detention. Once again, this is a photograph of a very courageous man, a very courageous Chinese lawyer, who has been incarcerated and tortured and now has been apparently abducted, perhaps killed. We do not know. I call on the Chinese Government to tell us what has happened to Mr. Gao.

Mr. Gao's family and Mr. Gao's wife continually await word now 174 days after their father and husband—this courageous lawyer in China was abducted. Having been abducted before and having been tortured before, they worry very much about the safety of their husband and their father. My hope is that our government, and other governments can expect some word soon from the Government of China about the whereabouts and the well-being of Mr. Gao.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Will the Senator yield?

Mr. CASEY. I yield.

Mr. DORGAN. I ask unanimous consent that morning business statements during the consideration of this bill be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. CASEY. Mr. President, I rise to speak of an issue that has dominated a lot of the time and attention—appropriately so—of this Senate, of the Congress overall, and the American people. Of course, that is health care.

We have heard so far a vigorous debate but, in my judgment, a debate that has not had nearly enough facts on the table. Some of those facts, of course, are the facts as they relate to what is in the legislation. Right now, what is before the Senate is one bill, the Health, Education, Labor, and Pensions bill, which came out of our committee. I am a member of that committee. It came out a few weeks ago with 13 Democrats voting for it, 10 Republican Senators voting against it.

We await anxiously the deliberation, further deliberation and the markup and the amendments which will lead to a vote in the Finance Committee. We do await that with a lot of anticipation. That will cause further debate and properly so. But I rise to speak on two or three topics as they relate to where we are now.

One is the question of the ''cost of doing nothing,'' the cost of staying on the same road, the status quo, because that is one choice for the American people. The other path is the path of change and reform, standing and working with President Obama to create the kind of stability the American people should have a right to expect from their health care system.

That stability should relate to and is framed by a number of important considerations—certainly stable cost. Too many Americans, even though they have coverage, see the costs going up all the time, and they cannot afford to pay them. Whether they are in a family or whether they are running a small business, we need to give them, through this legislation, stable costs going forward into the future.

We also need to make sure we have stability as it relates to quality. Millions, tens of millions of Americans, are covered by a health care plan from a health insurance company but are not getting the kind of quality that they deserve. That is a real indictment of our system. Strong as it is in some other areas, it is pretty weak in some of our quality indicators.

Thirdly, I think we want to make sure we ensure stable choices. The American people have a right to expect, at the end of the road of this legislation, when it is sent to the President—I sure hope we can get there; I think we can—that the President will be able to sign a bill that has a sense of stability as it relates to choices.

Why is it the American people should not be given choices not only from a menu of private options but also be given the opportunity for a public option—not a public option that is vague and overreaching but a public option that has the same rules, that every insurance company has to develop a plan. In other words, that the plan will be solvent, that the plan will be self-sustaining. All those features would be part of the public plan.

But the threshold question still is: Do you want change? Do you want to stay on the road we have been on, the status quo? I speak about the people of Pennsylvania, but I also know these numbers I will cite have a national implication as well.

If we do nothing, if we stay on the path we are on—now it is 2009—by 2016, according to one report, by the New America Foundation, here is what happens in Pennsylvania if we do nothing, if we stay on the road that is called the status quo, the do-nothing, let's not change road.

Here is the result from page 86 of the report.

By 2016, Pennsylvania residents will have to spend nearly $27,000 or close to 52 percent of median household income to buy health insurance for themselves and their families. This represents a 93 percent increase over 2008 levels and the sixth highest premium cost in the country.

I have not found yet, and I do not think I ever will find, a family in Pennsylvania, rich, middle income or poor who will walk up to me and say: You know what, you should not do anything about health care. Everything is fine. We should stay on the road we are on. When it comes to 2016, my family and I can afford to spend 52 percent of our income on health care.

I do not think we are ever going to find anyone in Pennsylvania or America who will be able to make that statement because no one can afford that.

But make no mistake about it, that is the path we are on right now as it relates to the cost to families across the country. Here is another segment of this report on the same page—again, as it relates to Pennsylvania.

People seeking family health insurance through their employers in Pennsylvania will have to contribute—

Meaning by 2016—

more towards premiums than residents of all but one state.

The people of Pennsylvania

will also experience the second greatest percent change in their premiums contributions nationwide. By 2016, people in Pennsylvania seeking family coverage through their employer will contribute almost $9,000 to the cost of the premium.

To be exact about it, we are talking about a premium increase from $3,510 in 2008 to $8,830, almost $9,000, for health care. I don't think I will run into anybody in Pennsylvania or America who says: Let's stay where we are. Everything is wonderful. Don't pass any bill. Don't worry about getting it done. We can afford to stay on the path we are on.

In a word, that leads to, if anything, instability for a family, the inability to make ends meet for a small business. That is the road we are on right now. At some point in this debate, there are going to be people in the Senate and House Members across the way who will have to decide which team they are on. In my judgment, there are two teams: the reform and change team President Obama has developed and the set of policies behind that or the ''let's not change, everything is OK, let's stay on the road we are on and let's stay with the status quo.''

In my judgment—and I know the people of Pennsylvania pretty well—people will support change, because the road we are on now is a road to ruin when it comes to our economy, when it comes to the bottom line of families and small businesses.

Every week, 44,230 people lose their health insurance. That is unsustainable. We can do all kinds of positive things in our economy. We can talk about creating jobs and doing all of the actions we hope to do to build a strong economy, but when we are a country where 44,230 people every week lose health insurance coverage, we are all in trouble.

For Pennsylvania, between January of 2008 and December 2010, a little less than 3 years, 178,520 people are projected to lose health care coverage. Again, I don't think we can stay on the road we are on right now.

Let me share some thoughts about the other debate on cost. What I have outlined is the cost of doing nothing. The cost of doing nothing is very high. In fact, it is unsustainable, if we are to have economic growth and families and small business stability. Two or three quick examples of ways the Senate HELP Committee bill, the Health Choices Act, helps to bend the so-called cost curve to bring costs in line over time.

In 2000, the Institute of Medicine conducted a comprehensive study of the economic cost to society of the uninsured, arising from poor health and shorter lifespans. An update of that study by the New America Foundation estimates that the economic loss is now up to $207 billion a year. By contrast, the CBO recently, when analyzing the House bill, said that it would cost some $202 billion in 2019—not today, 2019—less than the savings to the economy from covering the uninsured.

The bottom line is, we are spending currently per year $207 billion in terms of the cost resulting from poor health and shorter lifespans. One doesn't have to be a math major to cost that out over 10 years. Just add the zero. It is entirely possible from this formulation that if we are losing $207 billion to poor health and shorter lifespans as a result of the uninsured, we are talking over 10 years about $2 trillion by that estimate.

We can choose to stay on the road we are on, which means we lose more than $200 billion every year because of what is happening to the lives of people who don't have health insurance. It is not free. By one estimate, every person pays about $1,000 a year because others are uninsured. The idea that if we cover more people somehow that is going to cost people money, it is already costing people money today.

I argue we should abandon the idea of doing nothing. We should abandon and not even discuss the idea of staying on the road we have been on. The road we are on right now means people in Pennsylvania will pay more than half their income to health care, will continue to be part of the loss of revenue of over $200 billion each and every year. And finally, small businesses won't be able to make ends meet with those kinds of numbers.

We will continue to talk about costs and how we can reduce cost. That is an essential item and priority in this debate. But we also have to talk about what is happening to people right now and what is the cost of doing nothing. The cost of doing nothing is far too high for any American and, candidly, for any country to sustain. We cannot stay where we are now. We have to bring about change. I believe we will do that this year, if we choose to be on the right team in this debate.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. While we are waiting for colleagues, some of whom will be offering amendments, I wanted to describe briefly an amendment I am going to offer.

Let me describe an executive order that was established by President Clinton in 1993. That executive order was titled ''Deficit Control and Productivity Improvement in the Administration of the Federal Government.'' Essentially what the President did in 1993 was require Federal agencies to delineate between their program costs and their overhead costs or general administrative costs. He wanted to begin cutting overhead or administrative costs.

The first thing a business will do, by and large, to deal with a downturn in business, is to begin tightening their belt on administrative or general overhead expenditures. We can't yet do that with Federal agencies, because there is no distinction between program costs and administrative or general overhead costs. The minute you propose any reduction, they say: OK, what you are doing is you are trying to cut these programs.

President Clinton issued an executive order in 1993 that required Federal agencies to separate out and report their administrative and general and administrative overhead expenditures versus program costs. Almost none of the agencies complied. So I began discussing with my colleague Senator COBURN legislation that we have since introduced. We may be an odd couple; we have different records on some issues, though not all. In any event, we decided to introduce legislation that would reinstate the requirements of the 1993 executive order, but in this circumstance make it stick and then, ultimately, begin a reduction in overhead expenditures.

The first step of that is to get the information with each of the major Federal agencies on what is general and administrative overhead expense and what are their program expenditures.

Let me give you some examples of administrative waste that are real head scratchers.

When the Transportation Security Agency was first created some years ago, they had to hire airport screeners. That gave rise to some unbelievable overhead costs in trying to recruit. We held a hearing on this. They had 20 recruiters begin a 7-week stay at the Wyndham Peaks Resort and Golden Door Spa in Telluride, CO, a luxury resort hotel with an 18-hole golf course. After 7 weeks, the recruiters had hired a total of 50 people. On some days only one or two applicants showed up, but they hung in there. They also, as I began to investigate that, had recruiters show up at the Waldorf Astoria to interview people; the Manele Bay Hotel in Lanai, HI; Hawk's Cay Resort in the Florida Keys. They were recruiting people and having a grand time of it, and in the end they spent $700 million in this manner.

A couple years later TSA spent $1 million on an awards banquet. They hired a party planner for $85,000, three balloon arches for the party for $1,400, seven cakes for $1,800, and $1,500 for three cheese platters. That is some cheese.

I don't mean to pick on the TSA alone. Fore example, the Bureau of Indian Affairs spent $28,000 to send 14 of its most senior staffers to a 4-day Tony Robbins motivational seminar. Overhead? It seems to me it is not overhead anybody ought to be supportive of. The participants in that seminar were trained on how to ''shed excess weight quickly and enjoyably,'' and how to ''reignite the passion in your physical relationship.'' They were also asked to walk on hot coals with minimal training. The $28,000 from the Bureau of Indian Affairs could have paid the annual salary of a fifth grade school teacher at an Indian school.

A week or two ago, the Bureau of the Public Debt at the Treasury announced it would hire a consultant to teach employees how to be funny in the workplace. The consultant was going to teach staff through the use of cartoons. I pointed out that there is very little funny to the taxpayers about the public debt. They scrapped that. In fact, I got a fairly upset letter from the cartoonist who bid the project.

My point is, there is fat in government agencies, especially the big agencies that have grown and have never had to trim overhead and general administrative expenses.

That brings me back to the Clinton order of 1993 that has never been complied with by Federal agencies, a Presidential order that directed certain things for which there has been no action. Senator COBURN and I introduced S. 948 with the objective of reviving that executive order and having the information by which to begin trimming back some or belt tightening some with the Federal agencies on overhead expenditures. I will not offer that bill in its entirety as an amendment to this legislation, but I will instead offer an amendment that represents a first step, which is that the Federal agencies will identify their overhead and general and administrative expenses, separately from program expenses. We need to know and should know.

My hope is, once we do know that information, we will be able to at least initiate some belt tightening because with the kind of Federal budget deficit we have—deficits are growing; I think they are unsustainable and very dangerous for our country—we need to be

tightening our belt in a wide range of areas.

The legislation we have introduced would begin to accomplish that. But in order to accomplish that, the first step must be to get the understanding of what the separate expenditures are of general administrative expenses and overhead expenses. So I will be offering that amendment as we go along.

We will be here apparently for a longer period of time, and at some appropriate moment, I will offer that amendment and hope for its inclusion in this legislation.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. DORGAN. Mr. President, I will be glad to withhold my request.

The PRESIDING OFFICER. The Senator withholds.

The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BURRIS. Thank you, Mr. President.

HEALTH CARE REFORM

Mr. President, as the national debate over health care reform rages on, some complain about the inherent inefficiencies of government programs. Some are frightened by the prospect of Washington bureaucrats deciding what treatment people receive. But these skeptics always fail to mention the massive inefficiencies—and widespread denial of coverage—that is already present in the private market.

Private insurance companies are accountable to two groups: their customers and their shareholders. The competing interests of these two groups make for a dangerous tightrope walk for insurers. Paying off too many claims, or keeping insurance premiums too low, may lower profits and anger investors. Paying off too few claims, or raising premiums too high, could cause consumers to choose a different plan—if one is available.

The problem is that consumers do not have options. In the past decade, we have seen unprecedented consolidation in the insurance industry. We have seen over 400 corporate mergers involving health insurers over the past 13 years.

Mr. President, 94 percent of the Nation's insurance markets are now considered ''highly concentrated,'' meaning they pose antitrust concerns. These localized monopolies stack the deck against consumers because there is no longer real competition or choice.

The result? At the beginning of this decade, the five largest insurers increased their profit margins by at least 50 percent, and two of those companies increased margins by over 100 percent.

It is not surprising that, as the cost of Medicare skyrocketed over the past decade, the price of health care insurance has increased at an even faster rate. While companies raise premiums, they also work on devious new ways to deny claims.

Many insurers have created barriers to delay and limit care. Preauthorization requirements and burdensome, unnecessary paperwork mean that health care providers spend more time dealing with insurance industry redtape and less time treating their patients. Whole industries have sprung up around finding ways to deny insurance claims.

One insurance company boasted that they are ''Managing the Spiraling Cost of Health Care.'' The company claims that their efforts can ''reduce paid claims costs by up to 10% without changing benefits or making claim system upgrades.'' This means taking advantage of consumers by denying claims based on mere technicalities.

Any of my colleagues who believe insurance companies should decide on treatment options has never gone through the pain of a coverage denial. All of the extra paperwork and administration required to deny claims actually costs a good bit of money. And that cost is passed directly—it is passed directly—on to the consumer.

What some people do not want to tell you is that government programs are actually much more efficient, not less. Administrative costs for government insurance programs, including Medicare, Medicaid, and TRICARE, are around 5 percent. Private costs are as high as 30 percent in the individual market, 23 percent in the small group market, and 12.5 percent in the large group market.

These numbers speak for themselves. The insurance industry has become distracted by their desire to maximize profits at the expense of those who need care. We cannot stand by and watch as the American people are taken advantage of, especially in a time of need when someone's health is on the line.

That is why I am proud to support a public plan that will complete—compete—with private insurers. This option would provide a low-cost alternative to the private market, bringing back competition and choice. It would press insurers to end their abusive practices and high profit margins, and would help eliminate redtape at the same time.

No one would be forced to change insurance plans. No one would face higher premiums. And no one would need to fear that their coverage would be denied by a corporate giant for a few extra dollars' worth of profits. A robust public option would help make insurance available to those who do not have it, increase efficiencies, and reduce costs for every American.

The time to act is now. We must not let another year go by without meaningful reform. I urge my colleagues to join me in supporting a strong public option. The time is now. It has been 50, 60, almost 70 years that we have been working on this program for health insurance for all Americans. It is time we get it done.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I want to take a few minutes, if I may, as in morning business.

Are we in morning business?

The PRESIDING OFFICER. We are on the bill.

Mr. DODD. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. I thank the Presiding Officer.

Mr. President, let me take a few minutes, if I may, on the subject that I know is the preoccupation of many of us, even if you are not on one of the committees. The discussion about health care is, obviously, the dominant debate that is occurring here and in our Nation. I know our colleague from the State of Montana, Senator BAUCUS, along with Senator GRASSLEY, is working in the Finance Committee.

As many of my colleagues, I know, are aware, I was asked to fill in for Senator KENNEDY, who is struggling with his own battles with brain cancer, as the acting chair of the Health, Education, Labor, and Pensions Committee. We completed, as most of my colleagues are aware, our efforts about 2 weeks ago on our portion of the health care debate dealing with prevention, with quality, with workforce issues, with the fraud and abuse allegations in the Medicare, Medicaid systems, as well as coverage questions. The rest is left to the Finance Committee. At the end of that process, the goal is to marry these two pieces of legislation together in one bill.

So we made that effort. We spent about 5 weeks with over 23 sessions, and considered nearly 300 amendments in that process. In fact, we agreed to about 160 of my fellow colleagues' amendments from the Republican side—good amendments, I might add. Some were technical, but many were substantive, which I think added to the value of the bill.

While it did not turn out to be a bipartisan bill in terms of the votes that were cast, if you can define at least one definition of ''bipartisan'' to be that the bill itself reflected the contribution of ideas from all people, then to that extent this bill is a bipartisan bill. But we are obviously waiting until the Finance Committee completes its process. I realize people want us, as they should, to have a deliberate process, one for which we can say at the conclusion we did our very best, that we evaluated the situation as well as we could and came up with the best ideas we could to move forward.

It has been 70 years, as most people know, since we adopted the health care system we have in our country. Every

President, from both political parties, and every Congress, since the 1940s, has grappled with this issue unsuccessfully. Obviously, we passed Medicare and Medicaid and the SCHIP program and other ideas that I think have contributed to a large extent to the health care system we have today. But certainly the overall reforms in the system to move from a sick care system to a truly health care system have defied resolution.

So we are at it once again to see if we cannot defy the odds and do that which no other Congress and no other government has been able to do for more than 65 years; and that is, to come up with an answer that will give people primarily a sense of confidence, a sense of stability, to take away the uncertainty that many people feel about the present health care system.

Most of us, of course, in this country have health care insurance. A lot of those who are insured are underinsured. They have to pay a lot of out-of-pocket expenses or have very high deductibles, and so a lot of what they may face in terms of a health care crisis has to be paid for out of their own pockets. Their insurance coverage does not cover them. Others, of course, have no insurance at all. The numbers vary, but I think most agree the number hovers around 45 million people who are uninsured. There are about 25 million or 30 million who are underinsured in the country.

But, again, I state, most people have a plan they think is pretty good and they do not want the government or anyone else fooling around with it. So the first principle is to say: Leave well enough alone that which is working well. If you like your doctor, if you like your hospital, if you like your coverage, leave that alone. We are not out to change, nor should we, part of a health care system that works.

What we are trying to do is fix that which does not work, that which is costing us more than any other nation on the face of this Earth on a per capita basis—some $2.5 trillion a year. How do we increase access? How do we improve the quality of health care? And how do we make this affordable so people do not end up paying more and more costs in premiums? Of course, how do we provide that sense of confidence, that sense of stability, that sense of certainty that a plan will be there, Lord forbid, if I need it, if my spouse, my child, or I need that kind of health care coverage to pay for that unexpected accident, that unexpected illness that could afflict every family.

It is at that moment, that critical moment, that you want to make sure what you have will not put you into economic ruin, because all of a sudden the fine print excludes the very kind of coverage which you would anticipate based on the policy you have had for years. Or you find yourself in a situation where even if it does, it limits the amount you can receive to pay for that hospitalization or that care.

Those stories go on every single day. People want that notion that: If you are going to change this, if you are going to reform this, the thing I am looking for more than anything else is that I will have the confidence of knowing that policy I have is not going to bankrupt me in costs and will be there when I need it. That, more than anything else, is what we are talking about.

The problem, of course, is while we are waiting to do this—and, again, I emphasize that doing it right is certainly very important. I would like to think in our committee, while we did not get unanimous support at the end of it, we listened to every one of our 23 Members in that committee, over 5 weeks. There was extensive debate and discussion over all of these issues. So we have gone a long way, I think, in that process.

But while we are waiting, there is a cost to all of this. Let me point out what has happened in terms of the numbers. Mr. President, 14,000 people every day in our Nation lose their coverage. Again, that may be due to job loss, that may be because all of a sudden the plan they have does not cover the circumstances they are in. Since we have passed our bill in the HELP Committee 3 weeks ago, 182,000 of our fellow citizens have lost their health insurance. And 14,000 people do every day—again, through no fault of their own: job loss, as I say, or discovering that a policy did not cover the events they thought it covered and they find themselves in this situation.

While we are talking about doing this slowly, and waiting a while to get it done, it is important, I think, for those of us here who have great health care coverage—if you are a Member of the Senate, if you are a Member of the Congress, we have a Cadillac health care plan for every one of us and our families, as do Federal employees. I certainly welcome that. It is reassuring. It certainly gives you that sense, as a Member of Congress, that you have a stable, certain plan in place if you are unfortunate enough to be hit with a health care crisis.

I merely make that point because, as I say, a lot of our fellow citizens do not have that same sense of certainty and that same sense of confidence about their health care. Of course, if they are faced with a health care crisis, we also know what can happen. We now know that 62 percent of the bankruptcies in our country that have been occurring over the last several years are health care crisis related. I might point out, which I think may surprise some people, that 75 percent of that 62 percent are people with health insurance. It wasn't the person without health insurance who got caught with a tremendous health care cost and had no means to pay for it and thus went into bankruptcy. Seventy-five percent of those people actually had health care coverage. Fifty-four percent of the foreclosures in our Nation are related to a health care crisis as well. As I say, 10,000 homes today will receive a foreclosure notice.

So while we are waiting here and trying to get this right—and we should—it is important to be mindful that while we are comfortable about being assured that we have the coverage, millions of our fellow citizens do not have that same sense of certainty and confidence they would like to have as well, the certainty and confidence that they are not going to get wiped out by rising premium costs to pay for someone else, despite the fact that today most families write a check for about $1,100 a year as part of their health insurance to cover the uninsured who show up in emergency rooms—the uncompensated care, as it is called. That is $1,100 a year, on the average, for a family, a check they have to write because in our country, if you show up in an emergency room and you need health and care, I think virtually every medical facility in our country takes you in and they will treat you. They will care for you in that moment of an emergency, but it doesn't come free of charge. The costs of that are borne by those who pay the premiums for their own coverage, and the pricetag per health insurance policy, on average, is $1,100 a year. That is a tax we pay today as a result of not having a more comprehensive health care system in our Nation. So those 182,000 people who have now lost their health care in the last 2 weeks, and the 14,000 who will lose it today, some I presume will show up in an emergency room because of a condition or a tragedy that befalls them. They will get health care under the status quo we have today. They will get health care, but the rest of the country will pay for it one way or the other. We have to change that. You cannot bankrupt the country by having a system that fails to provide for the coverage as well as the cost of these matters on the present system we are living under. It will not be sustainable, in my view.

So these numbers are real. They happen every day. The longer we delay in getting this done, these numbers will mount. So it is important to not do so recklessly, to not do it at such a speed that we don't know what we are doing, but we need to keep in mind that as we move along in this process, it does not come without a cost to those out there who find themselves in that free-fall, that terrible feeling—that terrible feeling that if something happens, I can't take care of my family.

The PRESIDING OFFICER. The Senator has reached his 10 minutes.

Mr. DODD. If I may, I will ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Again, there are stories of people in my State, as I know there are all across this country, who are losing this. I was going to tell the story of Mrs. Carrasco in Hartford, CT. She now

skips her examinations, such as her colonoscopy and others things, because they are not paid for under her policy. Several months ago, she said she had an infection but didn't go to the doctor because she was afraid it would cost too much. Again, doesn't go and the problems can get worse.

Another woman in Connecticut, by the name of Theresa, has a cluster of autoimmune disorders including rheumatoid arthritis and connective tissue disease. Because she doesn't have health insurance, she doesn't see the doctor. Those problems are going to get worse and she is going to show up and the cost goes up. So stability in terms of what we have, making sure the cost of these premiums doesn't outstrip the ability of working families to meet them, is certainly a great challenge before us as well as improving the quality of care for all Americans.

Lastly, I would just say I spent a good part of Saturday this last weekend at the Manchester Memorial Hospital in Manchester, CT, looking at their new ICU unit as well as meeting with hospital personnel. It is remarkable what small hospitals do all across our country and how well they serve the people in keeping down costs and increasing quality. Many of our hospitals do. Our providers are truly good Samaritans in case after case after case. The nurse practitioners, the doctors, and others who support the health care professions do a remarkable job every single day. But we need more primary care physicians, we need more nurses, if we are going to meet the demands of a growing population who has coverage. But we truly need to reform this system; leave in place that which works, fix that which doesn't. That is the goal the President has laid out for us.

That is our collective responsibility. I am confident we can do it. If we will sit down with each other and work through this process, we can achieve that result to bring that level of stability and certainty that people want when it comes to their health care needs.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 1841

Mr. CARPER. Mr. President, I wish to return to the underlying bill. Senator VOINOVICH and I have offered an amendment, and I think it is No. 1841. I am not going to call up the amendment now, but I wish to talk a little bit about it.

As the chairman and our colleagues know, we receive in this country probably 20 percent of the electricity that we consume from nuclear powerplants. All those nuclear powerplants were built several decades ago. We have about 104 in all. A number of them are 40 years old. They were licensed for 40 years and the utilities that own those powerplants have to come back to the Nuclear Regulatory Commission and ask for an extension, if you will, on the life of a license. They are asking for 20-year extensions.

The Nuclear Regulatory Commission has many jobs and one of those is to make sure the 104 nuclear powerplants that are in operation are operating safely every day. I like to say if it isn't perfect, make it better, to create a culture of safety and to make sure we don't have mistakes and errors that can cause great havoc.

In addition to that, the Nuclear Regulatory Commission is charged with—these nuclear powerplants are approaching the end of their license, their 40-year license, and so they apply for extensions. The Nuclear Regulatory Commission has to go through with the utilities that own the plant the relicensure process. Add on to that, the Nuclear Regulatory Commission has now, I think, 18 applications to build 28 new nuclear powerplants in this country in the decades to come. Add to that, there are a number of new designs for nuclear powerplants that the Nuclear Regulatory Commission has to say grace over, to evaluate, to wrap their brains around and to understand how they would work and whether they would work safely for 40, 60 years. In short, the Nuclear Regulatory Commission has a lot on its operate plate, which is a good thing.

Nuclear power provides, among other things, electricity for 20 percent of our Nation's households and businesses and so forth, but it also provides electricity that is carbon free. The emissions from nuclear powerplants do not include carbon dioxide, do not include sulfur dioxide, do not include nitrogen dioxide, which bothers our breathing apparatus; does not include mercury which leads to brain damage in unborn children. Nuclear powerplants don't put any of that into the air. They don't contribute to the problems of global warming.

In order to make sure they are doing their job and the folks at nuclear plants and utilities are doing what they need to do to provide safe nuclear power, the NRC has had to hire extra people. They have hired, I think, in the last year or two or three, about 1,000 extra people. They have them spread out at different locations. The Nuclear Regulatory Commission is interested in trying to consolidate as many of those people as they can for management purposes. I think it makes a lot of sense. Senator GEORGE VOINOVICH of Ohio, who has helped me at one time or another, and I have helped him, to lead the Senate Subcommittee on Clean Air and Nuclear Safety—we believe it makes sense for the Nuclear Regulatory Commission to collocate many of their employees going forward.

We want to make sure, and we seek to do it with the language in amendment No. 1841, that the NRC can use the language within the bill and for employee costs and other expenses to be able to get this collocation process underway and provide additional spaces if they are needed for an additional 1,000 employees. So my hope is our colleagues will adopt this amendment.

I would also say the Nuclear Regulatory Commission does a competition with, I think, every other Federal agency. It is a competition we don't hear a lot about, but the competition is for the recognition of best federal agency to work for, best for employees, best for their families, and for the last two or three years, the Nuclear Regulatory Commission has been selected as the very best place for Federal employees to work. They do important work. They work hard. But they also work in an environment where the employees feel it is good for their life—not only their professional life but also their families too. They have asked for this help from us and Senator VOINOVICH and I are pleased to lend our support and we hope our colleagues will join us in supporting amendment No. 1841.

With that being said, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, we are waiting to try to see if we can have a vote on an amendment that has been offered. We, again, would ask colleagues to come and offer their amendments. We have been patiently waiting, Senator BENNETT and I, to see if we could get amendments debated and voted upon.

I have a photograph I wish to show on another matter. I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELECTROCUTION DEATHS IN IRAQ

Mr. DORGAN. Mr. President, at 8:30 p.m. on January 2 in 2008, fellow special forces soldiers found SSG Ryan Maseth on the floor in the bathroom at a security forces building in Baghdad, Iraq. His mother Cheryl Harris was originally told, when she was informed her son had died, that perhaps he had been in the shower with a radio and had been electrocuted. He clearly had been electrocuted when he was found unresponsive in January of last year.

But Cheryl Harris, she wanted to get to the bottom of this, and she would not let this drop. I held two hearings on this subject. We discovered that Kellogg, Brown, and Root had been in charge of fixing widely reported problems at the shower facility where Sergeant Maseth had been electrocuted, and had failed miserably.

Well, this week we obtained an inspector general's report, which shows that there were 230 electrical shocks of American soldiers in facilities in Iraq because they weren't wired properly. Kellogg, Brown, and Root was the contractor, and they failed miserably. In

fact, they were awarded $83 million in award fees, bonuses, for excellent work, which we now know was improper. They hired third country nationals who could not speak good English and didn't know the standards and, in many cases, didn't even do basic grounding of the wiring. We know that Staff Sergeant Maseth was electrocuted. We know there was a young man power-washing a Humvee who was electrocuted. We know that the U.S. Army criminal investigation is now investigating a number of these circumstances.

But when I held the hearings, there was denial all around by Kellogg, Brown, and Root; no, we did great work, they said. By the Pentagon, the Defense Department; no, things were fine, they initially said. It turns out that wasn't the case. We had to ultimately get an inspector general to give us the facts. It is not only on this case. The same thing happened on contaminated water brought to the military bases in Iraq. I held two hearings. The Pentagon denied that KBR had provided unsafe water to our troops. Kellog, Brown and Root—Halliburton, rather, in that case, denied it. But I asked the inspector general to investigate, and they confirmed it. Nonpotable water that was more contaminated than raw water from the Euphrates was sent to our soldiers at bases in Iraq.

These are two inspector general reports. Inspector General, U.S. Department of Defense. There are two of them. They tell us what has been the result of improper wiring of facilities in Iraq. ''In the remaining 9 cases,'' they say, talking about electrocutions, not about the 230 electrical shocks—I am talking about the nine who died. ''In the remaining 9 cases, we determined that individuals were killed by improper grounding or faulty equipment. The equipment malfunctions could have related to whether equipment maintenance complied with proper electrical standards, or whether the respective chain of command acted responsibly in protecting servicemembers. As of June 30, 2009, five of those nine cases remained under criminal investigation.''

Until I did the hearings, these were largely unknown. Even when I did the hearings, KBR insisted that it had done nothing wrong.

In the case of SSG Ryan Maseth, specifically, let me read from the IG report:

> An engineering evaluation of the failed pump [this is a pump that serviced the building] determined that insulation on the internal wires melted, causing a short to the metal pump housing. Failure to ground the pump and improper grounding of the building electrical system allowed the metal pump housing and water distribution pipes in the building to energize.

This says this soldier was electrocuted while taking a shower because contractors didn't do their job. It is not me saying that. I had hearings in which people working for that contractor showed up at the witness table and said: We worked next to people who didn't know what they were doing, and it subjected these soldiers to great risk.

As I indicated previously, in the Department of Defense, for this work, which we now know was shoddy work and improper work that put soldiers' lives at risk, for that work, this contractor got $83 million in bonus awards. It is unbelievable to me that this sort of thing goes on.

I think there are some in the Pentagon, in the chain of command, and certainly contractors, who have a lot to answer for. This Congress ought to insist upon it.

This mother of this soldier, Cheryl Harris, wasn't going to let this drop. Good for her. That is why I held these hearings to determine what is the truth, because we didn't get the truth from the people who talked to the mother of the soldier who died. In the hearings, witnesses who previously worked in Iraq told us that the KBR's wiring was improper. Now we get the truth from the IG report. We should not have to wait for the IG to confirm these things.

I would think the U.S. Defense Department would search more aggressively for the truth than anyone because it was their soldiers who were put at risk. Regrettably, the Defense Department has not pursued this with the zeal you would have hoped for. It doesn't matter whether it was the sodium dichromate case, where soldiers were exposed to the risks of cancer because of the water brought to the bases, which was more contaminated than raw water from the Euphrates. There were four or five cases. The contractor said it did nothing wrong in each case, and the Pentagon by and large said that KBR had done nothing wrong; but the inspector general said that the problems were real, and documented how the contractor had failed, and the Defense Department had failed to hold the contractor accountable.

This Congress deserves better than that from the Defense Department, the taxpayers deserve better, and a mother such as Cheryl Harris should not have had to wonder whether her son was in mortal danger through the mere act of taking a shower.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

HEALTH CARE REFORM

Mr. WYDEN. Mr. President, I want to take a few minutes this afternoon to discuss the recent developments on the health care issue and particularly with Senator BENNETT on the floor, my friend and colleague, and the effort to make sure health care reform is bipartisan. Also, Senator BAUCUS and Senator GRASSLEY on the Finance Committee, on which I serve, are putting in killer hours now in an effort to come up with a bipartisan approach in the health care area.

I wanted to take a few minutes and talk about a particularly important part of the health care debate, and that is what the middle class is looking for in terms of health care reform. I think when you talk about middle-class folks, most of whom have health care coverage, they are looking for a way to be wealthier, they are looking for a way to be healthier, and they want to make sure that if they leave their health care coverage, or their coverage leaves them, they can get portable coverage.

Perhaps as much as anything, middle-class folks want choice. They understand—and this is a matter that Senator BENNETT and I have talked about often—that if you are going to come up with a health care reform effort that is going to save money, create incentives for people to stay healthy and services to offer prevention, and coverage that is portable, you have to give everybody the chance to choose those kinds of health care plans and those services.

The President, to his credit, has made the matter of guaranteeing choice—what I have put up here on the chart—President Obama has said that is one of his bedrock principles for health care reform. The President has said every American must have the freedom to choose their plan and their doctor. He clearly is on target when he talked about choice being one of the best ways to hold health care costs down, reward people for staying healthy and getting coverage that is portable.

For example, every Member of Congress has the capacity to choose a plan that is more affordable for them. When the sign-up period comes in the beginning of each year, you get a menu of various health services, and you want to choose the one that is the most economical for you, the one that rewards you for staying healthy. All Members of Congress have the opportunity to do that. The President is absolutely right in saying that choice ought to be a bedrock principle of health care reform. Clearly, that is what middle-class folks in Colorado, Utah, and Oregon are looking for; they want to make sure they have choices. Frankly, they wish to have as many choices as we have in the Congress.

So Americans want these kinds of choices. But for too many of our citizens, under the health care reform bills that are now being considered in the Congress, lots of people won't have the kinds of choices that Members of Congress have, or any choice at all. There are proposals in the Senate to create what is known as firewalls, to keep people from being able to go to what is a ''farmer's market''—they are called insurance exchanges—where people could get these kinds of choices, and these exchanges are to be created in the reform legislation.

As odd as it sounds, Congress is going to be creating these insurance exchanges, designed to help people shop around for their insurance, but then limit who can shop at these exchanges.

If you have coverage, for example, and somebody in the government says you ought to consider it affordable, you ought to like it, you are not going to be able to go to this ''farmer's market,'' this exchange, and shop for a plan that is better for you and your family. You aren't going to be able to enjoy more choices; you aren't going to be in a position to get more for your health care dollar. You aren't going to be able to get an affordable package, because only some people will be allowed at these exchanges.

I think everybody ought to be able to shop for their health care insurance like Members of Congress do today, and like our esteemed colleague Senator KENNEDY called for in a very fine essay last week.

I have been able, working with colleagues, to come up with a way to do that. I call it the Free Choice proposal. Our Free Choice proposal lets workers who like what they have keep it. But it also lets workers who don't like what they have choose other plans. Half of those fortunate enough to have employer-sponsored insurance today don't have any choice of health plans at all. Think about that. Most Americans don't have the capacity to choose, like we can here in the Congress.

Unfortunately, under the health care reform plans that are being considered in the Congress, we are still going to leave millions and millions of Americans without a choice of health services and health care plans. Under our Free Choice proposal, everybody who has employer coverage is going to have new choices. They can certainly keep what they have. But if they choose, they can take what their employer now pays for their insurance and go to the ''farmer's market'' and buy a plan that is a better fit for them and their families.

It also gives employers more options. If the insurer isn't going to sell them an affordable plan, the employer could then take the whole group to the exchange and get a discount.

What the distinguished Senator from Utah and I have been talking about these many months is something that would give more clout to workers and more clout to employers on day one. It would give employers and workers the ability to save money at the get-go, largely through an old-fashioned concept that is about as American as we have, which is choice and freedom, and the ability, when you shop wisely, to benefit financially and, particularly, our employer approach, where the employer could take the worker to the exchange on day one and get a discount. That the employer could get a discount is one that, in my view, is going to give employers the bargaining power in negotiating with insurers that they don't have today.

This is a proposal we can do without making any adjustments to the Tax Code. The independent analysis Senator BENNETT and I got a few days ago indicates we could save consumers $360 billion over the next decade. Those are savings to our people. Those are savings in the health care system. It is an approach that is very much in line with what the President has identified as a bedrock principle for health reform.

I have talked about the value of choice, particularly this August in Colorado, North Dakota, and around the country being able to tell all middle-class people they are going to have more choices. But what I think is particularly useful about the Free Choice proposal, it is one of the pathways to getting more affordable coverage because once you have these choices, just like Members of Congress—if at the beginning of the year the Senator from Colorado does not like one particular plan, he can go to one of the other plans that is a better fit for him and his family. We are talking about using the same principles that have worked for Members of Congress for many years.

I believe that middle-class folks, as they try to sort through this debate, are going to be looking at a handful of fairly straightforward principles. They are going to want to be wealthier, they are going to want to be healthier, they are going to want coverage they can take with them from job to job.

We have had 7 million people laid off since this recession; 3 million of them do not have health care. What happens to them is they go into a program called COBRA. COBRA is the only Federal program named after a poisonous snake. Given how hard it is for people to afford that coverage and all the bureaucracy for employers and employees, we can do better by both workers and employers. Let's make coverage seamlessly portable. Senator BENNETT and I have included that in our Free Choice proposal. On day one, more choices for the middle class. On day one, the opportunity to save money. If you don't like the first plan, choose one of the other plans. On day one, coverage that is portable. That is what I think middle-class folks are looking for.

That kind of market competition is what the Congressional Budget Office has scored as actually producing savings in the private sector, not in 10 years, not in 15 years, but in a matter of 2 or 3 years. It actually bends the cost curve downward without exploding the debt and the deficit.

I hope my colleagues on the Finance Committee and here in the Senate and on the HELP Committee—I had a very constructive conversation about the Free Choice proposal with Chairman DODD recently. I hope colleagues will see this is an approach that can win bipartisan support.

The guarantee of choice is a bedrock principle in President Obama's agenda. For the middle class who is asking now how this is going to work, this is the path that is going to let middle-class people be wealthier, healthier, and protected when they lose their job or if they want to get another opportunity. I am very hopeful that this bedrock principle of President Obama's agenda for fixing health care can win the support of colleagues on both sides of the aisle because I think that is the pathway to responding to the question middle-class people are asking all over this country today: How we are going to make this work for them?

I hope colleagues who have additional questions about it will see my friend from Utah or me. We will be happy to discuss it with them further.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I know we are on the bill. As the manager on the Republican side, I want to stay on the bill, but, my colleague from Oregon having raised the issue with respect to the consumer choice and our proposal, I ask unanimous consent that I can proceed as in morning business in order to respond.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I am grateful to Senator WYDEN for the leadership he showed here and the tenacity with which he has pursued all of these issues. As I have sat here and listened to the various interventions in morning business about health care, I found the common theme that I want to comment on with respect to it. I think Senator WYDEN's comments helped me frame this theme.

The theme I have heard over and over again from speakers has been: We can't stay where we are. And then the argument has been framed: We either have to move ahead with the President's program or stay where we are. As Senator WYDEN has indicated, there are other alternatives besides moving ahead with the President's program and staying where we are.

I would like to draw this analogy that I hope will help us understand at least this Republican's position. I won't try to speak for all members of my party, although I think many of them would be sympathetic with what I am about to say.

Let's assume your neighbor's house is on fire. This is a serious problem. Your neighbor comes to you and says: My house is on fire. Lend me your garden hose so I can put the fire out.

And you say: My garden hose isn't long enough to reach the fire.

You don't understand, your neighbor says, my house is on fire. There are children in the house. There are women in the house. They will die if you don't put out the fire. Lend me your garden hose.

I respond or you respond: I understand there are children in the house. I understand allowing the house to burn down is a tremendous mistake. But my garden hose won't reach. We need a different garden hose if we are going to put out the fire.

No, no, no, the fire is reaching now, it is down, it has destroyed the top stories, it is getting down to the bottom

stories; people are fleeing. Give me your garden hose or you are a terrible person.

And you respond: I will be happy to give you a garden hose that would work, but the garden hose I have right now will not solve your problem.

We need that kind of an understanding here.

I am not a Republican who says: I defend the present system. I listened to the speeches being made about how terrible the present system may be, and I say I agree with them absolutely. I listened to the letters being read from home States that say: I was denied coverage by an insurance company bureaucrat. I lost my job and I lost my coverage. These are tragic, and I agree they are tragic, and I agree something ought to be done about it. It is just that, in my opinion, the President's garden hose will not reach. In my opinion, the President's garden hose will not only not put out the fire but, to stretch the analogy beyond all credulity, will make it worse. We heard about people who are being denied coverage under the present system. People will be denied coverage under the President's system.

If we look at other countries that have adopted similar public plans of the kinds we are talking about, we are going to see people whose coverage is denied again and again. Indeed, the comment was made about Senator KENNEDY and the brave battle he is putting on against his problem. If he lived under the single-payer coverage of other countries, he would be denied coverage because of his age. We don't want that in America. We don't want people like that to be denied opportunities.

Senator WYDEN and I have worked as hard as we can—back to the analogy—to create a garden hose that will reach, to create a garden hose that will, in fact, put out the fire, solve the problems, and change the present system.

I thank the Senator from Oregon for making it clear that there are alternatives to the present system that are not necessarily the bills that are coming out of the two committees.

I am not going to embarrass my friend from Oregon by insisting that he take the same position I take with respect to the bills that are coming out of the two committees, but together we have formed a solution that we think will solve the problem, we think will put out the fire, we think will turn down the cost curve. And we have now a growing chorus of voices of people who are saying: You know, Wyden-Bennett looks as if it will work; why don't we try it.

The only question I am asking here is, Why don't we try it? So far, neither committee has been willing to look at the details of what we are talking about. All we are asking is that they do so because we are convinced that when they do, they will come to the conclusion that our garden hose will, in fact, put out the fire and it will do it more cheaply and more efficiently than the proposals that are before us.

Again, Mr. President, I thank my colleague from Oregon for his leadership and his tenacity in going forward with this proposal. I am honored to be associated with him in this effort. I agree with all of the speeches that have been made that the present system is not acceptable. I hope we can get together and solve the problem in a truly effective and bipartisan fashion.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Oregon.

Mr. WYDEN. Mr. President, I wish to take an additional minute. I thank my friend from Utah.

What is striking about this debate is the opportunity to bring both sides together. As I outlined the Free Choice approach and the pathway to savings for middle-class folks—portable coverage, incentives for prevention—it could work its way into a variety of different bills that are being considered. Obviously, Senator BENNETT and I feel very strongly about our legislation, the Healthy Americans Act, but I was very pleased with the discussion I had the other night over dinner with the distinguished Senator from Connecticut, the chairman of the HELP Committee, who has some good ideas as well.

What I hope we will do, what Senator BENNETT and I have sought to do lo these many months, is focus on some bedrock principles. I cited the three that have been important to President Obama: the question of holding down costs, ensuring choice, maintaining quality.

I believe—Senator BENNETT and I have worked together on this—that our approach with Free Choice in particular making sure we don't have all these firewalls that would prevent choice for millions of Americans would—would actually reward Americans for shopping wisely.

I was very glad that both Chairman BAUCUS, who said he would look at our Free Choice proposal, and Chairman DODD, the same openness at looking at our proposal, captured that this would be a way to carry out the President's agenda for addressing the questions middle-class people are talking about all over the country.

Obviously, Senator BENNETT and I—and I am very pleased the distinguished Senator from Delaware has joined us. He is certainly a veteran of the Senate and what it takes to come up with bipartisan coalitions. I am very pleased to be on the floor with two good friends who know a lot about health care and what it takes to build bipartisan coalitions.

What I wanted to do was to say that in addition to our legislation, which we obviously feel strongly about, this concept of Free Choice and making sure you reward individuals, as we do in so many areas of American life, could really pay off quickly for middle-class people in terms of savings and access to quality health care.

I am very hopeful that as we go into these last couple of weeks before the recess—and we have offered this proposal to Chairman BAUCUS, the chairman of the committee on which I serve—Democrats and Republicans can come together so that before the August recess, we will have at a minimum identified some ideas.

Our Free Choice proposal is just one that will allow us through the month of August to show middle-class people that we are serious about their concerns.

Right now they are trying to sort this debate out. Suffice it to say, they see a lot of arguing in Washington, DC. They hear a lot of the discussion about health care, which almost sounds like gibberish when you listen to all the technical lingo. If we can come back with ideas such as Free Choice and say: Look, middle-class people, you and your family can be part of a system that is very similar to what my family enjoys—and it has paid off for my family at the beginning of the year when I was choosing a plan that is more economical for me, or rewards prevention—then we get behind proposals that bring Democrats and Republicans together. I point out this is one area that the budget office has indicated will actually score substantial savings—not in 10, 12, 14 years from now, but in the second year after it is fully implemented.

I thank my colleague from Utah for all his support and counsel.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, Senator BENNETT and I are similar to the Maytag repairman in the old commercials, waiting for someone to come and offer amendments. Many have been filed. No one, apparently, has come to the floor to offer amendments.

I would not be surprised if at some point down the road someone will say: Well, we did not get enough chance or opportunity to offer amendments. Of course, in these intervening hours, there has been plenty of opportunity for someone to show up to offer amendments.

We had intended and hoped to have a vote at 4:30 on a relatively noncontroversial amendment. But for the last hour or so, we have been waiting, on a noncontroversial amendment, for a staff person to contact the Senator who is apparently not able to be contacted to tell us whether the Senate can vote on a noncontroversial amendment.

Such is the life of the Senate, a place where no one has ever been accused of

speeding. We only ask, having been here now yesterday and today, Senator BENNETT and I only ask, having put together this bill that funds all of our energy and water issues, if there are Senators who wish to offer amendments—and many have been filed—they would come here and decide to offer them because we will not have floor time for the entire week this week. We are not going to be able to be on the floor. The time does not exist to allow us to be here all week.

Those Senators who wish to offer amendments are, it seems to me, going to find very little sympathy from me, and I hope from other Members of the Senate, if they at some point down the road say: Well, we did not have an opportunity. They have had plenty of opportunities. It is they have chosen not to come to the floor to offer amendments.

It may be they feel the amendments do not have merit or are not very important or whatever. But if they do have merit and are important—I assume some do—I would hope they would come soon and give us the opportunity to entertain amendments and discuss them, debate them and have votes on them so we can move this appropriations bill along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. WHITEHOUSE. I would let the distinguished floor manager and the distinguished Senator from Utah know that if someone does come to the floor and wishes to do their thing with an amendment, please feel free to give me the high sign and I will conclude my remarks and allow the business of the floor to proceed. I do not wish to keep anybody from offering an amendment, if they have one.

But I did wish to take the time to talk for a minute about our health care system because I think people across the country are, right now, finding our dialogue in the Senate a bit confusing about health care, and they are starting to wonder what is going on. In particular, particularly for those who have insurance: What does this mean for me? Why is this important for me that the Senate be doing this work? I already have insurance. What do I stand to gain from all this?

There are a great number of things Americans stand to gain from all this. But the issue I wish to focus on today is improvements in our delivery system. It is important for Americans who are listening to realize that the personal experiences so many of them have had are not unique. If you have had a loved one in the hospital and you have felt constrained to stay with that loved one through their illness in the hospital, if you have felt you could not leave them alone in that hospital for fear that something might go wrong, some drug might be misadministered, some call might go unanswered, if you feel that way, if you have had that experience, you are not alone.

That is an extraordinarily common experience. If you have felt you missed an opportunity for the prevention of illness, nobody told you that you should have had this test, nobody told you this was a health consequence of something you were doing, that is an experience Americans have across this country.

If you have had to ferry by hand your health records from place to place or if, similar to many Rhode Islanders, you have been rushed up for emergency specialty care in Boston and your paper records did not come with you and you have been in real peril in a Boston emergency room as they try to redo the tests they did not have access to because you did not have a comprehensive electronic health record, you are similar to many Americans.

The consequences of that, of those problems, are renown throughout the health care system. The problems they cause are real ones. There are 100,000 Americans who die, who lose their lives every single year because of completely avoidable medical errors, most of them hospital-acquired infections. That is intolerable. That is a plane crash a day. Yet it is the status quo in the existing health care system.

We have the worst health care outcomes of essentially any civilized developed country we compete with. The worst. Even though we pay twice as much per person for our health care than most of them, we have worse outcomes. That is the status quo of our health care system. The Economist magazine has reported that the health information technology infrastructure that supports our health care sector is the worst of any American industry, except one, the mining industry.

That is not very reassuring, not in an industry where the possibilities for technology are so great, and where at the detection end and where at the treatment end, we are at the technological cutting edge of the world, but you get back to that back office and there you are with that paper record and no way to cross-reference for drug interactions.

We are at a primitive stage with our health information infrastructure. That is the status quo of our health care system. Everybody, I suspect, has had the experience themselves or of a loved one who becomes sick unexpectedly who turns to their insurance company, the insurance company they have been writing those big checks to year after year, only to find out that when you turned to that insurance company in your hour of need, they turned on you, they turned against you.

They tried to figure out a way to get you off coverage. They tried to talk you out of the coverage and the treatment your doctor has indicated. They fought with your doctor about whether they would pay it. For many people, the experience is not just of being the patient, the experience of being the spouse or the family member or the loved one of the patient who has to cope, who has to become the person who answers the deluges of mail, who makes the call after call after call, who waits through dial tones and through the voice mail and the voice messages to try to get to somebody to approve procedures the doctor has said you need. That is the status quo of our health care system—millions of Americans told by their own insurance companies: Forget it. We are not going to pay for the treatment your doctor says you need.

The major reason American families go into bankruptcy right now is because of health care expense. It is not just the uninsured. These are insured families who find their coverage limits have been reached, who find the insurance company has found a loophole, who find they have exceeded, in terms of all the peripheral costs of durable medical equipment and other things that might not be covered, but it is more than they can bear to get by and they are struggling to get by and they are dropped into bankruptcy; the most prominent reason American families go into bankruptcy.

That is the status quo of our health care system. Those can all be better. We can revolutionize all those areas. We can revolutionize the quality of care and the safety of Americans when they are in the hospital.

We can improve our health care outcomes so we are the pride of developing nations, and not the lagger. We can improve so we do not have the worst health information technology of any American sector. We can eliminate denials of care by insurers for preexisting conditions. We can provide adequate supports to Americans so bankruptcy is not a common symptom of illness in this country.

The problem is, if we do not do anything about those existing problems, they are all going to accelerate. They are all getting worse. What do we have to look forward to? Well, we have to look forward to a $35 trillion Medicare liability, and we do not have $35 trillion to spend.

That is a future liability. It is coming toward us. The people who are going to cause it are alive right now. They are not going anywhere. They are getting older every day. Time is not going to stop. And they are getting sicker every day because it is never going to happen that older people are healthier than younger people.

There is a tsunami of health care costs bearing down on us. Just the Medicare slice of it is a $35 trillion liability for our country, and we do not have the $35 trillion. So it is either going to wreck us or we are going to have to take some very smart, very aggressive measures now to reduce those costs.

If we do nothing, a family in Rhode Island in the year 2016—that is not too far from now; that is 7 years from now—a family in Rhode Island making $52,000, which is a pretty good income, a family making $52,000 will spend more than half their income on health care. By as soon as 2016, a Rhode Island family making $52,000 will spend more than half their income on health care.

We use the word ''unsustainable'' around here. We are headed to where it is impossible for regular families to get health care. It is bad enough now, and it is getting worse. We have to act to stop it from getting worse.

We have pretty close to lost our car industry. People used to say: What is good for GM is good for America. It was the emblematic American company. It is gone. It is in bankruptcy, and it is gone. It is now coming back out of bankruptcy, but it had to be swept through a bankruptcy. The catastrophic effect on our country of the loss of those jobs in the Midwest and then through the secondary providers across the country is a very real problem, and it is being felt in large part because those cars were so burdened with health care costs.

If you go to Starbucks, there is more health care money in your coffee than there is coffee bean money. In those cars, there was more health care money than steel. The cost of health care per car was greater than the cost of steel per car. It is pretty hard to compete with Volvos and the Lexus and cars from places where they have a national health care system and the price of the health care is not buried in the cost of the car. It put our workers at a terrible disadvantage. That is only getting worse, and our manufacturing sector has enough problems without continuing to load health care costs on to it. If we can't get the message from the collapse of the auto industry, we are missing some very loud—indeed deafening—signals.

Our last Comptroller General warned that this health care mess will sink our ship of state. He phrases it as a national security issue to get this right. He left the job to go and spread the word around the country warning us of what is coming.

Not only is it bad now, it stands to get a lot worse. Here is the opportunity and the tragedy of this: It is that so much of this is waste. One recent voice on this subject is a former Cabinet member from the last administration. Paul O'Neill was the Secretary of the Treasury of the United States. He is no fool. He is a sensible and thoughtful man. He ran, for years, Alcoa, one of America's biggest corporations. He has extreme business experience. He also ran something called the Pittsburgh Regional Health Initiative which looked at improving the quality of care of hospitals in the Pittsburgh area. He was a leader in all of this. He knows his health care issues well. Here is what he wrote recently: There is $1 trillion of annual waste in the health care system that is associated with process failures. A trillion dollars a year—even by Washington standards that is a big number. That is a target that is worth shooting for. That is a target that we shoot for hard in the legislation we are putting forward.

If we take a look at the President's own Council of Economic Advisers recent report, on July 9, a few weeks ago, they put out the report on the economic case for health care reform. They looked at the health care system from two measures: one, if you compare to it foreign countries and look at their gross domestic product share and extrapolate from that, what we could get our costs down to if we were sensible and thoughtful and didn't have such a wasteful health care system and, second, to look at the variation among the States, from State to State, from region to region, even as the recent article by Atul Gawande said, the differences within a State, between McAllen, TX and El Paso, TX.

If you look at those, that gives you another means of calculating what you could get the costs down to. If you could get the waste out of the system, efficiency improvements in the U.S. health care system potentially could free up resources equal to 5 percent of U.S. GDP. From the Council of Economic Advisers, that is over $700 billion a year. Maybe it is a trillion, maybe it is $700 billion. Per year that is a big number.

Looking at the internal discrepancies, they note:

> [It] should be possible to cut total health expenditures by about 30 percent without worsening outcomes [which] would again suggest that savings on the order of 5 percent of GDP could be feasible.

Again looking at the calculation two separate ways, coming to the same number, $700 billion a year. The problem is, it will take some executive administration to get there. It is not easy. You don't just make your decision, flip up or down the light switch, it goes on, and you don't have to worry about it. This isn't like the sniper who lines up his shot, pulls the trigger, and the projectile goes. This is a problem where you are like the pilot landing in rough weather. You have to continue to steer through it. You have to continue to seek the savings. As the market adapts, you have to adapt with it. It takes executive leadership and administration to make this happen. That means the Congressional Budget Office can't score it. All they can say is that it promises a ''large reduction'' in American health care costs. But they can't score it.

So the American public, with a lot of misinformation out there, has been beguiled into believing that what we are doing won't save money. We are determined to save money doing it. The Medicare system and the American health care system and the American economy will fail if we don't save money doing this. The target is as big as $700 billion to $1 trillion a year.

Our health care system has been described memorably as a ''carnival of waste.'' It is time to bring the carnival to an end and give Americans the health care they deserve.

There are a couple of pretty sensible ways to do this. The administration has focused on all of them. The first is, as I said earlier, health information infrastructure. Why should every American not have an electronic health record? Why, when you go to McDonald's, should the checkout person have a more robust health information infrastructure backing them up and connecting to inventory and connecting to sales than your doctor does? It makes no sense. We could save enormous sums if we had a national health information infrastructure—secure, confidential, reliable, interoperable. So if you went to get a lab test, it went into your record. If you went to the emergency room, it went into your record. If you stayed at the hospital, it went into your record. If you saw a specialist, it went into your record. All of your practitioners would know what was going on in your care. The more complex and chronic your conditions, the more valuable that would be. We don't have that now. It is the worst of any American industry except the mining industry.

Quality improvement: In Michigan, there was a fascinating project, called the Keystone Project, where they went into the intensive care units in Michigan—not all of them but a great number of them—with process reforms in the intensive care units to reduce respiratory problems from not being elevated, to reduce line infections from catheters and from blood lines. The effect of that was, in 15 months, to save 1,500 lives and $150 million just in one State and not even all the intensive care units. It proves the proposition that quality improvement can save money and lives.

Prevention is obviously the same. We will be on the floor shortly to debate Judge Sotomayor's nomination. She has lived with diabetes since she was a child. She has taken good care of herself so she had not created a lot of cost for the health system, but many people who don't manage their disease well, who don't get the prevention they need, end up with amputations, blindness, long and unnecessary hospital stays. There are areas where, by investing in prevention, we can save fortunes.

Why don't we do this then? Why don't we have electronic health records on every doctor's desk for all Americans? Why don't we have every intensive care unit participating in a Keystone-type quality initiative? Why doesn't every community health center have a robust diabetes prevention program? It has to do with the bizarre economics of our health care system. Because the same thing is true for all three entities. If you are a doctor and you want to put electronic health record systems in for your patients, if

you are a hospital and you want to improve the quality of care in your intensive care unit and put in a program that will do that, if you are a community health center that wants to invest in prevention to help the diabetic population stay healthy, you face the exact same predicament: The investment you have to make is 100 percent out of your pocket. The risk of the investment is 100 percent on your neck. The administrative burden is 100 percent on you. The hassle of it is 100 percent yours. All of the costs are on the desk of the doctor, on the desk of the hospital administrator, on the desk of the community health center. But the benefits from the electronic health record, the benefits and the savings from the quality improvement, the savings and the benefits from the prevention don't find their way back to that same desk. They go off to Medicare. They go off to the insurance industry. They connect to the patient in better care, but investment doesn't get the reward.

The basic principle of American capitalism, which is the connection between risk and reward, has been broken in the American health care system. That is one of the things we get after in this bill. We could have electronic health records for every American, our hospitals and doctors highly motivated to pursue all the quality initiatives that will improve the quality of our care while it lowers the cost and avoids unnecessary hospitalizations and delays and infections, and so forth, and we could have the best prevention program in the country, but we have to make it work for people. That is part of what we are about in this health care reform.

I will continue to explain why it is important that we reform our health care system and what the average American will gain from it. Today I focused on the elements of why delivery system reform can be improved. But every American will see that in their lives, their parents' lives, and in their children's lives. When we look back to where we are today from where we can be and where, with President Obama's leadership, we will be, we will look back and ask: My God, how could we have been living that medieval setup? Look how good it is now.

That is our goal. That is our purpose. That is the promise of health care reform.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. VOINOVICH. Mr. 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. 1841

Mr. VOINOVICH. Mr. President, since there is no further debate on amendment No. 1841, I ask for its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1841.

The amendment (No. 1841) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. DURBIN. Mr. President, this is an important bill, the Energy and Water appropriations bill. It is one of the 12 or 13 appropriations bills we have during the course of the year to prepare for spending in our new fiscal year, which starts October 1. Senator DORGAN and Senator BENNETT are shepherding this bill on the floor.

Meanwhile, in another room, not far from here, at least six Senators—maybe more—are meeting trying to work out the details of a piece of legislation that could literally affect every person living in America. It is the question of health care reform. It is an interesting issue because it has been tried before. Previous Presidents—Theodore Roosevelt; Harry Truman; certainly, Bill Clinton—have tried their best to change the health care system in America to make it a system that is stable, secure, so people know what it will cost, what it will cover, and know, ultimately, they can have quality care available when they need it for themselves or their family.

The simple fact is, in America health care has become extremely expensive. We spend more per person in America—twice as much per person—as the nearest nation on Earth. So we are spending a lot of money. And people see it, because the cost of health insurance premiums is going up much faster than their income, and they worry about it.

Many of the folks whom I talk to back in Illinois worry whether next year there will be an increase in their hourly wage that will be completely consumed by increases in health insurance premiums. And they add, incidentally: Senator, that new health insurance plan is not an add-on. It usually covers less than the one before—the situation where preexisting conditions will eliminate coverage for things that are critically important for individuals; where folks find when they reach a certain age the cost of the health insurance premiums goes up so high.

There are battles that go on between doctors and hospitals and insurance companies about whether they will actually cover something—cases we have seen in Illinois and around the country, where folks thought they had some insurance and guarantee that health insurance covered their medical procedure only to find later it did not.

Many people who are out of work today are realizing for the first time in their lives they do not have the protection of health insurance. Some of them, with limited savings, battered by the recent stock market, wonder if tomorrow's accident or diagnosis will wipe out everything they have ever saved. That is the reality of the uncertainty and instability of our health care system today. People are looking for stable coverage they can count on; if they get sick today, that they will be covered tomorrow. They can look, as well, for the kind of stable costs they can afford—even when they have lost a job—to make sure there is health insurance to protect their families. And they want to preserve their right to choose their doctor and hospital to give them the best care in this country.

The obvious question is, can we reach that goal? And the obvious answer is, only with the political will of this Senate, with Republicans working with Democrats. I hope we can do this. I hope we can find a bipartisan way to this solution.

President Obama has made it clear it is his highest priority—to improve health care for America and its citizens, and it is his highest priority when it comes to our deficit. A lot of people say: Well, if you are going to spend a trillion dollars on health care reform, think twice. Well, we should think twice because we are facing deficits and a national debt that has grown dramatically over the last 7 or 8 years.

But the fact is, untouched, our health care system over the next 10 years will cost us more than $30 trillion. If spending a half a trillion dollars over that period of time can change the system for the better, start bringing in practices that bring down overall costs, it is money well invested and money well spent.

First, we have to try to wring out of the system the fraud that goes on. All of us know what is happening here. There are some health care providers in America who are capitalizing on a system that rewards doctors and hospitals for piling on the procedures, for piling on the expensive pharmaceuticals and medical devices. There is little or no reward for good health outcomes. The reward for a physician and someone who is using our system today is to do more, spend more. Well, that should not be our goal. Our goal should be quality health care for everyone. It should not be a system of fee for service that rewards and incentivizes spending that does not result in good health care.

There are a lot of people who have come to the Senate in committee and otherwise to express their opinions about what will work and what will not. The Congressional Budget Office has been called on from time to time to

ask whether these health care reform bills will actually save money. Testimony about the status quo is obvious. If we continue the way we are going, it is going to be a bad outcome. We know if we do not change this current system, it will become so expensive the average family will not be able to afford to pay the premiums. If we do not change the abuses in health insurance, we are all vulnerable to preexisting conditions and new costs and discrimination against people based on their gender, where they live. That has to change.

We know there are ways to save money within our system. One of them relates to preventive care, wellness strategies. There is not enough of that today. A man by the name of Steve Burd is the CEO of Dominicks and Safeway, and he has a program for his management employees where he creates a financial incentive for them to take care of themselves and to get healthier. It is voluntary for those who want to participate. They come forward. They get examined. If they find they are overweight, they set a goal to reduce their weight. If they find their cholesterol is too high, they set a goal to reduce their cholesterol; the same thing with blood pressure, and the management of diabetes.

If they meet these goals, if they show they are changing their lifestyles—they quit smoking; they are getting healthier—they get a financial reward. For the business, the reward is lower health care premiums.

We need to have wellness strategies in America. Some of the problems we are facing are problems that will cost us dramatically in years to come. The incidence of diabetes among our children today is alarming. If it does not stop, if we will not deal with the issues of obesity and diabetes and other related issues, believe me, we cannot enact enough laws and put enough money into a health care system that does not deal with this.

We also have to realize the health records and medical records need to be put on computers so they can be exchanged between health care providers. These electronic records can reduce the number of mistakes that are made, improve the care that is given to individuals, and save us money.

We also need to take a look at chronic diseases—I mentioned diabetes—and make certain there is an incentive there for wellness and for preventive care before people reach terrible stages in that disease that costs dearly and can be compromising to their health and maybe even their life.

So if we can come together with a system of health care that provides stable coverage that you can count on, stable costs that you can afford, and quality that strives for excellence, and the kind of choice every American family wants, then the outcome of the meeting, not far from here, of these Senators will be one that America can cheer.

Fortunately, the President has invested his political capital in this effort. He has told all of us this is the most important single thing he is working on and wants to achieve. He is prepared to spend his time, obviously, and his political capital to achieve it. It is our job as elected officials to respond to this national need. For many of us this may be a once in a political lifetime opportunity to change health care in America for the better.

It is the job of those in government to consider its budgetary impact. But some of them are not charged with coming up with a solution. We have to look beyond the budget in some respects to the long-term benefit. The President has said we are going to pay for everything we do. But the long-term benefit, for example, of preventive care may be difficult to measure today. We know it is going to be an ultimate benefit to our country. Most of the savings in health care may not be reflected in the Federal budget. The savings will accrue to the people of this Nation, though, to give them the peace of mind they have health care they can count on that will be there when their family desperately needs it.

We have to make certain this is part of our charge here, and this is the time to do it. I hope the Senate Finance Committee, before we leave in about 10 days or 11 days, can produce a bill. And I hope the House of Representatives can pass one, and then, when we return, we will come to the floor of the Senate and work together in a bipartisan fashion to pass it. I am certain it will require compromise by all of us. I have my idea of what health care reform should look like, and I am sure others do as well. But in the spirit of good faith, we can come together and make a difference and provide the kind of health care reform and changes that will give people peace of mind across America—a stable and secure health care system that continues to make this great Nation on Earth a nation of healthy individuals and families.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, could I ask my distinguished friend if he would yield for a minute to call up an amendment?

Mr. INOUYE. Please do so.

AMENDMENT NO. 1846 TO AMENDMENT NO. 1813

Mr. REID. Mr. President, there is an amendment at the desk, No. 1846. I ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. ENSIGN, proposes an amendment numbered 1846 to amendment No. 1813.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify provisions relating to the Department of the Interior)

Beginning on page 26, strike line 1 and all that follows through page 32, line 14, and insert the following:

SEC. 206. Section 208(a) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268), is amended—

(1) in paragraph (1)—

(A) by redesignating clauses (i) through (iv) of subparagraph (B) as subclauses (I) through (IV), respectively, and indenting the subclauses appropriately;

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(C) by striking ''(a)(1) Using'' and inserting the following:

''(a) ACTION BY SECRETARY.—

''(1) PROVISION OF FUNDS.—

''(A) IN GENERAL.—Using'';

(D) in subparagraph (A) (as so redesignated)—

(i) in the matter preceding clause (i) (as so redesignated), by inserting ''or the National Fish and Wildlife Foundation'' after ''University of Nevada'';

(ii) in clause (i) (as so redesignated), by striking '', Nevada; and'' and inserting a semicolon;

(iii) in clause (ii)(IV) (as so redesignated), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(iii) to design and implement conservation and stewardship measures to address impacts from activities carried out—

''(I) under clause (i); and

''(II) in conjunction with willing landowners.''; and

(E) by adding at the end the following:

''(B) NATIONAL FISH AND WILDLIFE FOUNDATION.—

''(i) DATE OF PROVISION.—The Secretary shall provide funds to the National Fish and Wildlife Foundation pursuant to subparagraph (A) in an advance payment of the available amount—

''(I) on the date of enactment of the Energy and Water Development and Related Agencies Appropriations Act, 2010; or

''(II) as soon as practicable after that date of enactment.

''(ii) REQUIREMENTS.—

''(I) IN GENERAL.—Except as provided in subclause (II), the funds provided under clause (i) shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), in accordance with section 10(b)(1) of that Act (16 U.S.C. 3709(b)(1)).

''(II) EXCEPTIONS.—Sections 4(e) and 10(b)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e), 3709(b)(2)), and the provision of subsection (c)(2) of section 4 of that Act (16 U.S.C. 3703) relating to subsection (e) of that section, shall not apply to the funds provided under clause (i).''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (1)(A)'' and all that follows through ''beneficial to—'' and inserting ''paragraph (1)(A)(i), the University of Nevada or the National Fish and Wildlife Foundation shall make acquisitions that the University or the Foundation determines to be the most beneficial to—''; and

(B) in subparagraph (A), by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)(ii)''.

SEC. 207. Section 2507(b) of the Farm Security and Rural Investment Act of 2002 (43

U.S.C. 2211 note; Public Law 107–171) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) for efforts consistent with researching, supporting, and conserving fish, wildlife, plant, and habitat resources in the Walker River Basin.''.

SEC. 208. (a) Of the amounts made available under section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171), the Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(1) provide, in accordance with section 208(a)(1)(A)(i) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268), and subject to subsection (b), $66,200,000 to establish the Walker Basin Restoration Program for the primary purpose of restoring and maintaining Walker Lake, a natural desert terminal lake in the State of Nevada, consistent with protection of the ecological health of the Walker River and the riparian and watershed resources of the West, East, and Main Walker Rivers; and

(2) allocate—

(A) acting through a nonprofit conservation organization that is acting in consultation with the Truckee Meadows Water Authority, $2,000,000, to remain available until expended, for—

(i) the acquisition of land surrounding Independence Lake; and

(ii) protection of the native fishery and water quality of Independence Lake, as determined by the nonprofit conservation organization;

(B) $5,000,000 to provide grants of equal amounts to the State of Nevada, the State of California, the Truckee Meadows Water Authority, the Pyramid Lake Paiute Tribe, and the Federal Watermaster of the Truckee River to implement the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101–618; 104 Stat. 3289);

(C) $1,500,000, to be divided equally by the city of Fernley, Nevada, and the Pyramid Lake Paiute Tribe, for joint planning and development activities for water, wastewater, and sewer facilities; and

(D) $1,000,000 to the United States Geological Survey to design and implement, in consultation and cooperation with other Federal departments and agencies, State and tribal governments, and other water management and conservation organizations, a water monitoring program for the Walker River Basin.

(b)(1) The amount made available under subsection (a)(1) shall be—

(A) used, consistent with the primary purpose set forth in subsection (a)(1), to support efforts to preserve Walker Lake while protecting agricultural, environmental, and habitat interests in the Walker River Basin; and

(B) allocated as follows:

(i) $25,000,000 to the Walker River Irrigation District, acting in accordance with an agreement between that District and the National Fish and Wildlife Foundation—

(I) to administer and manage a 3-year water leasing demonstration program in the Walker River Basin to increase Walker Lake inflows; and

(II) for use in obtaining information regarding the establishment, budget, and scope of a longer-term leasing program.

(ii) $25,000,000 to advance the acquisition of water and related interests from willing sellers authorized by section 208(a)(1)(A)(i) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268).

(iii) $1,000,000 for activities relating to the exercise of acquired option agreements and implementation of the water leasing demonstration program, including but not limited to the pursuit of change applications, approvals, and agreements pertaining to the exercise of water rights and leases acquired under the program.

(iv) $10,000,000 for associated conservation and stewardship activities, including water conservation and management, watershed planning, land stewardship, habitat restoration, and the establishment of a local, nonprofit entity to hold and exercise water rights acquired by, and to achieve the purposes of, the Walker Basin Restoration Program.

(v) $5,000,000 to the University of Nevada, Reno, and the Desert Research Institute—

(I) for additional research to supplement the water rights research conducted under section 208(a)(1)(A)(ii) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268);

(II) to conduct an annual evaluation of the results of the activities carried out under clauses (i) and (ii); and

(III) to support and provide information to the programs described in this subparagraph and related acquisition and stewardship initiatives to preserve Walker Lake and protect agricultural, environmental, and habitat interests in the Walker River Basin.

(vi) $200,000 to support alternative crops and alternative agricultural cooperatives programs in Lyon County, Nevada, that promote water conservation in the Walker River Basin.

(2)(A) The amount made available under subsection (a)(1) shall be provided to the National Fish and Wildlife Foundation—

(i) in an advance payment of the entire amount—

(I) on the date of enactment of this Act; or

(II) as soon as practicable after that date of enactment; and

(ii) except as provided in subparagraph (B), subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), in accordance with section 10(b)(1) of that Act (16 U.S.C. 3709(b)(1)).

(B) Sections 4(e) and 10(b)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e), 3709(b)(2)), and the provision of subsection (c)(2) of section 4 of that Act (16 U.S.C. 3703) relating to subsection (e) of that section, shall not apply to the amount made available under subsection (a)(1).

Mr. REID. Mr. President, we all know that the most courteous man in the entire Senate is Senator INOUYE, and I apologize for calling upon him for him to use his courtesy again on my behalf. I appreciate it very much.

(The remarks of Mr. INOUYE and Mr. AKAKA are printed in today's RECORD under ''Morning Business.'')

Mr. INOUYE. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. INOUYE. Yes.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 1814

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending business be set aside to call up amendment No. 1814 which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1814 to amendment No. 1813.

The amendment is as follows:

(Purpose: To prohibit the use of funds to carry out any project or site-specific location identified in the committee report unless the project is specifically authorized or to carry out an unauthorized appropriation)

On page 68, between lines 15 and 16, insert the following:

SEC. ___. (a) None of the funds appropriated under this Act may be used to carry out—

(1) any project or site-specific location identified in the committee report accompanying this Act unless the project is specifically authorized; or

(2) an unauthorized appropriation.

(b)(1) In this section, the term ''unauthorized appropriation'' means a ''congressionally directed spending item'' (as defined in rule XLIV of the Standing Rules of the Senate)—

(A) that is not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

(B) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

(2) For purposes of paragraph (1), an appropriation is not specifically authorized if the appropriation is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that the appropriation applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for the person, program, project, entity, or jurisdiction.

Mr. MCCAIN. Mr. President, this amendment is very simple. It would prohibit funds from being spent on any of the hundreds of earmarks listed in the committee report that accompanies this bill—I emphasize, that are listed in the committee report, not part of the basic legislation. It would prohibit those funds from being spent on any of the hundreds of earmarks unless that project is specifically authorized.

As we all know, committee reports do not have the force of law. They are meant to serve as explanatory statements for what can often be complicated legislative bill text. Unfortunately, around here Appropriations Committee reports now are treated as

if they were law and are routinely loaded up with millions, if not billions, of dollars in unrequested, unauthorized, unnecessary, wasteful earmarks.

When Congress establishes its funding priorities, it should do so decisively, without cause for subjective interpretation or reference to material outside the bill passed by Congress and signed into law by the President. These funding priorities should have the binding force of law subject only to the President's veto power. Yet here we are again, with a committee report that contains 622 ''congressionally directed spending items''—that is a great name: congressionally directed spending items—totaling over $985 million. None of these projects were requested by the administration. Many of them were not authorized or competitively bid in any way. No hearing was held to judge whether these were national priorities worthy of scarce taxpayer dollars, and they are in the bill for one reason and one reason only: because of the self-serving prerogatives of a few select Members of the Senate, almost all of whom serve on the Appropriations Committee. Sadly, these Members chose to serve their own interests over those of the American taxpayer.

Earlier this year, in response to criticism about the number of earmarks in the Omnibus appropriations bill, one of the Senators stood on the floor and proclaimed:

> Let me say this to all the chattering class that so much focuses on those little, tiny, yes, porky amendments: The American people don't really care.

If the American people don't really care, then on behalf of the American people, I suggest we remove some of the ''little, tiny, porky'' items that are listed in this report. Here are just a few:

There is $1 million for the Bayview Gas to Energy Project in Utah. My colleagues and people who pay attention to these processes will know that almost every one of these projects has a location. Again, usually they are located in the home State of a member of the Appropriations Committee. So $1 million for the Bayview Gas to Energy Project in Utah. I have never heard of the Bayview Gas to Energy Project. I have never heard a thing about it. I have never read about it. I am sure that maybe it is known in Utah, but I have no way of knowing whether it is a worthwhile project or not. The most important thing: Are there other gas to energy projects in other parts of the country? Maybe so. Maybe not. These are earmarked.

We have $500,000 for the Ben Franklin Technology Partners in Pennsylvania—the Ben Franklin Technology Partners in Pennsylvania. From the reading of that, I have not a clue, nor would anyone else know, what the Ben Franklin Technology Partners is all about.

We have $600,000 for biodiesel blending in Wisconsin; $1 million for the Black Hills State Heating and Cooling Plant in South Dakota; $250,000 for a gas heat pump cooperative training program in Nevada; $1.5 million for the genetic improvement of switchgrass, not in South Carolina but in Rhode Island; $1 million for a high-speed wind turbine noise model with suppression in Mississippi; $5 million for an offshore wind initiative in Maine; $2 million for the Algae Biofuels Research in Washington; $750,000 for the Algae to Ethanol Research and Evaluation in New Jersey; $1.2 million for the Alternative Energy School of the Future in Nevada—the Alternative Energy School of the Future. We have $6 million for the Hawaii Energy Sustainability Program, Hawaii; $6 million for the Hawaii Renewable Energy Development Venture, Hawaii; $2.25 million for the Montana Bioenergy Center of Excellence, Montana; $10 million for the Sustainable Energy Research Center in Mississippi.

My colleagues may get a little thread that runs through this: Mississippi, Nevada, South Dakota, Utah, et cetera—it goes on and on.

We have $10 million for the Sustainable Energy Research Center, Mississippi; $450,000 for the Vermont Energy Investment Corporation in Vermont; $1.2 million for the Hydrogen Fuel Dispensing Station, West Virginia; $1.25 million for the Long Term Environmental and Economic Impacts of the Development of a Coal Liquefaction Sector in China, West Virginia; $1 million for the Alaska Climate Center, Alaska; $5 million for the Computing Capability, North Dakota; $1 million for the Performance Assessment Institute in Nevada; $1 million for the New School Green Building in New York.

It goes on and on. There are 22 pages worth, and my colleagues might be interested at some of the innovative names and may be interested in trying to find out what those projects are. You won't find an explanation in the report.

So let me be clear on one point. I don't question the merits of these projects. There is no way to find out what the merits are. Many of them may be very worthy of Federal funds. If that is the case, one should wonder, if they are national priorities in desperate need of scarce Federal funds, why they haven't been authorized by a congressional committee. Why haven't we had a single hearing to talk about the desperate need for a hydrogen fuel dispensing station in West Virginia? If genetically improved switchgrass was such an imperative at this time of economic crisis, why was the funding not requested by the administration?

I just wish to point out again, contrary to popular belief, contrary to what members of the Appropriations Committee will continue to tell us, earmarking funds in an appropriations bill is not the way the Congress has operated historically.

It is similar to any other evil—it has grown, grown, and grown larger every time, just about. After various scandals, it has leveled off or decreased some, but after the scandal dies down, the earmarks return. Yes, 9,000 of them were in the Omnibus appropriations bill and, of course, the stimulus package as well.

So there was a time when earmarks were nonexistent, or at least very rare. Guess what. We didn't have $1.8 trillion worth of deficit for the year. I am proud to have served in the House with a man by the name of Congressman William Natcher, chairman of the House Appropriations Subcommittee on Labor, Health, and Human Services. He prevented earmarks in his committee. I am sorry there are not more William Natchers still in the Congress of the United States.

Citizens Against Government Waste has tracked the growth of earmarks since 1991. According to Citizens Against Government Waste, in 1991, there were 546 earmarks, totaling $3.1 billion. In 2008, there were 11,106 earmarks, totaling $17.2 billion. That is an increase of 337 percent in 17 years.

Obviously, it is not pleasant for my colleagues from the Appropriations Committee, and it is not particularly pleasant for some of my other colleagues, for me to come down here to, day after day, year after year, fight against these earmarks and porkbarrel projects. The fact is, they have bred corruption. It wasn't inadequate disclosure requirements that led Duke Cunningham to violate his oath of office and take $2.5 million in bribes in exchange for doling out $70 million to $80 million of taxpayers' funds to a defense contractor. It was his ability to freely earmark taxpayer funds without question.

So here we are with a $1.8 trillion deficit and 22 pages of earmarks, most of which have a State earmark next to them so there is no competition, there is no revealing of the details of the project and, meanwhile, we have places being raided by the FBI around the country due to the allegations that criminal activity has taken place, which can be traced back to this earmark porkbarreling process.

I don't expect to win this vote, but I intend to keep up this fight until such time as the American people rise and demand that we exercise some kind of fiscal discipline. I will tell my colleagues on the Appropriations Committee the reason why I think the chances are better and better, because they are having trouble staying in their homes, educating their kids, and the unemployment rate is now 9.5 percent and predicted to go higher.

The present President of the United States campaigned and said he would change the culture in Washington. One of my deep disappointments is that the President has not fulfilled his commitment to go line by line, item by item, in every appropriations bill and not allow this porkbarreling earmark practice to continue. The American people will not stand for it forever.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. BENNETT. Senator DORGAN is temporarily away.

Mr. MCCAIN. Mr. President, do we have the yeas and nays?

The PRESIDING OFFICER. At the moment, no.

Mr. BENNETT. I am sure there will be a sufficient second when Senator DORGAN has returned.

Mr. MCCAIN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I listened with interest to the statement by Senator MCCAIN. I rise with some responses to the comments he has made, which I hope will clarify the situation. Senator MCCAIN, the ranking member on the Armed Services Committee, serves with great distinction and has helped manage that bill on the floor. In the Defense authorization bill, which he helped manage, there are specific authorizations for every defense program, and there is a Defense authorization bill that passes every year.

If, indeed, we had a similar situation with respect to those items under the jurisdiction of this appropriations bill, I would be more supportive of the position Senator MCCAIN has taken with respect to the provisions of the bill. However, this is not a defense bill and not every department authorizes, each and every year, the same way the Department of Defense does.

Indeed, this is not the way Congress intended the Department of Energy to operate. When the Department of Energy was organized in 1977, making it one of the more recent departments, its organic statute provided broad authorities to support a diverse research and development mission with the goal of energy independence. This is not a project-based account and, therefore, it doesn't receive annual authorization.

Recently, there has been more attention on energy, which has resulted in two Energy bills in the past 4 years. But you need to go back 13 years, before the 2005 bill, to find another Energy bill passed by Congress. Obviously, the organic statute creating the Department anticipated that there would be an organic authorization for these items, and they would be handled in the appropriations bills. If we passed Senator MCCAIN's amendment, it would eliminate any discretion of this subcommittee or of the Congress itself, for that matter, to make changes in the Department of Energy's budget priorities for spending plans. The Appropriations Committee would, therefore, become a rubberstamp for the administration's budget. Since we do not pass something like the Defense authorization bill, and there is no corresponding authorization bill for the Department of Energy, we would simply take the President's proposal and pass the money to support it, and I do not believe that is acceptable.

Senator MCCAIN ran through a list of projects for which he had little or no patience because he said he did not understand them, and they struck him as being projects that possibly had questionable merit. I have a list of projects that were funded by the administration out of the blanket authority the Congress gave the Secretary in what we call the Stimulus Act. We passed the Stimulus Act without any specific earmarks. We simply said: Here is your money and you get to decide how it is spent. Congress will not intervene. I voted against the stimulus bill for a variety of reasons, but we now have the announcements from Secretary Chu as to the specifics of the wind program funding awards.

To quote Senator MCCAIN in his comments about the earmarks in this bill: ''It may be that every one of these projects is legitimate and every one of them has merit.'' But this is the way the administration hands out money compared to the way the Congress hands out money. The Mountain Institute, Inc., in Morgantown, WV, overcoming barriers to wind development in Appalachian coal country, $99,000; the West Virginia Division of Energy, in Charleston, WV, overcoming the challenges in West Virginia, $100,000; in Austin, TX, $118,000 to fund solutions for wind developers and bats; for the board of trustees of the University of Illinois in Champaign, IL, studying ''are flying wildlife attracted to, or do they avoid wind turbines?''; Kansas City University in Manhattan, KS, the environmental impact of wind power development on population biology on greater prairie chickens; Texas Tech University in Lubbock, TX, an assessment of lesser prairie chicken population distribution in relation to potential wind energy development; Western Ecosystems Technology, Inc., in Cheyenne, WY, $100,000 to study greater sage and sage grass telemetry for the Simpson Range Resource area; finally, in Kalamazoo, MI, the Western Michigan University receives $99,933 to study genetic approaches to understanding the population level impact of wind energy development on migratory bats.

These, as I say, may all be very worthwhile items. I don't think they are any more worthwhile items than the items we put in our bill. I say to those in support of the McCain amendment, if the McCain amendment passes, you take away from the Congress the right to determine how this money is spent and you turn it over to the President entirely and let him or his administration decide. It does not mean the money will be saved; it simply means the money will be spent in the way the administration wants it rather than in the way Members of Congress want it. The last time I read the Constitution, article I of the Constitution gives the power of the purse to the Congress and says Congress shall determine how much money shall be raised and how much money shall be spent, and that is what the Congress has done. It has given an organic statute to the Department of Energy, and then it allows the Congress, under that statute, to come up with the specifics of how the money is spent.

The Senator talked about report language not being binding in the bill. The bill, by legislative language, incorporates the specific projects in the report by reference. Therefore, it does become binding.

If we pass the amendment Senator MCCAIN has proposed, it would have a devastating impact on the Department's environmental cleanup requirements. These are cleanup programs that receive annual authorization for cleaning up sites and projects under the Defense Authorization Act. But it also has similar authorization on sites that are outside the Defense Department.

Included in this nondefense category are ongoing cleanups in the following places—and I will repeat that again: ongoing cleanups. These are not new starts or projects that have come out of nowhere; these are items that are going forward, that have been authorized by past Congresses, under the organic statute of the Department of Energy: Paducah, KY; Portsmouth, OH; Moab, UT; Oak Ridge National Laboratory, in Tennessee; Idaho National Laboratory, in Idaho; Brookhaven National Laboratory, in West Valley, NY; Santa Susana, in California; Hanford, WA; Argonne National Laboratory, in Illinois; Los Alamos National Laboratory, New Mexico.

If I might focus on the one in Moab, UT, this is a cleanup of a uranium site, where there was a uranium plant during the boom times, when we were mining uranium as rapidly as we could, processing that, and we left behind tailings that have been judged as being damaging. These tailings are very close to the Colorado River. Indeed, the Senator's own State of Arizona is downstream from this tailing site.

By appropriating this money in this bill in a manner that would be outlawed by the Senator's amendment, we are accelerating the cleanup process in this time of economic difficulty, adding more jobs, more activity, and, quite frankly, lower prices, as contractors are anxious to gain work and will bid lower than they would otherwise; it is the logical thing to do. It would be dropped from the bill if we proceeded with the Senator's amendment.

For these reasons, I think the Senator's amendment would be a mistake. I urge my colleagues to vote it down.

Mr. President, I yield the floor.

Mr. AKAKA. 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.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, Senator BENNETT and I have discussed the

McCain amendment. Senator MCCAIN has offered his amendment. I will speak briefly in opposition to the amendment. I believe Senator BENNETT also has spoken. We are prepared to have a vote at 6 o'clock. I ask unanimous consent the Senate proceed to a vote on the McCain amendment at 6 o'clock. I further ask consent that no second degrees be in order.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Mr. President, let me withhold for a moment.

I ask my unanimous consent request be considered.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask for the yeas and nays on the McCain amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DORGAN. Mr. President, in response to Senator MCCAIN's amendment, he has come to the floor to talk about legislative-directed spending. We have some disagreements on that subject. I respect the opinions of Senator MCCAIN on some of these issues. I disagree, however, with the proposition that somehow what is in a President's budget, that is the recommendation of a President in the President's budget, has any greater import than the recommendations of Senators about what kind of projects have merit.

The Constitution of this country provides that the President proposes and Congress disposes. The power of the purse is here. It is the Congress that raises the funds and it is the Congress that is responsible for the expenditure of those funds.

There has been a lot of discussion about ''earmarks.'' Congressionally directed spending is spending that has been dramatically reformed. We have substantially reduced the number of projects in this bill.

By the way, I indicated when I began discussing the bill that Senator BENNETT and I have brought to the floor, talking about the number of earmarks the President has requested, a very large number of earmarks are in the President's request about what he believes we should pursue with respect to projects and how they should be funded. We have agreed with him in most cases, disagreed in a few cases, and in those areas where we have disagreed, we have not funded that which the President has requested because we didn't think it appropriate to fund it. We have in other cases funded other proposals that have come to us from Senators that have, we believe, more merit.

I do not believe the executive branch always gets it right and the congressional branch or legislative branch never gets it right. I think somewhere between represents the best of what both can offer. That is why we have preserved a substantial majority of what President Obama in his budget to the Congress has requested.

If you look back in history you will see there are a good many examples of projects that started out as legislative-directed spending, or funding, that have had major national implications. In 1873, Congress appropriated funds for the Indian police to keep order and prohibit illegal liquor traffic on Indian reservations. That was through a congressional add-on or earmark. Only later, then, were Indian tribal police forces and court systems authorized and included in the President's budget. But it was Congress that initiated the law enforcement approach that appropriated funds for Indian police.

In 1883, the U.S. Navy began moving from wooden to steel ships. That came as a result of a decision by the Congress. The Congress said we want to move from wooden to steel ships. That was appropriated in the Naval Service Appropriations Act. It directed the Navy to construct two steel steam cruising vessels from funds appropriated but not required for repairing wooden ships.

In 1943, the National School Lunch Program was established through a $50 million earmark in the 1944 Agriculture Appropriations bill. Of course, that turns out to have been a wonderful idea. The school lunch program is a remarkable success.

In 1987, it was the Congress that earmarked funding to what was called gene mapping, which later became the Human Genome Project. That didn't come from some bureaucrat or somebody down in an executive agency who said, You know what we should do, let's begin mapping human genes. Instead, it came from here, in the Congress. In fact, former Senator Domenici had a lot to do with that. So Congress originated the Human Genome Project. Guess what. We now have the first owners manual for the human body. It is changing everything about medicine. That didn't come because somebody in the executive branch said let's do that. That came because someone on the floor of the Senate here said let's do this because it has merit.

These are only a few examples of things that represent substantial progress as a result of ideas that come from the Congress. Despite what you hear from opponents of that sort of thing, if you got rid of all of the ideas that came from the Congress about how to spend money in the Energy and Water bill, we would still be spending the same amount of money because what we spend in this subcommittee is up to the allocation given us by the Budget Committee. The Budget Committee says here is what is going to be spent. That decision is made by the Senate. Then an appropriation, called a 302(b) allocation, I should say, goes to this subcommittee and that is what we allocate. That is what we decide we will have to spend.

If we did not do that, then that money goes down to an agency and someone in the Federal agency says here is what we are going to spend it on. So eliminating all of the legislative-directed funding would not reduce the Federal budget deficit at all. I know that is claimed but it is simply not the case. It just is not the case.

Let me also say the issue of legislative-directed funding is something we have dramatically transformed. No. 1, we have cut the amount of legislative-directed funding requests in half. By requests I am talking about those that made it into the bill. We have cut it by half. We got rid of half of it because I think it went way too far, so we cut it back by 50 percent. Second, every single request has to now be publicly disclosed and every single piece of legislative-directed funding that is in this bill is described by who asked for it, how much it is, and what its purpose is.

As I indicated before, what we are doing in this bill is investing in improving this country's infrastructure, improving and investing in this country's energy future and putting people to work, doing things that will pay dividends for decades to come. That is what this subcommittee does. This is not some routine subcommittee, this is the subcommittee that funds the substantial amount of energy projects and research in this country that will have implications for decades.

This is the subcommittee that funds all of the water projects—the dams, the harbors, the navigation, all of those issues that are so important to this country's water development and water conservation. So this is not some routine kind of expenditure, this is an investment that will create substantial jobs in the future. It will transform our energy future, in my judgment.

I described earlier the importance of the national laboratories we fund, the science laboratories, the energy laboratories, the weapons laboratories that represent the repository of the most breathtaking, cutting-edge, world-class research in so many different areas. All of that is done in this subcommittee.

I am pleased to have spent time with Senator BENNETT. We Republicans and Democrats on this committee worked through a lot of requests, requests from President Obama, from his team, about how they want to fund a wide range of issues and requests from our colleagues.

I would say Secretary Chu had requested a number of research hubs he wanted to do, kind of a transformation in the Department of Energy. We decided to proceed with three of those hubs. It makes sense to us to begin to try moving down that road in a range of areas where you provide real focus on specific areas of energy and research into those areas.

If the McCain amendment were to be agreed to, my understanding is they would be considered not authorized and therefore not allowed. That doesn't make any sense to me. There has been, for a long period of time, general authorization for the programs in the Department of Energy. We routinely have

never authorized every year that which we are doing here. We fund programs that generally have been ongoing within the larger framework of the authorization of the Department of Energy.

I very much oppose the McCain amendment. I respect our colleague, Senator MCCAIN. He is a good legislator. We have come to disagreement on this subject. I hope my colleagues will join myself and Senator BENNETT in defeating the amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment No. 1814.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 25, nays 72, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—25

Barrasso	DeMint	Lugar
Bayh	Enzi	Martinez
Bunning	Feingold	McCain
Burr	Graham	McCaskill
Chambliss	Grassley	Risch
Coburn	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	
Crapo	Kyl	

NAYS—72

Akaka	Franken	Nelson (NE)
Alexander	Gillibrand	Nelson (FL)
Baucus	Gregg	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bennett	Hatch	Roberts
Bingaman	Hutchison	Rockefeller
Bond	Inouye	Sanders
Boxer	Johnson	Schumer
Brown	Kaufman	Sessions
Brownback	Kerry	Shaheen
Burris	Klobuchar	Shelby
Cantwell	Kohl	Snowe
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lincoln	Voinovich
Dodd	McConnell	Warner
Dorgan	Menendez	Webb
Durbin	Merkley	Whitehouse
Ensign	Murkowski	Wicker
Feinstein	Murray	Wyden

NOT VOTING—3

Byrd	Kennedy	Mikulski

The amendment (No. 1814) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1862 TO AMENDMENT NO. 1813

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent to set aside the pending amendment so I may call up an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Tennessee has made a unanimous consent request. The Senator from Tennessee has the floor.

Is there objection to the request?

Mr. DORGAN. Reserving the right to object, has the Senator provided copies of the amendment to our side?

Mr. ALEXANDER. I have provided it to the desk. I guess the answer is no, but I will be happy to do so.

Mr. DORGAN. If the Senator from Tennessee will visit with me just briefly, I object for the moment so I may take a look at the amendment.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee still has the floor.

Mr. ALEXANDER. Madam President, if the manager of the bill is congenial with my idea of going ahead and talking about the amendment while he considers the terms, I will see that he has a copy.

Mr. DORGAN. Madam President, why don't we ask the Senator to proceed to discuss the amendment, and let's look at the language.

Mr. ALEXANDER. I thank the Senator from North Dakota for his courtesy, and I will ask that my staff get copies of the amendment to Senator DORGAN.

I am offering today the auto stock for every taxpayer amendment. This is an amendment I and a number of other Senators, including Senators BENNETT, KYL, and MCCONNELL, have introduced before. It basically would require the Treasury to distribute to all Americans who pay taxes on April 15 all of the government common stock in the new General Motors and Chrysler within 1 year following the date of emergence of General Motors and Chrysler from bankruptcy proceedings. In addition, General Motors, we are glad to say, has now emerged from bankruptcy proceedings, so the amendment becomes very timely.

The amendment would prohibit the Treasury from using any more TARP funds to bail out GM or Chrysler, and it would require that the Secretary of the Treasury and his designee have a fiduciary responsibility to the American taxpayer to maximize the return on their investment as long as the government holds stock in these companies.

This is the best way to get the auto companies out of the hands of Washington bureaucrats and politicians and into the hands of the American people in the marketplace where the companies belong.

There is a great deal of sentiment on the Democratic side as well as the Republican side about this. I know Senator NELSON of Nebraska had introduced legislation along the lines of finding a way to move the stock of auto companies out of the hands of government and into some other hands as quickly as possible, taking the very sensible notion that the job of the U.S. Government is not to operate automobile companies in the United States. And Senator THUNE, Senator CORKER, and Senator JOHANNS all have offered amendments to that effect.

I would like to suggest to my colleagues that this amendment, which I hope we have a chance to consider, is the most responsible way to take the taxpayers' investment in General Motors and Chrysler, maximize the return on the investment, get it out of Washington, DC, so we politicians are not tempted to meddle with it, and get it back out in the hands of the American people in the marketplace. It will create a sort of ''Green Bay Packers'' fan base for Chevrolets and whatever else General Motors decides to produce.

Most Americans know that in the National Football League there are a lot of teams who have a lot of loyalty, but the Green Bay Packers have more loyalty than most. One reason is that the fans own the team. In this case, the taxpayers would own General Motors and the taxpayers would own Chrysler or at least part of it. They would own 60 percent of General Motors and about 8 percent of Chrysler. That would give about 120 million Americans who pay taxes on April 15 a few shares in General Motors and Chrysler. And it might make them a little more interested in the next Chevrolet, and produce a little consumer interest.

That is not the best reason to do this. The most important reason to do this is that the American people, by overwhelming margins, understand what I think most of us understand: that the federal government has no business trying to run a car company. We do not know anything about running car companies. Yet, if we own it, we cannot keep our hands off of it. We have seen many examples of this on both sides of the aisle, I may say.

I started giving out car czar awards a few weeks ago. I gave the first one to the distinguished Congressman from Massachusetts who called the president of General Motors and said to him: Don't close a warehouse in my congressional district. And, lo and behold, the warehouse was not closed. Well, the Congressman said he was only doing what any Congressman would do about a warehouse in his district. I think he is right about that. But the problem is, the Congressman owns part of the company. He happens to be the chairman of the House bailout committee—the Financial Services Committee—in addition to that. So it creates a political incestuousness that we need to end.

Now, lest my colleagues on the other side think I am trying to pick on Democratic car czars, I had to give the second car czar award to myself because, lo and behold, General Motors came around visiting the delegations of Michigan, Indiana, and, yes, Tennessee to try to see where they might build a plant for small cars. Now, what was I to do, as a Senator from Tennessee and as the Governor who helped recruit Saturn to Spring Hill, TN, 25 years ago? I got with Senator CORKER, and we got with the Governor, and we had a meeting in my office, and we met with the General Motors executives, and we put our best case forward.

Of course, we own 60 percent of the company. I counted up that there are about 60 committees and subcommittees in the House and the Senate that conceivably could have jurisdiction over General Motors and Chrysler and could hold hearings about the color of their cars and why they are buying a battery for the Chevy Volt in South Korea when they could be buying it from Tennessee, or why they do not make a car that is this big or that big or that many miles per gallon. Or what about the dealers? That has been a matter of great concern in the Congress. There is legislation pending that would overrule whatever the management's decision on dealers is. You name it, we have a reason to meddle. And most of us have been meddling.

So what do we have here? We have these chief executives of major companies for which we have now paid almost $70 billion of taxpayers' money for 60 percent of the stock in General Motors and 8 percent in Chrysler. And what do these CEOs do? They are reduced to the status of some assistant secretary, driving their congressionally approved hybrid cars from Detroit to Washington to testify. They dare not fly in an airplane or we would want to know what kind of airplane they are flying in. So they come to Washington. They testify all day before the committee. Of course, they have to get prepared for that, which takes some time. Then they turn around and drive back home. My question is, How many cars did they design that day? How many cars did they build that day? How many cars did they sell that day while they are up here talking to all of their distinguished owners—Senators, Congressmen—all of us who are here in Washington, DC?

Now, we are well meaning, and they are well meaning. But my point is, the chief executives are never going to be able to succeed if we are constantly meddling in their business. So this amendment would make sure we move the ownership of stock from the government in Washington, DC, into the marketplace. Madam President, I see the manager of the bill. I would be glad to yield to him for a moment, if I could retain the floor.

Mr. DORGAN. Madam President, if Senator ALEXANDER would yield?

Mr. ALEXANDER. Madam President, I would like to be able to reclaim my time.

Mr. DORGAN. Yes, without the Senator losing his right to the floor. We think the way we would like to proceed is for the Senator from Tennessee to go ahead and offer his amendment and then finish his statement, after which we will go into a period of morning business, for not more than 10 minutes for each presentation. I believe Senator KAUFMAN has morning business.

So the point is, Senator BENNETT and I have discussed it, and we feel it appropriate for the Senator from Tennessee to offer the amendment at the end of his discussion, after which we will go into morning business.

Mr. ALEXANDER. Madam President, I thank the Senator for his courtesy. And I see the Senator from Delaware. I will take just a few more minutes, if I may, to explain the amendment.

So the reasons for doing this, to summarize, is that all of us seem to say—the President has said he does not want to micro-manage the auto companies. But if we own the companies, it is kind of hard for him not to do that. He fired the president of General Motors. His representatives are appointing the board. The President himself called the mayor of Detroit and seemed to get on the side of the issue of where the General Motors headquarters would be—in Warren, MI, or in Detroit. He has an Auto Task Force, whose business it is to pay a lot of attention to how these companies are running. There is a pay czar over in the White House whose job it is to check on the pay of certain executives in General Motors and Chrysler.

It is hard for me to see how General Motors and Chrysler—with all they have to do and the challenges they have ahead of it—how they are going to compete with Honda and Nissan and Toyota and Ford, which posted a big profit. If General Motors is spending a large percent of its time responding to meddlesome questions and directives by its majority owner, the U.S. Government.

I am not the only one who thinks that. According to the Nashville Tennessean, an AutoPacific survey reports that 81 percent of Americans polled ''agreed that the faster the government gets out of the automotive business, the better.''

Ninety-five percent disagreed ''that the government is a good overseer of corporations such as General Motors and Chrysler.'' Ninety-three percent disagreed ''that having the government in charge of (the two automakers) will result in cars and trucks that Americans will want to buy.'' According to a Rasmussen Poll done in June, 80 percent believe the government should sell its stake in the auto companies to private investors ''as soon as possible.'' According to the Wall Street Journal on June 18, 70 percent of those surveyed said ''they had concerns about federal interventions into the economy, including Mr. Obama's decision to take an ownership stake in General Motors Corp.''

But I do not think that is news to any of us. I think almost every Member of Congress understands that General Motors and Chrysler would be better off if we did not own them.

So that leaves the remaining question: What is the best way to get the stock from where it is in the government to where it needs to be, which is in the marketplace?

There have been a variety of good proposals made. I mentioned Senator NELSON's proposal, Senator CORKER's, and Senator THUNE's. But I would argue that a straight, simple stock dividend, which is what I am proposing, is the simplest and most effective way to accomplish this job. It is called a ''corporate spinoff,'' in corporate terms, or a spinout. It is a new entity formed by a split from a larger one.

It often happens with very large companies. It usually happens when a major company—in this case, the U.S. Government—has a subsidiary—in this case, General Motors and Chrysler—which has very little to do with the business of the major company. Well, surely operating a car company is not the main business of the U.S. Government, which has a lot on its plate, when we go from health care, to climate change, to energy, to the budget, et cetera.

Examples of corporate spinoffs are pretty familiar to us. Procter & Gamble did a spinoff with Clorox in 1969. In other words, Procter & Gamble owned Clorox. Procter & Gamble declared a stock dividend. It gave its shareholders shares in Clorox, and Clorox and Procter & Gamble were severed. Time Warner did a spinoff with Time Warner Cable in March 2009. Time Warner stockholders received a pro rata share of Time Warner Cable common share stock. That is the same idea I am proposing here today. Then PepsiCo did a spinoff with its restaurant business—KFC, Pizza Hut, and Taco Bell in 1997. This is also something familiar. PepsiCo shareholders each received 1 share in the new restaurant company for every 10 PepsiCo shares they held.

The idea of Americans owning stock is not a new idea in the United States. Fifty-one percent of families hold stocks in publicly traded companies directly or indirectly. And many big companies have many shareholders.

Several of us Congressmen and Senators were on a phone call with Fritz Henderson, the General Motors chief executive officer, several weeks ago. The question came up about, what is the government going to do with all this GM stock after the bankruptcy? Mr. Henderson made very clear that was not his decision, it was the Treasury's decision to make. But he said this is a ''very large amount'' of stock and that the orderly offering of those shares to establish a market might have to be ''managed down over a period of years.''

Well, if the government in Washington holds the shares of General Motors and Chrysler for a ''period of years,'' I cannot think of anything that will make it less likely that General

Motors will succeed because we will be meddling every single day, and GM will never have time to design, build, and make cars. Instead, the government could declare a stock dividend within the next few months, which should be relatively easy to do because we have the names and the accounts of the 120 million people who pay taxes on April 15. The principle here is: they paid for it, they might as well own it. So if the taxpayers own it, and that is good for them, and if getting rid of the stock from the government is good for the government and good for General Motors—just like creating a fan base of 120 million Americans who might be interested in the next Chevy, like Green Bay Packers fans are interested in the next quarterback—then, it seems to me this is a very wise idea.

I have talked with a number of corporate lawyers and bankruptcy lawyers and securities lawyers. I have discussed it with Governors. I have discussed it with financial officials. And I have talked about it with average Americans who are not happy about the fact that the government owns 60 percent of General Motors. They all think this stock distribution is a good idea.

I am afraid some of my colleagues think: Well, he is just making a point. He is just being facetious. I am not. We need to get rid of this stock. We almost all agree with that. It will take us years to do it if we sell it just in an orderly way over a period of time. The single best familiar way to get the stock out of the hands of the government and into the hands of the marketplace is a stock dividend. Give the stock to the people who have now paid almost $70 billion for it—the 120 million people who pay taxes on April 15—and let's get this economy moving again.

Not many weeks ago, a visiting European auto executive said to me, with a laugh, that he was in Washington, DC, which he referred to as ''the new American automotive capital: Washington, DC.'' Well, it would be a little humorous if it were not so sad. None of us like the fact that we are in the situation we are in. But to give General Motors and Chrysler a chance to succeed, let's get our auto companies out of the hands of Washington, DC, and back into the marketplace. And the sooner the better. The amendment I offer will achieve that purpose.

At this point, I wish to once again ask unanimous consent to set aside the pending amendment and call up my amendment No. 1862.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 1862 to amendment No. 1813.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit disbursement of additional funds under the Troubled Asset Relief Program to certain automobile manufacturers, to impose fiduciary duties on the Secretary of the Treasury with respect to shareholders of such automobile manufacturers, to require the issuance of shares of common stock to eligible taxpayers which represent the common stock holdings of the United States Government in such automobile manufacturers, and for other purposes)

On page 68, between lines 15 and 16, insert the following:

SEC. _____. RESTRICTIONS ON TARP EXPENDITURES FOR AUTOMOBILE MANUFACTURERS; FIDUCIARY DUTY TO TAXPAYERS; REQUIRED ISSUANCE OF COMMON STOCK TO TAXPAYERS.

(a) SHORT TITLE.—This section may be cited as the ''Auto Stock for Every Taxpayer Act''.

(b) PROHIBITION ON FURTHER TARP FUNDS.—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) or any other provision of law, the Secretary may not expend or obligate any funds made available under that Act on or after the date of enactment of this Act with respect to any designated automobile manufacturer.

(c) FIDUCIARY DUTY TO SHAREHOLDERS.—With respect to any designated automobile manufacturer, the Secretary, and the designee of the Secretary who is responsible for the exercise of shareholder voting rights with respect to a designated automobile manufacturer pursuant to assistance provided under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), shall have a fiduciary duty to each eligible taxpayer for the maximization of the return on the investment of the taxpayer under that Act, in the same manner, and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applicable provisions of State law.

(d) REQUIRED ISSUANCE OF COMMON STOCK TO ELIGIBLE TAXPAYERS.—Not later than 1 year after the emergence of any designated automobile manufacturer from bankruptcy protection described in subsection (f)(1)(B), the Secretary shall direct the designated automobile manufacturer to issue through the Secretary a certificate of common stock to each eligible taxpayer, which shall represent such taxpayer's per capita share of the aggregate common stock holdings of the United States Government in the designated automobile manufacturer on such date.

(e) CIVIL ACTIONS AUTHORIZED.—A person who is aggrieved of a violation of the fiduciary duty established under subsection (c) may bring a civil action in an appropriate United States district court to obtain injunctive or other equitable relief relating to the violation.

(f) DEFINITIONS.—As used in this section—

(1) the term ''designated automobile manufacturer'' means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term ''eligible taxpayer'' means any individual taxpayer who filed a Federal taxable return for taxable year 2008 (including any joint return) not later than the due date for such return (including any extension);

(3) the term ''Secretary'' means the Secretary of the Treasury or the designee of the Secretary; and

(4) the terms ''director'', ''issuer'', ''securities'', and ''securities laws'' have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

Mr. ALEXANDER. Madam President, I believe that concludes my remarks and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Madam President, I ask to speak as in morning business for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. I ask unanimous consent to be followed by Senator BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTOR PROTECTION

Mr. KAUFMAN. Madam President, all Americans hope that the ''green shoots'' we have been seeing recently—evidence of the economy turning around—won't wither. One thing that will help make our recovery strong and sustainable is the return of investor confidence. That is why making certain our financial markets operate fairly and openly is so important.

Free and fair markets and democracy are America's two greatest pillars of strength. Our financial markets have long been the engine of American growth and the envy of the world. Efficient and free capital markets are essential to all of what makes America great: investment in private enterprise, the availability of capital to expand and grow our economy through innovation and new ideas, and the ability to save for retirement in hopes that investment will result in comfort for our later years. But we have seen what happens when you take the referees off the field, when we fail to have clear and fair rules for everyone. It is the job of our democratic government to set those rules and to keep the referees—our financial regulators—on the field.

I rise today because we continue to see that our financial markets simply do not operate on a level playing field for all investors. That is a threat to the credibility of our financial markets and, as a result, to our country's economic well-being.

We have an unfair playing field that leaves us with, in effect, two markets: one for powerful insiders and another for average investors; one market for huge volume, high-speed players who can take advantage of every loophole for profit, and another market for retail investors who must play by the rules and whose orders are filled without any special priority. This situation simply cannot continue. It is the national equivalent of ''separate and unequal.''

I offer my colleagues three examples of this two-tier system which undermines the fairness and efficiency of our financial markets. First, today the biggest players on Wall Street are using their automated, high-speed trading programs to engage in short selling of stocks. Informed observers believe organized ''bear raids''—short selling combined with coordinated ''misinformation'' campaigns—contributed to the demise of Lehman Brothers and Bear Stearns, key elements in the collapse of our financial markets last year. With the repeal of the uptick rule in 2007 and no substantial substitute in its place, the threat of such damaging manipulation is still with us.

Since March 3, I have spoken frequently about the urgent need for the SEC to restore the substance of the uptick rule. This rule required investors simply to pause and to wait for an uptick in price before continuing to short sell. Without such a rule in place, investors who own those stocks are more vulnerable to hedge fund bear raiders.

So far, the SEC has initiated rulemaking and conducted on April 8 a roundtable discussion among key experts on some kind of price test that could substantially replace the uptick rule in today's high-speed, high-tech markets. While that process has begun, we have yet to see it bear fruit.

Second, big market players can engage in naked short selling—selling stock for which they have no legal claim and for which they cannot deliver. Since my first speech on this subject in March, I have come to the floor several times and coauthored letters with my colleagues about the need for the SEC to end naked short selling. In that abusive practice, traders bet on shares losing value—shares they have not borrowed and in some cases never even intend to borrow—in time for settlement.

Yesterday, the SEC made permanent a temporary rule they had enacted last fall and proposed some new transparency measures, and the Commission announced plans for a roundtable discussion on September 30—2 months from now. The Commission will finally begin to discuss publicly the potential solutions that a bipartisan group of Senators and I have been urging: either a pre-borrow requirement or a centralized ''hard locate'' system. The Depository Trust and Clearing Corporation tells us it has the capacity and the willingness to implement that system but only if the SEC requires it through a rule.

That is some progress, but we need more urgency at the SEC to implement tougher rules that will stop naked short selling through an enforceable system. This is imperative, because the current ''reasonable belief'' standard is virtually unenforceable, even against those who engage in concerted action to manipulate prices downward.

Yesterday's announcement by the SEC admits that the rule they made permanent yesterday has only reduced fails to deliver by 57 percent. That leaves a lot of room for improvement. Why not have an enforceable system such as that proposed last week by seven Senators of both parties that could end naked short selling once and for all? I am hopeful we will soon see movement on this.

Third, we have the most recent revelation of so-called ''flash orders'' by high frequency traders. These allow exchange members who pay a fee to get a first look at share order flows before the general public. By viewing this buy and sell order information for milliseconds before it goes in the wider market, these investors gain an unfair advantage over the rest. Today I join Senator SCHUMER in urging the SEC to prohibit the use of these flash orders used in connection with optional display periods currently permitted by DirectEdge, Bats Exchange, and NASDAQ.

As the New York Stock Exchange complained to the SEC on May 28, selling flash orders for free provides:

> Non-public order information to a select class of market participants at the expense of a free and open market system.

To use a baseball metaphor, flash orders allow some batters to pay to see the catcher's signals to the pitcher while the rest of us don't see them. We have to make an informed judgment with a normal amount of risk. Markets that permit a privileged few to have special access to information cannot maintain their credibility.

I ask: Is this what is happening on Wall Street today? When millions of Americans have lost so much money in the stock market, do Wall Street actors continue to make record trading profits by exploiting loopholes using high-speed computers?

William Donaldson, former chairman of the SEC and the New York Stock Exchange, has said:

> This is where all the money is getting made . . . If an individual investor doesn't have the means to keep up, they're at a huge disadvantage.

As Senator SCHUMER wrote in his letter:

> If allowed to continue, these practices will undermine the confidence of orderly investors and drive them away from our capital markets.

America simply cannot afford this loss of integrity of its financial markets.

Amazingly, it is a loophole in current regulations that allows this unfair practice. This can and should be fixed immediately.

Flash orders, the uptick rule, and naked short selling are not just a list of complaints. I believe they are interconnected. They are interconnected by an unsupported faith in the religion of self-regulation and liquidity. That religion believes that no price is too high for deeper liquidity—maximizing the volume and frequency of a transaction—because it reveals the greatest amount of information about stock values. There is one more article of faith—that innovation by market players is always beneficial.

When the financial markets were decimalized and the uptick rule repealed, the SEC and leading market institutions claimed that the technology would lead to deeper liquidity and market efficiencies benefiting all investors. High-speed trading, sophisticated algorithms, and high volume short selling all have grown exponentially in recent years.

MIT, our Nation's greatest engineering school, sent 11 percent of its 2008 graduates to work on Wall Street. All this, some say, has led to deeper liquidity.

America was founded with a spirit of entrepreneurship and a celebration of economic innovation. There are so many things Wall Street does right, and historically Wall Street was built on a foundation of trust and credibility. But America was also born from the principle of equal opportunity. While we should keep encouraging the kind of commercial ingenuity that fuels the prosperity of financial markets, we must ensure that technology is not employed to advantage one small group over the rest. That is not what free market is about.

Indeed, there is a place in our markets for high-speed arbitrage functions, because they can and have narrowed bid-ask spreads and lowered the cost of trading for all. High-speed arbitrage also helps price discovery and keeps the prices of similar assets traded in different markets more closely aligned.

When it comes to flash orders, however, I think most investors, even those who trade regularly, are waking up very surprised to learn that these practices are even permitted, just as we were surprised last year to learn about the rampant extent of naked short selling. Many investors have been suspicious for years that insiders on Wall Street hold built-in advantages over average investors. Flash orders are a classic example of being taken aback not by what is illegal but by what is legally occurring directly under the nose of our financial regulators and leading market institutions.

Since I began speaking out against naked short selling, I have heard from some of the biggest companies in America that are concerned about the effects of naked short selling. But they do not want to speak out because they fear that any hint of vulnerability they admit even privately to public officials will leak out and make them the target of these predatory raiders.

I have also heard from investors around the country. They have complained that large broker-dealers are somehow permitted to trade ahead of most investors. These average and even sophisticated investors relate that in their experience they never seem to be able to execute trades at the best available published bid or asking price. They complain that large orders always seem to get a priority over their smaller orders. Until now, I never knew what to make of these claims.

In the New York Times this past Friday, on investor blogs for weeks now, and in a comment letter filed by the New York Stock Exchange on May 28, commentators have begun to explain how flash orders work to, quite literally, ''pick the pockets'' of the average investor. In essence, these traders get a very quick look at all pending orders in advance and through technology can trade ahead of these orders.

I ask unanimous consent that the Times article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 24, 2009]

STOCK TRADERS FIND SPEED PAYS, IN MILLISECONDS

(By Charles Duhigg)

It is the hot new thing on Wall Street, a way for a handful of traders to master the stock market, peek at investors' orders and, critics say, even subtly manipulate share prices.

It is called high-frequency trading—and it is suddenly one of the most talked-about and mysterious forces in the markets.

Powerful computers, some housed right next to the machines that drive marketplaces like the New York Stock Exchange, enable high-frequency traders to transmit millions of orders at lightning speed and, their detractors contend, reap billions at everyone else's expense.

These systems are so fast they can outsmart or outrun other investors, humans and computers alike. And after growing in the shadows for years, they are generating lots of talk.

Nearly everyone on Wall Street is wondering how hedge funds and large banks like Goldman Sachs are making so much money so soon after the financial system nearly collapsed. High-frequency trading is one answer.

And when a former Goldman Sachs programmer was accused this month of stealing secret computer codes—software that a federal prosecutor said could ''manipulate markets in unfair ways''—it only added to the mystery. Goldman acknowledges that it profits from high-frequency trading, but disputes that it has an unfair advantage.

Yet high-frequency specialists clearly have an edge over typical traders, let alone ordinary investors. The Securities and Exchange Commission says it is examining certain aspects of the strategy.

''This is where all the money is getting made,'' said William H. Donaldson, former chairman and chief executive of the New York Stock Exchange and today an adviser to a big hedge fund. ''If an individual investor doesn't have the means to keep up, they're at a huge disadvantage.''

For most of Wall Street's history, stock trading was fairly straightforward: buyers and sellers gathered on exchange floors and dickered until they struck a deal. Then, in 1998, the Securities and Exchange Commission authorized electronic exchanges to compete with marketplaces like the New York Stock Exchange. The intent was to open markets to anyone with a desktop computer and a fresh idea.

But as new marketplaces have emerged, PCs have been unable to compete with Wall Street's computers. Powerful algorithms—''algos,'' in industry parlance—execute millions of orders a second and scan dozens of public and private marketplaces simultaneously. They can spot trends before other investors can blink, changing orders and strategies within milliseconds.

High-frequency traders often confound other investors by issuing and then canceling orders almost simultaneously. Loopholes in market rules give high-speed investors an early glance at how others are trading. And their computers can essentially bully slower investors into giving up profits—and then disappear before anyone even knows they were there.

High-frequency traders also benefit from competition among the various exchanges, which pay small fees that are often collected by the biggest and most active traders—typically a quarter of a cent per share to whoever arrives first. Those small payments, spread over millions of shares, help high-speed investors profit simply by trading enormous numbers of shares, even if they buy or sell at a modest loss.

''It's become a technological arms race, and what separates winners and losers is how fast they can move,'' said Joseph M. Mecane of NYSE Euronext, which operates the New York Stock Exchange. ''Markets need liquidity, and high-frequency traders provide opportunities for other investors to buy and sell.''

The rise of high-frequency trading helps explain why activity on the nation's stock exchanges has exploded. Average daily volume has soared by 164 percent since 2005, according to data from NYSE. Although precise figures are elusive, stock exchanges say that a handful of high-frequency traders now account for a more than half of all trades. To understand this high-speed world, consider what happened when slow-moving traders went up against high-frequency robots earlier this month, and ended up handing spoils to lightning-fast computers.

It was July 15, and Intel, the computer chip giant, had reporting robust earnings the night before. Some investors, smelling opportunity, set out to buy shares in the semiconductor company Broadcom. (Their activities were described by an investor at a major Wall Street firm who spoke on the condition of anonymity to protect his job.) The slower traders faced a quandary: If they sought to buy a large number of shares at once, they would tip their hand and risk driving up Broadcom's price. So, as is often the case on Wall Street, they divided their orders into dozens of small batches, hoping to cover their tracks. One second after the market opened, shares of Broadcom started changing hands at $26.20.

The slower traders began issuing buy orders. But rather than being shown to all potential sellers at the same time, some of those orders were most likely routed to a collection of high-frequency traders for just 30 milliseconds—0.03 seconds—in what are known as flash orders. While markets are supposed to ensure transparency by showing orders to everyone simultaneously, a loophole in regulations allows marketplaces like Nasdaq to show traders some orders ahead of everyone else in exchange for a fee.

In less than half a second, high-frequency traders gained a valuable insight: the hunger for Broadcom was growing. Their computers began buying up Broadcom shares and then reselling them to the slower investors at higher prices. The overall price of Broadcom began to rise.

Soon, thousands of orders began flooding the markets as high-frequency software went into high gear. Automatic programs began issuing and canceling tiny orders within milliseconds to determine how much the slower traders were willing to pay. The high-frequency computers quickly determined that some investors' upper limit was $26.40. The price shot to $26.39, and high-frequency programs began offering to sell hundreds of thousands of shares.

The result is that the slower-moving investors paid $1.4 million for about 56,000 shares, or $7,800 more than if they had been able to move as quickly as the high-frequency traders.

Multiply such trades across thousands of stocks a day, and the profits are substantial. High-frequency traders generated about $21 billion in profits last year, the Tabb Group, a research firm, estimates.

''You want to encourage innovation, and you want to reward companies that have invested in technology and ideas that make the markets more efficient,'' said Andrew M. Brooks, head of United States equity trading at T. Rowe Price, a mutual fund and investment company that often competes with and uses high-frequency techniques. ''But we're moving toward a two-tiered marketplace of the high-frequency arbitrage guys, and everyone else. People want to know they have a legitimate shot at getting a fair deal. Otherwise, the markets lose their integrity.''

Mr. KAUFMAN. Madam President, in America where all are created equal, Wall Street technology has permitted the powerful to exploit loopholes that make some investors now more equal than others.

The most basic principle of a free market system is that anyone can transact goods at prices based on a free and open market, not based on some kind of insider status. These flash order practices fly in the face of Regulation NMS, which the SEC issued to guarantee that trades are executed at the best price as soon as orders become available. With flash orders, there doesn't seem to be any guarantee of this anymore.

I call again for the SEC to act quickly to protect investors in four critical areas. First, we need to implement a rule that provides the substantive protections removed when the uptick rule was rescinded in 2007.

Second, the SEC must end naked short selling. No one should be able to short a stock unless they have located specified shares of stock and obtained a contractual claim to borrow the stock in time for delivery. The SEC's announcement yesterday of plans for more discussion does not accomplish this. We need concrete action soon by the SEC.

Third, the SEC must prohibit the use of flash orders. No one—no one—should be permitted to use information asymmetry that permits high-speed computer trading to have an advantage over average investors.

Finally, the SEC should establish disclosure and transparency equality. The disclosure requirements that apply to pooled funds worth greater than $100 million should apply uniformly to all, including hedge funds, for both long and short positions, and the level of transparency for order flows should be the same for all.

I truly believe our new SEC chairman is focused on these issues and she is making progress on a number of fronts. But it is the job of Congress to urge regulators to fix problems. SEC Chairman Schapiro inherited an SEC that had made many mistakes. I respect the fact that Chairman Schapiro is working hard every day to right a foundered ship. The other commissioners are joining her in that task.

In closing, I implore the SEC once again to act urgently to fulfill its core mission: protecting investors. The reason protecting investors is so important is that by doing so, the SEC ensures the credibility of the financial markets. If the SEC refuses to restore a level playing field to rebuild investor confidence in our market, then we in Congress will have to step in and do it ourselves.

Protecting investors is too important to the Nation, to the integrity of our financial markets, and to our economic recovery. I say again that legitimate capital markets and arbitrage functions have value, like legitimate short-selling has value. But exploiting an unequal playing field only skims our Nation's wealth. It doesn't create wealth or value, except for a privileged few. That harms the integrity of our financial markets and, by doing so, threatens the very foundation of our economic well-being.

As Americans, we must have faith in our institutions, both the markets and government, and we must believe that if we work hard and play by the rules, all will be treated equally. That is what is at stake. Our financial industry and capital markets can be a powerful engine for the American economy. But the SEC and Congress must work together to restore investor quality, integrity, and credibility of our financial markets.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Ohio is recognized.

Mr. BROWN. Mr. President, I thank Senator KAUFMAN for his bold advocacy on behalf of consumers and investors and for a better financial system.

Mr. KAUFMAN. I thank the Senator.

HEALTH CARE REFORM

Mr. BROWN. Mr. President, last week I spoke on the Senate floor about the importance of the health care reform bill that passed the Senate in the Health, Education, Labor, and Pensions Committee.

I spoke about how the legislation would reduce costs for families and businesses, how it would protect consumer choice of doctors, hospitals, and insurance plans, and how it would assure health care stability and security for all Americans.

I spoke about how the bill's public option would increase competition in the insurance market, spurring private insurers to offer better premiums and better coverage.

I explained how the bill's insurance market reforms would prevent insurers from dodging and weaving to avoid paying claims—an experience most of us have had.

Today, I am here to talk about a provision in the HELP Committee bill that I am not proud of—a provision that none of us should be proud of. The committee adopted an amendment that would discourage medical innovation and perpetuate inflated prices for the medicines that millions of Americans need. This provision locks taxpayers into paying extraordinarily high prices for medicines covered by Medicaid and Medicare, covered by the VA system, and covered by the military's TRICARE system. The provision also means huge payments by corporations and small businesses that insure their employees, and the provision locks patients into paying astronomical out-of-pocket costs for medicines they cannot do without. The medicines I am talking about are known as biologics. They are medicines used to treat conditions such as multiple sclerosis, arthritis, Alzheimer's, diabetes, and cancer. Spending on brandname biologics is growing faster than spending on any other type of medicine.

All too often, the pricetag for this type of drug is simply too high for the patient who needs it. For instance, annual treatment for breast cancer with the brandname biologic drug Herceptin costs $48,000. Even if you are lucky enough to have health insurance and you are paying 20 percent copay, that is $9,600 a year. More than 192,000 American women will be diagnosed with breast cancer in 2009. How are they going to afford that kind of drug?

Annual treatment for rheumatoid arthritis with the brandname biologic called Remicade costs $20,000. Again, even if you are lucky enough to have insurance—pretty good insurance—you will probably have a copay of 20 percent, which is $4,000 a year. That is $80 every single week, in addition to all your other health care expenses, and maybe the fact that you don't have income because you are going through rheumatoid arthritis treatment. At least 1.3 million Americans suffer from rheumatoid arthritis.

Annual treatment for colon cancer with the brandname biologic Avastin costs $100,000. Again, if you are lucky enough to have good health insurance, and you are paying a 20 percent copay, that is $20,000. That is $400 a week just for your copay, on your drug, in order to deal with your colon cancer. This is far too expensive for many of the 112,000 men and women in America who are diagnosed with colon cancer each year.

The typical household income in Ohio, which is not too much different from the State of the Presiding Officer, Colorado, is $46,000 a year.

We are talking about a drug that costs $20,000, another drug that costs $48,000, and another drug that costs $100,000 a year, and you are trying to pay with an income of $46,000 a year? Even if you have good insurance, your copay alone will break the bank. You get the picture.

More than two decades ago, in response to consumer outrage over the traditional price of drugs, Congress passed the Drug Price Competition and Patent Restoration Act of 1984, known as the Hatch-Waxman Act. That act created a generic pathway for traditional medicines. Prior to that bill, the FDA had no approval process to get generic drugs, competitive drugs, similar drugs after they have gone off patent, identical drugs that can cure you just like brandname drugs can, but there was no allowance to bring those generic drugs to market.

A quarter century ago, Congress took care of that. We need a similar generic pathway for biologics. But legislation granting 12 years of ''exclusivity''—a better term is 12 years of ''monopoly''—protection, on top of the 20 years of patent protection—so these companies already have patents, and I understand sometimes several years of their patents are used up, and several years of the 20-year patents are used up during the approval process—maybe even 10 years. But on top of that, we are going to give them 12 years of monopoly protection, 12 years of exclusivity—the way we talk here—12 years of monopoly protection, the way that most people understand it. That gives a drug company a monopoly that no other drug in the market enjoys and no other product on the market enjoys.

What we have done is taken these drugs that cost $12,000 a year, $20,000 a year, $40,000 a year, or $100,000 a year, and set them in a different category to protect them—a protection that nobody else in our entire economic system of protection, monopoly protection, and nobody else in our economic system enjoys. These are drugs that save people's lives. These are treatments for people they cannot get any other way.

Why do we carve out monopoly protection for these drug companies, when we don't do it for any other kinds of drugs—so-called orphan drugs—or any other consumer product? Why do we do it? It could not be because the biotech companies are really good lobbyists, could it or because of the campaign contributions they make to my colleagues—it couldn't be that, could it? I don't know the explanation.

Americans are worried that their employer will drop their health care coverage because of the cost of biologics. A 12-year biologic monopoly balloons the cost of employee-sponsored health care. Consumers worry that they won't be able to afford individual coverage. You will see, in some cases, some employers totally ending their health care coverage overall—the insurance they have for employees—because of the cost of biologics. Imagine you are a company with 100 employees, and you are a generous employer and you pay your people pretty well, and you are doing OK in this economy—not great but you have insurance for everybody; and of these 100 employees you have, say 4 or 5 get really sick. Say one takes Herceptin and one takes Remicade and one takes another one of these drugs—say, the $100,000 drug, Avastin. Do you know what that employer is going to have to do because of the cost? They are probably going to have to end health care coverage for all of their

employees because they have three or four employees taking these drugs.

We must fight back for Kyl and his family from Franklin County in central Ohio. Kyl's sister nearly lost her house because of the costs of fighting a series of immune-related diseases. Kyl's father works 50 hours a week in a food service job, with no health care benefits. Yet he has diabetes and heart trouble. Kyl writes that his father had to stop taking medications because he cannot afford the cost.

We are asking them to wait 12 years so that biotech companies can make even more—give them 12 years of monopoly protection.

I want these companies to do well. That is why I support more NIH funding. A lot of these companies get started by using taxpayer dollars for their research. Taxpayer-funded research is a good thing. It means inventions. And biologics are wonderful. I want them to be profitable and to innovate and to have incentive to do that. But 12 years of extra monopoly protection that nobody else in our system has?

We must fight for Laura and her family, from Lake County, OH. She is an 80-year-old mother of two sons who have struggled with serious medical conditions. One son is a brain cancer survivor, who cannot afford medicine or health insurance. He cannot get it because of his preexisting condition. Her other son has battled years of illnesses, mainly rheumatoid arthritis. His existing insurance coverage doesn't cover Remicade, which is the drug I talked about earlier. Remicade costs $20,000 a year, about $2,000 a month. If you have some insurance, maybe you can get it for a little less. But this employer wouldn't cover the brandname drug. Laura writes that her sons' health care costs far exceed their ability to pay.

Remember that traditional medicines receive only 5 years of monopoly protection. I am not the only one on the floor who thinks 12 years of unchecked monopoly protection is an irresponsible and inefficient pathway to biologics. President Obama has recognized the need to create an approval process for generic biologics with 7 years of market exclusivity.

Consumer groups, patient safety advocates, insurance companies, labor unions, and medical professionals, and many companies, because they are paying the freight, want a safer and more efficient pathway to generic biologics. They suggest 5 years, as my legislation originally did.

Groups from AARP to Families USA, to the National Organization for Rare Disorders, to the Service Employees International Union, to Blue Cross/Blue Shield have called for 7 years or less of monopoly protection.

The FTC released a report which found that lengthy periods of exclusivity will actually harm patients, diminish innovation, and delay access to affordable generic biologic drugs.

That is the only argument these biologics have, as they spread campaign contributions around. They lobby the halls of Congress and have spent literally millions already, and it is only July of 2009, but they spend millions of dollars lobbying. The only argument they have is they need 12 years of monopoly protection because, otherwise, they are not going to innovate.

The FTC said if they have 12 years, they will get fat and lazy. They won't innovate for 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, or 11 years, because why innovate if they are getting $20,000, or $48,000, or $100,000 a year for their drug? The FTC explodes the only argument they have.

Interestingly, the FTC study is the only study out there examining this that is not paid for by the industry. The industry studies say one thing; the study paid for by the government and taxpayers, which doesn't have a dog in this hunt, says something very different.

I find myself disagreeing with every issue from Medicare, to trade, to the Iraq war, to everything else. Even the Post today said:

> With a name like the Affordable Health Care Choices Act, you would think the Health, Education, Labor, and Pensions Committee this month would have made an effort to provide affordable health choices. But, instead, the bill includes a provision that would create a 12-year market exclusivity period [monopoly protection] for brand name biologic drugs. This would drive costs to consumers above even current levels [like the biotech companies aren't making enough with $100,000 dollars a year drugs] making the title little more than a mockery.

This is a very important issue. I hope when the health care reform bill comes to the floor, Congress will get involved on behalf of the Americans they serve, the patients and taxpayers, and on behalf of American business.

Let's hope Ohioans from Paulding to Preble, from Montgomery to Morrow, from Gallia to Guernsey—Ohioans suffering from MS, arthritis, Alzheimer's, cancer, diabetes, and Parkinson's—can afford these medicines. Let's hope Congress will shake off, will ignore the pleas from lobbyists and recognize a 12-year monopoly reserved exclusively for biologic manufacturers is more than a bonus—it is a boondoggle.

Let's hope that we in Congress take a stand for fiscal responsibility, for common sense, and for the Americans we serve by ratcheting down the 12-year monopoly sweetheart deal that the big drug companies are peddling.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, I wish to pay tribute to CDR Duane G. Wolfe, a sailor from my home State of California who paid the ultimate price in service to our country in Iraq.

Commander Wolfe, of Los Osos, CA, died on May 25, 2009, from injuries suffered when his convoy was hit by a roadside bomb southeast of Fallujah, Iraq.

He is the oldest Californian to have lost his life in either Iraq or Afghanistan to date, electing to continue to serve as a member of the U.S. military despite having the option to retire.

Commander Wolfe enlisted in the Navy in 1972 shortly after graduating high school and served on Active Duty for 5 years. In 1978, he joined the Navy Reserves, where he served until his death. He also worked for 24 years as a civilian employee at Vandenberg Air Force Base, rising to the position of civilian deputy commander for installation support for the 30th Mission Support Group.

As a member of the Navy Reserves, Commander Wolfe deployed to Iraq in December 2008 for a 6-month assignment. He served as the officer in charge of the U.S. Army Corps of Engineers Al Anbar Area Office, leading a team that oversaw nearly $300 million in construction projects including many that provide essential services to the Iraqi people. He was due to return home on July 10, 2009.

In addition to his military service, Commander Wolfe was a longtime deacon for the Los Osos Church of Christ where he taught Bible classes and occasionally filled in as a substitute preacher. He was a skilled lifelong athlete who loved golfing and playing basketball, and a talented mechanic, with a particular aptitude for both construction and car repair.

At the age of 19, Commander Wolfe met his wife Cindi, to whom he was married for 34 happy years. He and his wife have three children, Carrie, Katie and Evan, who remember their father for his kindness, warmth, and dedication to his family and country.

Commander Wolfe will be posthumously awarded the Bronze Star with ''V'' Device for Valor, the Purple Heart, the Navy Combat Action Ribbon, the National Defense Service Medal with Service Star, the Iraqi Campaign Medal, the Armed Forces Reserve Medal with ''M'' Device for Mobilization, and the Overseas Service Ribbon, commemorating his courage and extraordinary sacrifice in service to our country.

Nothing can fully account for the loss suffered by Commander Wolfe's family and all those who loved him.

But I hope they can take comfort in the knowledge that he will be forever honored and remembered by a grateful nation.

As we remember Commander Wolfe and honor his service to the United States, we are also reminded of the eight other Californians who have been killed in Iraq since April 21. This brings to 879 the number of servicemembers either from California or based in California that have been killed while serving our country in Iraq. This represents 20 percent of all U.S. deaths in Iraq.

SSgt Mark A. Wojciechowski, 25, of Cincinnati, OH, died April 30 while supporting combat operations in Al Anbar province Iraq. Staff Sergeant Wojciechowski was assigned to 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA.

Sgt James R. McIlvaine, 26, of Olney, MD, died April 30 while supporting combat operations in Al Anbar province Iraq. Sergeant McIlvaine was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SPC Jake R. Velloza, 22, of Inverness, CA, died from wounds sustained after he was shot by enemy forces in Mosul, Iraq on May 2. Specialist Velloza was assigned to the 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

SPC Jeremiah P. McCleery, 24, of Portola, CA, died from wounds sustained after he was shot by enemy forces in Mosul, Iraq on May 2. Specialist McCleery was assigned to the 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

PVT Justin P. Hartford, 21, of Elmira, NY, died May 8 at Joint Base Balad, Iraq, of injuries sustained from a non-combat related incident. Private Hartford was assigned to the 699th Maintenance Company, Corps Support Battalion, 916th Support Brigade, Fort Irwin, CA.

MAJ Jason E. George, 38, of Tehachapi, CA, died May 21 near Baghdad, Iraq of wounds sustained when his unit was attacked by enemy forces using improvised explosive devices while on dismounted patrol. Major George was an Army Reservist assigned to the 252nd Combined Arms Battalion, Fayetteville, NC.

CPT Kafele H. Sims, 32, of Los Angeles, CA, died June 16 in Mosul, Iraq, of a non-combat related incident. Captain Sims was assigned to the 18th Engineer Brigade, Schwetzingen, Germany.

LCpl Brandon T. Lara, 20, of New Braunfels, TX, died July 19 while supporting combat operations in Anbar province, Iraq. Lance Corporal Lara was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

I would also like to pay tribute to the nine soldiers from CA who have died while serving our country in Operation Enduring Freedom since April 21.

SSG Esau I. De la Pena-Hernandez, 25, of La Puente, CA, died May 15 at Forward Operating Base Shank, Afghanistan, of wounds suffered when his patrol was attacked by enemy forces using small-arms fire in Chak, Afghanistan. Staff Sergeant De la Pena-Hernandez was assigned to the 2nd Battalion, 87th Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Light Infantry, Fort Drum, NY.

1SG Blue C. Rowe, 33, of Summers, AR, died May 26 in Panjshir Province, Afghanistan, when an improvised explosive device detonated near his vehicle. First Sergeant Rowe was assigned to the 426th Civil Affairs Battalion, Upland, CA.

LCpl Joshua R. Whittle, 20, of Downey, CA, died June 6 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Whittle was assigned to 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, Kaneohe Bay, HI.

MAJ Rocco M. Barnes, 50, of Los Angeles, CA, died June 4 in Afghanistan of injuries sustained during a vehicle rollover. Major Barnes was a member of the Tactical Command Post, 40th Infantry Division, California Army National Guard, assigned as an individual augmentee to the 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force.

SPC Eduardo S. Silva, 25, of Greenfield, CA, died June 9 at Bagram Airfield, Afghanistan, of a non-combat related incident. Specialist Silva was assigned to the 563rd Aviation Support Battalion, 159th Combat Aviation Brigade, 101st Airborne Division, Air Assault, Fort Campbell, KY.

PFC Justin A. Casillas, 19, of Dunnigan, CA, died July 4 at Combat Outpost Zerok, Afghanistan, of wounds suffered when insurgents attacked his outpost using small arms and indirect fire. Private First Class Casillas was assigned to the 3rd Battalion, 509th Parachute Infantry Regiment, 4th Brigade Combat Team, Airborne, 25th Infantry Division, Fort Richardson, AK.

PFC Nicolas H. J. Gideon, 20, of Murrieta, CA, died July 6 at Forward Operating Base Salerno, Afghanistan, of injuries suffered earlier that day in Paktya, Afghanistan, when insurgents attacked his unit using small arms fire and rocket-propelled grenades. Private First Class Gideon was assigned to the 1st Squadron, 40th Cavalry Regiment, 4th Brigade Combat Team Airborne, 25th Infantry Division, Fort Richardson, AK.

LCpl Pedro A. Barbozaflores, 27, of Glendale, CA, died July 11 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Barbozaflores was assigned to 2nd Light Armored Reconnaissance Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC.

Sgt Michael W. Heede Jr., 22, of Delta, PA, died July 13 while supporting combat operations in Helmand province, Afghanistan. Sergeant Heede was assigned to 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

DEFENSE AUTHORIZATION

Mr. BROWNBACK. Mr. President, I appreciate the assistance of the chairman and ranking member of the Committee on Armed Services last week in clearing an amendment I offered to the fiscal year 2010 National Defense Authorization Act dealing with irregular warfare aircraft. As the conference committee prepares to resolve the differences between the House and Senate versions of the NDAA, I want to provide in the RECORD some context for this provision.

Years of combat in Afghanistan and Iraq have shown that insurgents take refuge among regular civilians to complicate our ability to find them and increase the chances of civilian casualties that inflame local populations. We also have learned that fighting insurgencies requires an enormous amount of intelligence, surveillance and reconnaissance, ISR, data. Our highly advanced tactical aircraft can perform close air support, light strike, and ISR missions, but repeatedly using such fighters for these missions shortens their lifespan without ever employing their most advanced capabilities. It is like buying a laptop computer to use as a calculator.

Indeed, smaller, lighter planes designed for counterinsurgency missions can provide the firepower and intelligence data the warfighter needs at a fraction of the cost to purchase and operate bigger, faster aircraft. Moreover, such aircraft would allow us to provide ideal platforms to partner nations struggling to develop their own air forces and deal with local insurgencies.

Secretary Gates, the Chief of Staff of the Air Force, General Schwartz, and other officials from the Air Force, Navy, and special operations forces have commented recently that the Department of Defense needs to consider developing a light strike, light reconnaissance aircraft specifically designed for irregular warfare. And to their credit, the Air Force and Navy are beginning to explore the utility of such aircraft in detail.

I want to ensure, however, that the Department of Defense makes the best possible use of money Congress has already spent in this area. Over the past 2 fiscal years, Congress has appropriated $8.4 million to the Air National Guard for a project to demonstrate the capabilities of a light strike, light reconnaissance aircraft. In fact, the demonstrator aircraft in that project made its first flight yesterday and will demonstrate its capabilities over the course of the rest of this year. The knowledge gained in this demonstration program should be incorporated into the Air Force, Navy, and special

operations discussions of manned irregular warfare aircraft.

My amendment, then, simply declares it the sense of Congress that the Secretary of Defense should include the reserve components when establishing requirements for manned airborne irregular warfare platforms. Congress has led the way in examining the concept of a light attack, light reconnaissance aircraft. In this era of constrained defense budgets, it is vital to make every dollar count. I am pleased that in this amendment the Senate signaled the importance of reserve component work on this concept, and I hope that the language is retained in conference so the House can send a similar signal. It is increasingly clear that the Nation needs this capability, and the combined efforts of all components at the Defense Department will bring these aircraft to the warfighter sooner rather than later.

GROUND-BASED MIDCOURSE DEFENSE ELEMENT

Mr. BEGICH. Mr. President, there are some very important provisions in the Armed Services Committee bill, S. 1390, the National Defense Authorization Act for fiscal year 2010, regarding the Ground-based Midcourse Defense, GMD, element of the Ballistic Missile Defense System, BMDS. GMD is a system designed to protect the homeland against long-range missile threats. Would the chairman agree that GMD plays an important role in the architecture of the overall BMDS?

Mr. LEVIN. GMD is an important element of the overall Ballistic Missile Defense System. It is important that the GMD element be an operationally effective, cost-effective, affordable, reliable, suitable, and survivable system capable of defending the United States from the threat of long-range missile attacks from nations such as North Korea and Iran, and that adequate resources be available to achieve such capabilities.

Mr. BEGICH. Mr. President, Alaska plays a critical role in GMD. The majority of infrastructure currently required to support deployment of the GMD system is located at Fort Greely in Alaska. Recently, the Missile Defense Agency determined that in order to ensure the best infrastructure is available to support deployment of interceptors from Alaska in defense of the Nation, a seven-silo configuration in Missile Field 2 is warranted to replace older, less reliable, silos in Missile Field 1. In the Armed Services Committee report accompanying S. 1390, the committee expressed the view that, if the Department of Defense believes there is a benefit to completing the seven silos at Missile Field 2 during fiscal year 2010, the committee would look favorably upon a reprogramming request from the Secretary of Defense to provide the funds to complete the seven-silos in fiscal year 2010. Would the chairman agree that providing a seven silo capability in Missile Field 2 is beneficial to GMD in defense of the homeland?

Mr. LEVIN. I agree with my colleague from Alaska that Fort Greely plays an integral role in supporting the GMD element of Ballistic Missile Defense System, and will continue to do so in the future. Constructing Missile Field 2 in a seven-silo configuration to replace the older silos at Missile Field 1 will provide updated and more reliable infrastructure in support of GMD. If the Department of Defense believes there is a benefit to completing the seven silos in fiscal year 2010 and the Secretary submits a reprogramming request to do so, I believe the committee would look favorably upon such a request, although subject to evaluation of course. If the Department does not submit such a reprogramming request, I believe the Department will request the funds to complete construction of the seven-silos in fiscal year 2011.

Mr. BEGICH.: I thank the chairman for his response. Section 243 of S. 1390, the National Defense Authorization Act for fiscal year 2010, would require the Department of Defense to submit to Congress early next year two reports concerning the GMD element. Would the chairman agree that until the reports required in section 243 of S. 1390 are delivered to Congress the Department of Defense should not make any irreversible decision concerning operational silos in Missile Field 2 at Fort Greely, and that decommissioning of Missile Field 1 should not be completed until the seven-silos have been emplaced at Missile Field 2?

Mr. LEVIN. During consideration of S. 1390, the Senate adopted an amendment, offered by the Senator from Alaska, that would require the Secretary of Defense to ensure that Missile Field 1 does not complete decommissioning until seven-silos have been emplaced at Missile Field 2. It would also require the Secretary to ensure that no irreversible decision is made with respect to the disposition of operational silos at Missile Field 2 until 60 days after the reports required by section 243 are submitted to Congress.

Mr. BEGICH. I thank the chairman and appreciate his work on improving GMD and recognizing Alaska's infrastructure is necessary to support GMD in defense of the homeland now and in the future.

U.S.-CHINA STRATEGIC AND ECONOMIC DIALOGUE

Mr. DORGAN. Mr. President, the meeting of the U.S.-China Strategic and Economic Dialogue this week in Washington is an important opportunity. It is a chance to advance a comprehensive relationship between our two countries and to highlight the importance of fundamental rights to that relationship.

I am chairman of the Congressional-Executive Commission on China. The Commission examines human rights and rule of law developments in China. In recent years, I have witnessed human rights concerns being pushed to the margins of the U.S.-China relationship. This is due in part to China's growing financial, diplomatic and military strength. Sidelining our human rights concerns with China is a strategic mistake for the U.S.

The advancement of human rights concerns with China is more important to U.S. interests than ever. The reporting of the Commission I chair makes this crystal clear.

Press censorship in China makes it possible for toxic food and public health crises to spread globally.

The harassment of whistleblowers and the suppression of criticism and dissent remove internal checks against environmental damage that not only hurts ordinary Chinese citizens but has a global impact.

Abuses of low-wage labor compromise goods that come to the U.S. have harmed U.S. consumers, as well as Chinese consumers.

The government's control of mass media and the internet allow it to stoke nationalist anger against the United States in moments of crisis. This can be terribly dangerous.

Let there be no doubt—I have enormous respect for China. I respect the progress China has made by lifting hundreds of millions of people out of poverty. I admire its rich and remarkable culture and immensely talented people. But I firmly believe that its people should be free to speak their minds and practice their chosen faiths without fear.

The news is not all bad. There have been positive developments in recent years. The government has enshrined in its Constitution the state's responsibility to protect and promote human rights. The Congressional-Executive Commission on China has also reported on China's recent adoption of new labor protections, and the relaxing of restrictions on foreign journalists inside China. These and other gains were made partly as a result of sustained international pressure. The meeting of the Strategic Economic Dialogue presents another opportunity to press for more such gains.

But let us be clear: Nothing we ask of China regarding human rights is inconsistent with commitments to international standards to which China in principal already has agreed. So we are not necessarily looking just for more agreements. We are waiting for action. We are waiting for China's leaders to demonstrate true commitment, not just in words but in deeds, to prioritizing human rights, including worker rights, and the development of the rule of law in no lesser way than they have prioritized economic reform.

In closing, the Strategic and Economic Dialogue this week provides an opportunity to underline how advancing the welfare of citizens must not be separated from a demonstrated commitment to human rights and the rule

of law. To remain faithful to our pursuit of basic American values, we must seize that opportunity.

SERVICE OF BRETT NILSSON

Mr. HATCH. Mr. President, I wish to pay tribute to Mr. Brett Nilsson as he nears the completion of his service as the chairman of the Independent Insurance Agents & Brokers of America, IIABA.

If I may, let me just start by saying I am proud to count Brett as both a constituent and a friend. Indeed, it goes without saying that for close to 20 years Brett has been a very busy man and is someone who has been dedicated to both our Nation and to Utah through the service he has provided.

On the national level, Brett has served on IIABA's Communications and Finance Committees, the later of which, I might add, he chaired from 1999 to 2003. After his chairmanship of the association's Finance Committee, Brett was then elected to IIABA's Executive Committee in 2003 and then nominated as the association's chairman last September in 2008. In Utah, Brett spent a year serving as president of the Independent Insurance Agents of Utah from 1992 to 1993 and as the national board director from Utah for 9 years. All of this, of course, is in addition to his own personal career where he is the senior vice president for the Buckner Company in Ogden, UT.

Founded in 1896, IIABA is the Nation's oldest association of independent insurance agents and brokers. At last count the association represents an astounding network of more than 300,000 agents, brokers, and their employees. Throughout his tenure as chairman of the association, Brett has been the lead on a number of issues including health insurance reform and insurance regulatory reform. Additionally, Brett has worked assiduously to build the Trusted Choice brand and advance the association's InVEST Program, which is a school-to-work insurance program that partners with community college and high school educators to offer a practical and innovative program of study for students.

Above all, and perhaps most-importantly, Brett has been committed to his family, his business, and our community in Utah. He was a vice president of the Ogden Jaycees, he participated on several chamber of commerce committees, and he is a past president of the Ogden Golf and Country Club. He has served on a number of different insurance company agent advisory councils. He was awarded Utah's Agent of the Year, and Young Agent of the Year and, as if those recognitions were not enough, in 2001 he also received an IIABA Presidential Citation. All of this, however, has only served as icing on the cake when, in 2003, Brett received our State association's highest individual honor, the Burgener Award—a unique distinction awarded only five other times in the history of the association in Utah.

Today, Mr. President, I join with many Utahns and people from across the Nation in thanking Brett for his work with IIABA over the years and for his dedication to his professional career, our community, and our State. His efforts are greatly appreciated and have not gone unrecognized. For that, I wish him, his beautiful wife Nancy, and their four children and eight grandchildren the very best in their future endeavors, adventures, and service to others. I am certain they are looking forward to having a little more free time with grandpa, and I know we are all looking forward to next chapter of Brett's career.

ADDITIONAL STATEMENTS

HONORING THE SERVICE OF CLARENCE ''CAL'' W. MARSELLA

• Mr. BENNET. Mr. President, I wish to offer congratulations and gratitude to Clarence ''Cal'' W. Marsella on the occasion of his retirement as general manager of the Denver Regional Transportation District, RTD.

Under Cal's leadership, the Denver region has become a national model of how effective public transit service can improve the quality of life, environment, and energy efficiency of a region. Cal was able to bring local, State, and Federal officials together behind a shared vision for our region, build a transit system matched to our region's growth patterns, and help us all remain committed to preserving one of the Nation's most unique and precious environments. At the same time, he has been a national champion for the idea that mass transit is the key to our energy independence.

Cal Marsella was hired as RTD's general manager in August 1995. During his service, he oversaw the completion of three new light rail lines on time and on budget, including the T-REX light rail project that opened November 17, 2006. Reflecting his performance and the strong public trust in RTD, metro area voters in 2004 overwhelmingly approved the FasTracks transit expansion program for the entire eight-county metro area. This represents the largest transit-only voter approved program in the entire country. With Cal's skill, determination, and effort, progress on the FasTracks program has moved ahead swiftly, and construction is currently underway on the new West Corridor.

Mr. Marsella began his transportation career in the highway engineering division of the State of Connecticut Department of Transportation in 1974, armed with a masters' degree in public affairs and a bachelor of arts degree from the University of Connecticut. He now serves on the National Academy of Sciences Transportation Research Board and regularly guest lectures at the University of Denver and the University of Colorado master's degree programs in transportation and public administration. In recent years, Cal has received national honors commensurate with his leadership and achievements. He was selected by the American Public Transportation Association as the Outstanding Public Transportation Manager in 2006 and, under his management RTD, was selected as the Outstanding Transportation Agency in North America in both 2003 and 2008.

I congratulate and extend my sincere gratitude to Cal Marsella for his service to the Denver region and the State of Colorado. I wish him continued success and all good fortune in his work ahead.•

150TH ANNIVERSARY OF VERMILLION, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, I wish to recognize the 150th anniversary of the founding of one of South Dakota's great cities, Vermillion. Sitting atop a bluff on the Missouri River in the southeast corner of the State, Vermillion is the county seat for Clay County. With its growing economic development, strong workforce, and diverse demographics, Vermillion has an exceptional quality of life, and I am proud to call it my hometown.

Deriving its name from the Sioux word for ''red stream,'' Vermillion was founded in 1859 after first being visited by French fur traders. Just 3 years later in 1862 the University of South Dakota was founded, making it the State's oldest institution of higher education. After a harsh winter, the city of Vermillion faced what would later become known as the Great Flood of 1881. By the flood's end, over 100 buildings were destroyed, and transportation was stalled for months due to damage to railroads and bridges. The town's businesspeople quickly responded and rebuilt the town on top of the bluff. After relocating, the city continued to flourish with the advance of technological innovations at the turn of the century. In 1895, the Vermillion Milling Company received a franchise to operate an electric utility and provide electric lights. In 1902, Vermillion saw the installation of a city sewer system and steam powered automobiles on its streets. Throughout its rich and colorful history, Vermillion has continued to grow and prosper.

Today, Vermillion boasts a wide variety of educational, cultural, and recreational opportunities. It is home to many places of interest including the Shrine to Music Museum, founded in 1973. This national music museum is one of the greatest institutions of its kind in the world. The facility holds many instruments from renowned collections and has been recognized as ''A Landmark of American Music'' by the National Music Council. Additionally, the city's attractions include the Austin-Whittemore House, the Oscar Howe Gallery, the Dakota Dome, the W.H. Over Museum, Spirit Mound, and beautiful riverside trails.

Vermillion is celebrating its sesquicentennial with a variety of events including tours of the newly completed Vermillion City Hall, a community barbeque, school reunions and dances, a 5K Fun Run/Walk, an airshow, and a concert by Ratingen Youth Wind Orchestra from Vermillion's Sister City of Ratingen, Germany. These activities will serve as a reminder of the shared history of the community and bring the tight-knit people of Vermillion even closer together. Vermillion is holding a flag design contest to pay additional tribute to this historic milestone. The city has previously unveiled its official sesquicentennial logo, designed by Erin Helsa, a 2006 graduate of Vermillion High School.

As a native of Vermillion, I am pleased to publicly honor the achievements of this wonderful South Dakota community as they reach this juncture. I congratulate the citizens of Vermillion on their accomplishments over the last 150 years and look forward to seeing their future endeavors.●

ANNIVERSARY OF FARMERS STATE BANK IN HOSMER, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, with great honor, I wish to recognize the 90th anniversary of Farmers State Bank in Hosmer, SD.

After being chartered in 1919, Farmers State Bank opened its doors to the public on August 2, 1920. In the following years, Farmers State Bank was able to withstand the Great Depression and operate on a sound basis. In 1931, it consolidated with Hillsview State Bank and stayed under the Farmers State Bank name. John, Arthur, and Helen Haerter were among the bank's first stockholders and served as the first president, vice president, and cashier, respectively. Throughout its history, the bank has remained within the Haerter family. Today, the current members of the board of directors are Bruce Haerter, Joyce Haerter, John A. Haerter, Doris Haerter, and John Schwan.

After 90 years of growth, Farmers State Bank still embodies the entrepreneurial health of South Dakota and the spirit of community in our local lending institutions. I strongly commend all the Farmers State Bank's employees on their years of hard work and dedication, and I am very pleased that the institution and its people are being publicly honored and celebrated on this memorable occasion.●

RECOGNIZING DEBORAH WEINSTEIN

● Mr. ROCKEFELLER. Mr. President, I wish to recognize Deborah Weinstein, executive director of the Coalition on Human Needs, for her leadership and commitment to the needs of low-income and other vulnerable populations.

On July 29, the coalition will honor Ms. Weinstein for her extraordinary 30-plus years of advocacy work on a wide range of issues at both the State and Federal level. Throughout her distinguished career, Debbie Weinstein has been a tireless advocate for children, families, and those Americans most in need. She has been an architect of various coalitions, which is essential in promoting and enacting good public policy.

Over the years, I have been proud to work with Debbie and the Coalition on Human Needs on programs of mutual interest and concern like the earned income tax credit, child support enforcement, child nutrition, child care, and temporary assistance for needy families, TANF. The outreach and work of the coalition under Ms. Weinstein's strong leadership has played an important role in educating grassroots advocates and helping them convey their beliefs to policymakers on the Hill. It is an important role that has been done quite well for many years by Debbie Weinstein.

As executive director of the Coalition on Human Needs, Debbie has earned the respect and support of her colleagues. Recognition by ones peers is a strong endorsement indeed. It is my honor and privilege today to recognize Debbie Weinstein's compassion for the most vulnerable among us, and I thank her for that commitment.●

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 12:01 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. 1121. An act to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes.

H.R. 1376. An act to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes.

H.R. 2770. An act to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes.

H.R. 3155. An act to amend title 38, United States Code, to provide certain caregivers of veterans with training, support, and medical care, and for other purposes.

H.R. 3219. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, 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. 1121. An act to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1376. An act to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2770. An act to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3155. An act to amend title 38, United States Code, to provide certain caregivers of veterans with training, support, and medical care, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3219. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2478. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dichlormid; Time Limited Pesticide Tolerances'' (FRL No. 8422–2) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2479. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ethylne oxide adducts of 2,3,7,9-tetramethyl-5-decynediol, the ethylene oxide content averages 3.5, 10, or 30 moles; Exemption from the Requirement of a Tolerance'' (FRL No. 8425–7) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2480. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpyroximate, Pesticide Tolerances'' (FRL No. 8420–6) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2481. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''N,N,N',N'',-Tetrakis-(2-

Hydroxypropyl) Ethylenediamine; Exemption from the Requirement of a Tolerance'' (FRL No. 8429–3) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2482. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sodium-N-oleoyl-N-Methyl taurine; Exemption from the Requirement of a Tolerance'' (FRL No. 8426–8) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2483. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sodium monoalkyl and dialkyl (C6–C16) phenoxybenzendisulfonates and related acids; Exemption from the Requirement of a Tolerance'' (FRL No. 8421–7) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2484. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a Selected Acquisition Report relative to the Average Procurement Unit Cost for the E–2D Advanced Hawkeye program; to the Committee on Armed Services.

EC–2485. A communication from the Deputy Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2486. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Regulations SHO—Rule 204—Rule to Make Permanent Temporary Rule that Enhances Close-out Requirements for all Equity Securities'' (RIN3235–AK22) received in the Office of the President of the Senate on July 27, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2487. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital—Residential Mortgage Loans Modified Pursuant to the Making Home Affordable Program'' (RIN1557–AD25) received in the Office of the President of the Senate on July 27, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2488. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR Part 65)(Docket No. FEMA–2008–0020)) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–2489. A communication from the Secretary of the Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the Government National Mortgage Association's (Ginnie Mae) commitment authority; to the Committee on Banking, Housing, and Urban Affairs.

EC–2490. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Department of Energy Acquisition Regulation: Technical Amendment; Final Rule'' (RIN1991–AB62) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Energy and Natural Resources.

EC–2491. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a legislative proposal relative to improving the way that the Nation raises the revenues needed to cover the non-Federal share of the capital costs of inland and intracoastal waterways projects; to the Committee on Environment and Public Works.

EC–2492. A communication from the Secretary of Commerce, transmitting, pursuant to law, an annual report relative to the activities of the Economic Development Administration for fiscal year 2008; to the Committee on Environment and Public Works.

EC–2493. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Guidance on Technical Direction'' (FRL No. 8935–6) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Environment and Public Works.

EC–2494. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans Alabama: Birmingham 1997 8-Hour Ozone Contingency Measures'' (FRL No. 8937–2) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Environment and Public Works.

EC–2495. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Iowa; Update to Materials Incorporated by Reference'' (FRL No. 8933–5) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Environment and Public Works.

EC–2496. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation Implementation of Air Quality Implementation Plans; Nebraska; Update to Materials Incorporated by Reference'' (FRL No. 8933–4) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Environment and Public Works.

EC–2497. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District'' (FRL No. 8936–6) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Environment and Public Works.

EC–2498. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Attorney Advisor Program Sunset Date Extension'' (RIN0960–AH01) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Finance.

EC–2499. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notification Requirement for Tax-Exempt Entities Not Currently Required to File'' (RIN1545–BG37) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Finance.

EC–2500. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Cargo Container and Road Vehicle Certification Pursuant to International Conventions: Designated Certifying Authorities'' (RIN1651–AA78) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Finance.

EC–2501. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services for the manufacture of the S–70A Helicopter for Japan in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–2502. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services for the manufacture of T64 engine parts for end use by Japan in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–2503. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed export of defense articles in support of the transfer of title of one commercial communications satellite to Canada in the amount of $100,000,000; to the Committee on Foreign Relations.

EC–2504. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data, defense services, and hardware for the manufacture of major and minor components of the J–85 Turbine Engine used in the F–5 for the Republic of Korea in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 81. A resolution supporting the goals and ideals of World Water Day.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Arturo A. Valenzuela, of the District of Columbia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

*Thomas Alfred Shannon, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

Nominee: Thomas A. Shannon

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0.
2. Spouse: 0.
3. Children and Spouses: Thomas: 0.
John: 0.
4. Parents: Thomas: 0.
Barbara: 0.
5. Grandparents: Deceased.
6. Brothers and Spouses: Paul & Holly Shannon: 0.
Terry Shannon: 0.
7. Sisters and Spouses: Suzanne Parot: 0.
Mark Parot: 0.

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*Patricia A. Butenis, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Nominee: Patricia Butenis

Post: Sri Lanka

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Hafia Butenis, none; Charles P. Tutenis, deceased.
5. Grandparents: All Grandparents, deceased.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Linda and Nicola Vorsa, none; Donna and Andrews Mulraney, none.

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*Charles Aaron Ray, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe.

Nominee: Charles A. Ray.

Post: Zimbabwe.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Gayle D. Ray, None; Spouse, Reuben Watson, None; Jason A. Ray, None; David E. Ray, None; Denise E. Ray, None; Spouse: Charles B. Wickersham, None.
4. Parents: Father: L.B. Holman: Deceased; Mother, Magnolia (Gardner) Alexander, Deceased.
5. Grandparents: Fraternal: Day Holman, Deceased; Mary Jackson, deceased; Maternal: Levi Gardner; deceased; Sally Young, deceased.
6. Brothers and Spouses: Mr. & Mrs. Thomas J. Holman, $150, Jan. 2008, Obama campaign; Mr. & Mrs. Wilton J. Holman; both deceased; Donald W. Alexander, None; Dennis R. Alexander, deceased; Michael D. Holman, None.
7. Sisters and Spouses: Billy M. Morant, deceased; Dorrie E. Alexander-Hill, None; Spouse, Banjamin Hill, none.

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*Gayleatha Beatrice Brown, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Burkina Faso.

Nominee: Gayleatha Beatrice Brown.

Post: U.S. Embassy, Burkina Faso.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date and donee:

1. Self: None.
2. Spouse: NA.
3. Children and Spouses: NA.
4. Parents: Nellie H. Brown: None.
5. Grandparents: None.
6. Brothers and Spouses: Curtis H. Brown: None.
7. Sisters and Spouses: None.

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*Earl Michael Irving, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Nominee: Earl Michael Irving.

Post: Ambassador to Swaziland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Michael M. Irving: None; Zoe C.J. Irving: None.
4. Parents: Earl M. Irving (deceased), None; Julietta C. Irving, None.
5. Grandparents: Earl P. Irving (deceased), None; Florence Irving (decreased), None; Pedroo Coello (deceased), None; Emelina de Coello (deceased), None.
6. Brothers and Spouses: Dana D. Irving, None; Chonthicha Chaichana, None.
7. Sisters and Spouses: Lycette M. Irving, None; Kenneth Knott, None.

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*Pamela Jo Howell Slutz, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Nominee: Pamela Jo Howell Slutz.

Post: Ambassador/Chief of Mission (Burundi).

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Ronald J. Deutch, None.
3. Children and spouses: Daniel J. Deutch, None; Tammy Deutch, spouse, None; Shawn P. Deutch, None; Ana Castilo Deutch, spouse, None.
4. Parents: Robert F. Slutz, Jr., None; Rose V. Slutz, None; Parents-in-Law, Harry Deutch, None; Marjorie L. Deutch, None.
5. Grandparents, Deceased.
6. Brothers and Spouses: Robert F. Slutz, III, None; Christopher S.Y. Brighton, None; Avery Flinn Brighton, spouse, None.
7. Sisters and Spouses: Marjorie J.R.S. Davis, $60, 2004, RNC; $50, 2005, RNC; $150, 2006, RNC; $75, 2007, RNC; $30, 2008, RNC.
8. Sister-in-Law: Diana K. Dowell, None; Richard Dowell, spouses, None.

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*Patricia Newton Moller, of Arkansas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

Nominee: Patricia N. Moller.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Gilbert Sperling, None.
3. Children and spouses: Gilbert Hanspeter Sperling, None; Noriyo Komachi, None; Christopher Estvan Sperling, $30, 09/08/2008, Obama for America; Stephanie Talett, $20.08, 09/10/2008, DNC; Renee Emiko Sperling, Jeffery Durkin.
4. Parents: Thelma Bell Newton, none; James Wilson Newton, deceased.
5. Grandparents: Katie Irvin Bell, deceased; William Hester Bell, deceased; Charles Henry Newton, deceased; Willie Elnora Blackman Newton, deceased.
6. Brothers and Spouses, none.
7. Sisters and Spouses: Nancy Newton Waldeck, none; Michael Waldeck, none.

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*Jerry P. Lanier, of North Carolina, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Nominee: Jerry P. Lanier.

Post: Uganda.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Catherine Kannenberg: $100, 6–20–2008, Barack Obama.
3. Children and Spouses: None.
4. Parents: None.
5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: None.

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*Alfonso E. Lenhardt, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

Nominee: Alfonso E. Lenhardt.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $500.00, 2008, Barack Obama.

2. Spouse: $200.00, 2008, Barack Obama.

3. Children and Spouses: William Crawley: $1200.00, 2008, Barack Obama; $1000.00, 2009, Corey Booker; $200.00, 2009, DeClazio; $100.00, 2008, Democratic Senatorial Committee; $100.00, 2008, Democratic Congressional Committee; $500.00, 2008, Ronald Rice, Jr.; $600.00, 2008, Carlos Gonzales; $400.00, 2008, Grace Spencer; $300.00, 2007, Deval Patrick; $150.00, 2007, Adrian Fenty; $250.00, 2007, Eldridge Hawkins.

Robin A. Lenhardt: $1500.00, 2008, Barack Obama; $1000.00, 2009, Corey Booker.

Tracey D. Duckett: None.

Olly C. Duckett II: None.

4. Parents: Mary Mackey—deceased; Alfonso E. Lenhardt—deceased.

5. Grandparents: Rosa Holmes (maternal)—deceased; Grandfather (maternal)—deceased; Grandfather (paternal)—deceased; Grandmother (paternal)—deceased.

6. Brothers and Spouses: Dorian J. Lenhardt, none; Gregory W. Lenhardt, none.

7. Sisters and Spouses: Michelle D. Mackey—deceased.

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*Samuel Louis Kaplan, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Nominee: Samuel L. Kaplan

Post: Ambassador to the Kingdom of Morocco

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: $250, 04/29/2005, Friends of Robert C. Byrd; $2,100, 03/04/2005, Klobuchar for Minnesota; $2,100, 06/15/2005, Klobuchar for Minnesota; $250, 12/07/2005, Earl Pomeroy for Congress; $150, 2005, Earl Pomeroy for Congress; $100, 2005, Colin Peterson for Congress; $1,000, 09/26/2005, Whitehouse for Senate; $375, 02/04/2005, American Health Care Association PAC; $375, 04/14/2005, American Health Care Association PAC; $375, 07/13/2005, American Health Care Association PAC; $875, 11/28/2005, American Health Care Association PAC; $2,000, 06/10/2006, Ellison for Congress; $500, 09/26/2006, Ellison for Congress; $500, 06/12/2006, Midwest Values PAC; $250, 03/29/2006, Marko for Congress; $1,000, 08/16/2006, McCollum for Congress; $100, 2006, Bernie Sanders for Congress; $200, 2006, Sierra Club PAC; $100, 2006, Colin Peterson for Congress; $500, 09/13/2006, Amy Klobuchar Victory Committee; $250, 05/23/2006, Earl Pomeroy for Congress; $240, 09/22/2006, Earl Pomeroy for Congress; $100, 05/09/2006, Coleen Rowley for Congress; $1,000,05/28/2006, Montanans for Tester; $500, 03/16/2006, Walz for Congress; $1,000, 06/21/2006, Walz for Congress; $2,000, 09/13/2006, Walz for Congress; $600, 10/23/2006, Walz for Congress; $1,050, 02/16/2006, Wetterling '06; $1,000, 10/11/2006, Wetterling '06; $375, 01/25/2006, American Health Care Association PAC; $875 04/10/2006, American Health Care Association PAC; $200, 09/20/2006, Minnesota DFL; $1,000, 09/25/2007, Terri Bonoff for Congress; $2,300, 05/25/2007, Ellison for Congress; $2,300, 09/12/2007, Al Franken for Senate; $250, 10/10/2007, Stephanie Herseth Sandlin for South Dakota; −$250,* 06/04/2007, Klobuchar for Minnesota; $500, 06/04/2007, Klobuchar for Minnesota; $500, 09/17/2007, Klobuchar for Minnesota; $1,000, 09/07/2007, McCollum for Congress; −$2300*, 05/07/2007, Obama for America; $4,600, 05/07/2007, Obama for America; −$4600*, 12/12/2007, Obama for America; $2,300, 12/12/2007, Obama for America; $4,600, 12/12/2007, Obama for America; $200, 2007, Colin Peterson for Congress; $2,300, 05/22/2007, Walz for Congress; $500, 03/22/2007, American Health Care Association PAC; $2,500, 04/16/2007, Minnesota DFL; $500, 06/08/2007, American Health Care Association PAC; $8,000, 10/19/2007, Democratic National Committee; $1,000, 12/21/2007, American Health Care Association PAC; $1,000, 03/31/2008, Terri Bonoff for Congress; −$1,000**, 04/21/2008, Terri Bonoff for Congress; $100, 2008, Clinton for President; $1,000, 10/27/2008, Hillary Clinton for President; $28,500, 06/30/2008, Obama Victory Fund; $500, 09/15/2008, Ellison for Congress; $200, 10/24/2008, Ellison for Congress; $1,000, 11/03/2008, Al Franken for Senate; $250, 06/20/2008, Paul Hodes for Congress; $250, 10/07/2008, Paul Hodes for Congress; $1,000, 06/02/2008, Klobuchar for Minnesota; $2,000, 10/07/2008, Friends of Mary Landreiu; $1,150, 05/12/2008, Friends of Senator Carl Levin; $1,500, 06/20/2008, Loebsack for Congress; $5,000, 2008, Obama Transition; $250, 07/22/2008, Friends of Jim Oberstar; $500, 01/17/2008, Orman for U.S. Senate; −$500**, 02/19/2008, Orman for U.S. Senate; $200, 06/09/2008, Peterson for Congress; $250, 01/27/2008, Steve Sarvi for Congress; $250, 07/25/2008, Steve Sarvi for Congress; $250, 09/19/2008, Steve Sarvi for Congress; $500, 07/24/2008, Jeanne Shaheen for Senate; $500, 04/15/2008, Tinklenberg for Congress; $1,000, 06/30/2008, Tinklenberg for Congress; $250, 09/04/2008, Tinklenberg for Congress; $1,000, 03/31/2008, Udall for Colorado; $1,000, 09/23/2008, Udall for Us All; $2,300 04/24/2008, Walz for Congress; $200, 2008, Steve Young for Congress; $500, 01/14/2008, American Health Care Association PAC; $500, 04/22/2008, American Health Care Association PAC; $1,000, 07/11/2008, American Health Care Association PAC; $500, 10/30/2008, Democratic Congressional Campaign Committee $2,500, 02/21/2008, Minnesota DFL; $500, 2009, Kennedy for Congress; $500, 2009, Whitehouse for Senate; $125, 2009, Act Blue; $125, 2009, Act Blue; $500, 2009, Klobuchar for Minnesota; $250, 2009, McCollum for Congress; $500, 1/26/2009, Tim Walz for Congress; $500, 1/26/2009, American Health Care Association PAC; $1,500, 4/27/2009, American Health Care Association PAC.

2. Spouse: $2,100, 03/04/2005, Klobuchar for Minnesota; $2,100, 06/15/2005, Klobuchar for Minnesota; $1,250, 03/23/2005, Minnesota DFL; $2,100, 08/23/2006, Ellison for Congress; $500, 09/26/2006, Ellison for Congress; $1,050 09/13/2006, Tim Walz for Congress; $1,050 02/16/2006, Wetterling '06; $2,300 05/25/2007, Ellison for Congress; $2,300 09/12/2007, Al Franken for Senate; $500, 11/30/2007, Klobuchar for Minnesota; $250, 06/04/2007, Klobuchar for Minnesota; $500, 09/17/2007, Klobuchar for Minnesota; $2,300 05/07/2007, Obama for America; $2,300 12/12/2007, Obama for America; $2,300, 05/22/2007, Tim Walz for Congress; $500, 09/15/2008, Ellison for Congress; $200, 10/24/2008, Ellison for Congress; $1,000, 12/02/2008, Klobuchar for Minnesota; $1,150, 05/12/2008, Friends of Senator Carl Levin; $500, 04/15/2008, Tinklenberg for Congress; $2,300, 04/24/2008, Tim Walz for Congress; $1,000, 09/18/2008, J Street PAC; $500, 2009, Kennedy for Congress; $500, 2009, Whitehouse for Senate; $500, 2009, Klobuchar for Minnesota; $250, 2009, McCollum for Congress; $500, 1/28/2009, Franken Recount Fund, $500, 1/28/2009, Franken for Senate; $500, 2/20/2009, Tim Walz for Congress.

3. Children and Spouses: Rick and Sonia Chessen (Step-son and Daughter-in-Law): $3,000.00, 2008, Obama for America; $500.00, 2008, Obama Victory Fund.

Jill Chessen (Step-daughter): $1,100.00, 2008, Obama for America; $75.00, 2008, Dellinger for Lt. Governor (NC).

Kerri and Mark Lehmann (Step-daughter and son-in-law: $100, 2006, Harris for S.F. District Attorney; $250, 2006, Ma for CA State Assembly; $1,000, 2008, Obama for America.

4. Parents: N/A.

5. Grandparents: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Gloria Chernin: My sister, Gloria Chernin, does not believe that she has made any political contributions in the last five years, but it is possible that she made a small (less than $100) contribution at a garage sale or community gathering and does not remember it.

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*James B. Smith, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Nominee: James B. Smith.

Post: Ambassador to Saudi Arabia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1000, 06/15/2007, Barack Obama, Primary; $1300, 03/02/2008, Barack Obama, Primary; $1000, 03/24/2008, Barack Obama, General; $500, 09/23/2008, Scott Allen for in kind donation for Veterans for Obama posters; $2367.04, 2008 Monthly Contributions Raytheon PAC; $773.84, 2007 Monthly Contributions Raytheon PAC; $100, 01/08/2007, Democratic National Committee; $1050, 2006 Monthly Contributions Raytheon PAC; $250, Jun 2006, Leahy for U.S. Senate; $994.85, 2005 Monthly Contributions Raytheon PAC; $250, 05/24/2005, Leahy for U.S. Senate; $250, 04/12/2004, John Kerry for President.

2. Spouse: Janet Breslin-Smith: $250, 05/23/2009, Leahy for U.S. Senate; $250, 06/15/2008, Green Mountain PAC; $500, 10/08/2008, Jeanne Shaheen; $250, 06/14/2007, Leahy for U.S. Senate; $1000, 3/29/2007, Obama for America.

3. Children and Spouses: John W. Smith: None; Cathleen A. Breslin: None; Robin A. Smith: None; Jessica Smith: None; Glenna C. Breslin: None.

4. Parents: William C. Smith—deceased; Katheryne S. Smith—deceased; John A. Hoel—deceased; Priscilla M. Hoel—deceased.

5. Grandparents: Louise B. Smith—deceased; William C. Smith—deceased; Thomas J. Stephenson—deceased; Ruby E. Stephenson—deceased; John Armbruster—deceased; Eleanor Armbruster—deceased; Marguerite Farrell—deceased; James Farrell—deceased.

6. Brothers and Spouses: Thomas C. Smith, none; John B. Smith, none; Mary B. Smith, none; Henry A. Smith, none; Marion C. Smith, none; Chandra Smith, none.

7. Sisters and Spouses: Harriet O. Smith, none; George Aneschewitz, none.

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*Miguel Humberto Diaz, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.

Nominee: Miguel H. Diaz.

Post: Chief of Staff to the Holy See.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee.

1. Self: $1000, 09/30/2008, Barack Obama; $75, 09/04/2008, Barack Obama; $100, 10/05/2008, Minnesota DFL; $200, 01/15/2009, Minnesota DFL.

2. Spouse: Marian K. Diaz, none.

3. Children and Spouses: Joshua M. Diaz, None; Ana I. Diaz, none; Emmanuel J. Diaz, None; Miguel D. Diaz, None.

4. Parents: Felix H. Diaz, none; Silvia I. Diaz, none.

5. Grandparents: Argelia Capote, deceased; Joe Colet, deceased; Eustaquia Naranjo, deceased; Vicente Diaz, deceased.

6. Brothers and Spouses: Jorge M. Diaz, none.

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*Fay Hartog-Levin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

Nominee: Fay Hartog-Levin

Post: Ambassador to the Netherlands.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Date, Donee, Amount:

Self: 2005—1/03/2005, Schakowsky for Congress, $1,000; 1/10/2005, Maria Cantwell, $1,000; 3/20/2005, Hopefund, $5,000; 3/25/2005, J. Jackson Jr., $250; 4/04/2005, Danny Davis, $1,000; 5/21/2005, Melissa Bean, $1,000; 6/27/2005, DCCC, $5,000; 9/20/2005, Schakowsky, $2,200; 11/01/2005, Baron Hill, $1,000; 11/29/2005, Nick Lampson, $2,500; 11/30/2005, Maria Cantwell, $1,000.

2006—2/01/2006, Tammy Duckworth, $1,000; 2/03/2006, Dan Seals, $1,000; 2/05/2006, Danny Davis, $250; 2/08/2006, McCaskill, $250; 2/26/2006, Progressive Choices, $2,000; 3/31/2006, Debbie Stabenow, $2,000; 5/09/2006, DCCC $10,000; 6/05/2006, Conyers for Congress, $250; 6/12/2006, DSCC $15,000; 7/11/2006, Durbin, $150; 7/26/2006, Dan Seals, $2,100; 8/04/2006, Harold Ford for TN, $1,000; 8/08/2006, Whitehouse for Senate, $2,000; 8/26/2006, Melissa Bean, $1,000; 10/01/2006, Amy Klobuchar, $1,000; 10/31/2006, DCCC, $5,000; 10/31/2006, ACT BLUE DEMS, $2,100; 11/28/2006, Durbin, $2,100; 12/07/2006, DSCC, $1,257.

2007—1/15/2007, Carl Levin, $2,100; 1/26/2007, Obama Exploratory, $2,100; 3/22/2007, Durbin, $2,350; 3/22/2007, Carl Levin, $2,500; 4/27/2007, Obama for America, $200; 5/01/2007, Schakowsky, $2,500; 5/8/2007, Stabenow for US Senate, $2,300; 6/11/2007, Dan Seals, $2,300; 6/18/2007, Progressive Choices PAC, $1,000; 6/19/2007, Obama for America, $2,300; 8/28/2007, DSCC, $1,000; 9/30/2007, Dan Seals, $500; 10/29/2007, DSCC, $5,000; 12/10/2007, Progressive Choices PAC, $1,000; 12/12/2007, Colorado-Maine JT Committee (Allen/ Udall), $2,000; 12/31/2007, Dan Seals, $2,300.

2008—1/08/2008, Dan Seals, ($500) reattributed to Daniel Levin (spouse); 2/20/2008, Scott Harper, $500; 2/20/2008, Bill Foster, $500; 3/20/2008, Levin For Congress, $2,300; 4/22/2008, NARAL, $250; 4/22/2008, Jan Schakowsky, $2,100; 6/10/2008, Mark Schauer, $1,000; 6/10/2008, Bill Foster, $1,000; 6/30/2008, Jill Morgenthaler, $1,000; 6/30/2008, Obama Victory Fund $28,500; 7/21/2008, Danny Davis, $1,000; 9/05/2008, DCCC, $2,500; 9/22/2008, Debbie Halvorson, $1,200; 9/22/2008, Bill Foster, $1,200; 10/27/2008, The Committee for Change $10,000; 12/31/2008, ACT BLUE, $2,500.

DEL Political Contributions (spouse): 3/10/2006, ActBlue Donation to Dems—Dan Seals, $2,100; 3/19/2008, ActBlue Donation to Dems—Dan Seals, $1,800; 3/31/2008, ActBlue Donation to Dems—Ann Kirkpatrick, $1,000; 4/1/2008, Adler for Congress—2008 Contribution, $1,000; 4/17/2006, Akaka For Senate—2006 Contribution, $1,000; 4/17/2008, Al Franken For Senate—2008 Contribution, $2,000; 4/1/2008, Berkowitz for Congress—2008 Contribution, $1,000; 10/28/2005, Bill Nelson For US Senate—2005 Contribution, $1,000; 6/14/2006, Bill Nelson For US Senate—2006 Contribution, $1,000; 7/26/2005, Bob Casey For Pennsylvania—2005 Contribution, $2,000; 4/5/2006, Bob Casey For Pennsylvania Committee—2006 Contribution, $1,000; 5/12/2006, Bob Casey For Pennsylvania Committee—2006 Contribution, $1,100; 1/14/2005, Cantwell 2006—2004 Contribution, $2,000; 7/29/2008, Citizens For Robert Abboud, Jr.—2008 Contribution, $500; 12/12/2007, Colorado Maine Senate(Allen/Udall)—2007 Contribution, $2,000; 3/13/2006, Congresswoman Melissa Bean—2006 Contribution, $1,000; 6/7/2007, Dan Seals For Congress—2007 Contribution, $2,300; 1/18/2008, Dan Seals for Congress—2008 Contribution, $500 Redesignated; 3/08/08 Dan Seals For Congress—2008 Contribution, $1,800; 2/14/2005, Democratic Congressional Campaign Committee—2005 Contribution, $15,000; 6/28/2005, Democratic Congressional Campaign Committee—2005 Contribution, $2,500; 3/21/2007, Democratic Congressional Campaign Committee—2007 Contribution, $15,000.

2/17/2005, Democratic Senatorial Campaign Committee—2005 Contribution, $15,000; 6/14/2005, Democratic Senatorial Campaign Committee—2005 Contribution, $11,700; 2/23/2006, Democratic Senatorial Campaign Committee—2006 Contribution, $12,200; 3/8/2007, Democratic Senatorial Campaign Committee—2007 Contribution, $28,500; 5/14/2008, Democratic Senatorial Campaign Committee—2008 Contribution, $22,000; 11/28/2006, Deposit—DSCC overcontribution refunded, −$3,150; 1/20/2006, Duckworth For Congress—2006 Contribution, $2,000; 8/5/2008, East Bank Club—7/21/08 Danny Davis event—in-kind contribution, $706; 6/28/2006, Ellsworth For Congress—2006 Contribution, $2,000; 10/17/2005, Ford For Tennessee—2005 Contribution—Congressman Harold Ford, $2,000; 8/10/2005, friends of Dick Durbin—2005 Contribution, $250; 9/9/2005, friends of Dick Durbin—2005 Contribution, $2,000; 1/3/2007, friends of Dick Durbin—2007 Contribution, $2,000; 5/2/2007, Friends Of Jay Rockefeller—2007 Contribution, $500; 3/30/2005, Friends of Kent Conrad—2005 Contribution, $2,000; 8/5/2008, Friends Of Mary Landrieu—2008 Contributions, $1,000; 5/8/2007, Friends Of Patrick Kennedy—2007 Contribution, $1,000; 9/23/2005, Friends Of Robert C. Byrd—2005 Contribution, $1,000; 1/9/2007, Friends of Senator Carl Levin—2007 Contribution, $2,100; 3/14/2007, Friends of Senator Carl Levin, $200 for Primary, $2300 for General Election, $2,500; 4/5/2007, Friends Of Senator Dick Durbin, $350; 2/17/2005, Hopefund—2005 Contribution, $5,000; 2/22/2008, Jeff Merkley For Oregon—2008 Contribution, $1,000; 9/23/2005, Kathleen Sebelius Committee—2005 Contribution, $1,000; 3/28/2005, Kennedy For Senate—2006—2005 Contribution—Fay & Daniel Levin, $2,000; 8/4/2005, Lampson For Congress—2005 Contribution, $1,000; 11/30/2005, Lampson Victory 2006—Contribution, $5,500; 4/17/2006, Lautenberg 20 Years Committee—2006 Contribution, $1,000.

3/20/2008, Levin For Congress—2008 Contributions, $2,300; 6/28/2005, Levin For Congress—2005 Contribution, $4,000; 4/1/2008, Maffei for Congress—2008 Contribution, $1,000; 10/2/2006, McCaskill For Missouri—2006 Contribution, $2,000; 6/3/2008, NJDC—2008 Contribution, $1,000; 1/26/2007, Obama Exploratory Committee, $2,100; 6/12/2007, Obama for America—2007 Contribution, $200; 6/19/2007, Obama for America—2007 Contribution, $2,300; 6/29/2005, Paul Hackett For Congress—2005 Contribution, $1,000; 7/29/2008, Peters For Congress, $250; 2/22/2008, Powers For Congress—2008 Contribution, $500; 12/13/2007, Rockefeller For Senate—2007 Contribution, $500; 9/29/2005, Schakowsky For Congress—2005 Contribution, $2,200; 3/10/2006, Schakowsky for Congress—2006 Contribution, $2,000; 12/11/2007, Schakowsky for Congress—2007 Contribution, $2,300; 10/27/2006, Senate Democratic Fund—funding for Andy Levin's senate race, $25,000; 5/8/2007, Stabenow for US Senate—2008 Contribution, $2,300; 5/25/2005, Stabenow for US Senate—Max-out 2006 Contribution, $200; 8/16/2007, Swett For Senate—2007 Contribution, $1,000; 4/21/2008, Udall For Colorado, Inc.—2008 Contribution, $1,000; 5/4/2006, Whitehouse '06—2006 Contribution—Sheldon Whitehouse, $1,000.

Children and Spouses: Alyssa J. Rapp (daughter): CY2005 Political Contributions—3/17/2005, Schakowsky for Congress, $1,000.00; 11/7/2005, Nancy Pelosi for Congress, $2,100.00.

CY2006 Political Contributions—1/23/2006, Schakowsky for Congress, $1,100.00; 6/30/2006, Dan Seals for Congress, $1,000.00; 7/14/2006, Planned Parenthood PAC, $750.00; 8/15/2006, Midwest Values PAC, $750.00; 8/25/2006, McCaskill for Senate, $1,000.00; 9/8/2006, Friends of Andy Levin, $1,000.00; 10/3/2006, McCaskill for Senate, $1,000.00; 10/16/2006, Big Sky Victory Fund (for Jon Tester), $500.00; 10/16/2006, Harold Ford for U.S. Senate, $500.00; 10/27/2006, Illinois Victory 2006 (DCCC, Melissa Bean, Tammy Duckworth), $25,000.00.

CY2007 Political Contributions—1/10/2007, Schakowsky for Congress, $1,250.00; 1/16/2007, Obama for America, $2,300.00; 3/15/2007, Al Franken for Senate, $500.00; 3/28/2007, Friends of Dick Durbin, $4,600.00; 3/29/2007, Friends of Senator Carl Levin, $4,600.00; 5/31/2007, Al Franken for Senate, $500.00; 6/17/2007, Mark Udall for Colorado (Senate), $500.00; 6/30/2007, Obama for America, $2,300.00; 6/30/2007, Schakowsky for Congress, $300.00; 8/20/2007, Friends of Jay Rockefeller, $1,315.00.

CY2008 Political Contributions—4/9/2008, Schakowsky for Congress, $1,500.00.

Jeffrey J. Rapp (Son): CY2005 Political Contributions—1/12/2005, Schakowsky for Congress, $1,500.00; 6/28/2005, Schakowsky for CongresS, $200.00.

CY2006 Political Contributions—6/24/2008, Schauer for Congress, $1,000.00; 7/31/2006, Schakowsky for Congress, $300.00; 10/6/2006, Dan Seals for Congress, $300.00; 10/16/2006, Harold Ford Jr for TN, $1,000.00; 10/17/2006, Claire McCaskill for Missouri, $1,000.00; 5/3/2006, Schakowsky for Congress, $1,500.00.

CY2007 Political Contributions—4/2/2007, Friends of Carl Levin, $4,600.00; 3/23/2007, Friends of Dick Durbin, $4,600.00; 1/16/2007, Obama for America, $2,100.00; 4/27/2007, Obama for America, $200.00; 7/23/2007, Schakowsky for Congress, $300.00; 12/19/2007, Obama for America, $2,300.00.

CY2008 Political Contributions—4/4 2008, Daniel Biss for State Representative, $200.00; 6/24/2008, Schauer for Congress, $1,000.00; 3/19/2008, Dan Seals for Congress, $2,300.00; 7/18/2008, Schakowsky for Congress, $300.00.

Parents: Joseph J. Hartog and Ada F. Hartog—deceased.

Grandparents: Alfred and Frederika Menko—deceased; Isaac and Lea Hartog—deceased.

Brothers and Spouses: John Hartog (brother): 3/08, Obama for America, $4,300; 5/06, Filson for Congress, $1,000.

Margaret Hand (sister in law): 3/08, Obama for America, $4,600.

Sisters and Spouses: Annemarie DeLeeuw-Hartog (sister): 7/08, Obama for America, $2,000.

Jan Hendrek DeLeeuw: None.

Elzelien Hartog (sister): 12/07, Obama for America, $4,600; 8/08, Obama Victory Fund, $2,000.

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*Stephen J. Rapp, of Iowa, to be Ambassador at Large for War Crimes Issues.

Nominee: Stephen J. Rapp.

Post: Ambassador at Large for War Crimes Issues.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self None.

2. Spouse: Donna J. (Dolly) Maier: $250, October 2008, Barack Obama for U.S. President; $100, October 2008, John Miller for County Supervisor (Black Hawk County, Iowa); $100, September 2008, Bruce Braley for U.S. Congress (Iowa—CD1); $50, September 2008, Jeff

Danielson for State Senate, (Iowa—SD10); $500, October 2006, Bruce Braley for U.S. Congress, (Iowa—CD1); $50, August 2005, Barbara Boxer, PAC for Change, (California—U.S. Senate).

3. Children and Spouses: Alexander: none; Stephanie J. Rapp: none.

4. Parents: Beverly Rapp, none; Spurgeon Rapp, none.

5. Grandparents: Deceased.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Julie Lewis and Brian Lewis, none.

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*Donald Henry Gips, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

Nominee: Donald H Gips.

Post: Ambassador to South Africa.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, done:

1. Self: $500.00, 2004, Ben Nelson U.S. Senate; $1,000.00, 2004, Udall for Congress; $200.00, 2004, Mello For Regent; $25.00, 2004, Elect Brandon Schaffer; $1,000.00, 2004, Salazar for Senate; $2,000.00, 2004, Obama for Illinois; $250.00, 2005, Udall for Congress; $5,000.00, 2005 Hopefund; $1,265.00, 2005/2006, Level 3 PAC; $1,000.00, 2006, Perlmutter 2006; $100.00, 2006, Deval Patrick Committee; $1,000.00, 2006, Bill Ritter For Governor; $1,000.00, 2006, Bill Ritter For Governor; $1,000, 2006, Udall For Congress; $5,000.00, 2006, Forward Together Pac; $250.00, 2006, Kennedy For Teasurer; $250.00, 2006, Obrien For Attorney General; $2,100.00, 2006, Perlmutter for Congress; $100.00, 2006, Kennedy For Treasurer; $2,100.00, 2007, Obama Exploratory Comm; $2,300.00, 2007, Perlmutter 2006; $2,500.00, 2007, Obama For America; $2,300.00, 2007, Shafroth For Congress; $4,600.00, 2007, Udall for Congress; $500.00, 2007, Theresa Pena for DPSB; $500.00, 2007, Bruce Hoyt for DPS; $50.00, 2007, Markey For Congress; $500, 2007, Loesbuck for Congress; $500, 2007, ActBlue PAC; $150.00, 2008, Rollie Heath for St Senate; $2,300.00, 2008, Hillary Clinton For President; $3,000.00, 2008, DNC-Obama Victory Fund; $460, 2008, Level 3 PAC.

2. Spouse: Liz Berry: $2,300.00, 2007 Shafroth For Congress; $2,100.00, 2007, Obama Exploratory Committee; $2,500.00, 2007, Obama For America; $2,300.00, 2008, Udall For Colorado; $230.00, 2008, Hillary Clinton For President.

3. Children and Spouses: Sam Gips, none; Peter Gips, none; Ben Gips, none.

4. Parents: Walter Gips—deceased; Ann Gips: $2,300, 2007, Obama for America; $2,300, 2008, Obama for America; $230, 2008, H. Clinton for President; $100, 2005, Stender for Congress; $50, 2005, Emily's List; $100, 2005, Cantell for Senate; $100, 2005, Bean for Congress; $100, 2006, Rush Holt for Congress; $100, 2006, Giffords for Congress; $100, 2006, Wetterling for Congress; $50, 2006, Emily's List; $50, 2007, Emily's List; $100, 2008, Dem Sen Camp Comm; $100, 2008, Shaheen for Senate; $100, 2008, Burner for Congress; $100, 2008, Emily's List; $25, 2009, Emily's List.

5. Grandparents: Albert and Claire Arenberg—deceased; Walter and Louise Gips—deceased.

6. Brothers and Spouses: Rob Gips: $1,000.00, 2004, Kerry for President; $345.00, 2004, America Coming Together; $500.00, 2004, America Coming Together; $5,000.00, 2004, Maine Dem State Committee; $500, 2006, Maine Dem State Committee; $500.00, 2006, Stabenow for Senate; $2,300.00, 2007, Obama for America; $250.00, 2007, Pingree for Congress; $500.00, 2008, Pingree for Congress; $500.00, 2008, Tom Allen for Senate; $500, 2008, Tom Allen for Senate; $2,000.00, 2008, Obama Victory Fund; $3,000, 2008, Obama Victory Fund; $2,000.00, 2008, Obama for America; $300.00, 2008, Obama for America; $2,700.00, 2008, DNC Victory Fund.

Karen Harris (sister in law): $1,000.00, 2004, John Kerry for President; $2,300.00, 2007, Obama for America; $250.00, 2008, Tom Allen for U.S. Senate; $500.00, 2008, Tom Allen for U.S. Senate; $240.00, 2008, Tom Allen for U.S. Senate; $500.00, 2008, Tom Allen for U.S. Senate; $500.00, 2008, Pingree for Congress; $1,000.00, 2008, Maine Democratic State Committee; $250.00, 2008, Maine Democratic State Committee.

Terry Gips (brother): $265, 2004, America Coming Together; $100.00, 2004, Kucinich for President; $100.00, 2006, Ellison for Congress; $100.00, 2006, Klobuchar for Senate; $100.00, 2006, Wetterling for Congress; $50.00, 2007, Obama for America; $100.00, 2006, Minnesota for Attorney General; $300.00, 2008, Minnesota Senate Victory; $100.00, 2008, Bonoff for Congress; $100.00, 2008, Tinkleburg for Congress; $50.00, 2008, Obama for America; $100.00, 2008, Democratic Farmer Labor Party; miscellaneous small donations of $100 or less to Move On, Conservation Minnesota, Sierra Club.

7. Sisters and Spouses: Ellen and Peter Nee (sister and brother-in-law): $75, 2008, Obama for America.

By Mr. LEAHY for the Committee on the Judiciary.

Sonia Sotomayor, of New York, to be an Associate Justice of the Supreme Court of the United States.

A. Thomas McLellan, of Pennsylvania, to be Deputy Director of National Drug Control Policy.

Alejandro N. Mayorkas, of California, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General.

Cranston J. Mitchell, of Virginia, to be a Commissioner of the United States Parole Commission for a term of six years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself and Mr. MARTINEZ):

S. 1521. A bill to amend titles XVIII and XIX of the Social Security Act to require provider payments under Medicare and Medicaid to be made through direct deposit or electronic funds transfer (EFT) at insured depository institutions; to the Committee on Finance.

By Mr. VITTER:

S. 1522. A bill to amend title XVIII of the Social Security Act to stabilize and modernize the provision of partial hospitalization services under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. BURR (for himself and Mr. REED):

S. 1523. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals and families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. CORKER, Mr. RISCH, and Mr. CARDIN):

S. 1524. A bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. WEBB):

S. 1525. A bill to amend the Act of May 29, 1930 (Chapter 354; 46 Stat. 482; commonly known as the Capper-Cramton Act), to authorize a grant program to preserve resources in the National Capital region, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 1526. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico:

S. 1527. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to authorize the Secretary of Agriculture to order the recall of meat and poultry that is adulterated, misbranded, or otherwise unsafe; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FEINGOLD:

S. 1528. A bill to establish a Foreign Intelligence and Information Commission and for other purposes; to the Select Committee on Intelligence .

By Mr. REID (for Mr. BYRD):

S. 1529. A bill to prohibit the President, Vice President, or any other executive branch official from knowingly and willfully misleading the Congress of the United States for purposes of gaining support for the use of force by the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER):

S.J. Res. 19. A joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INOUYE (for himself and Mr. AKAKA):

S. Res. 225. A resolution recognizing and celebrating the 50th anniversary of the entry of Hawaii into the Union as the 50th State; considered and agreed to.

By Mr. JOHANNS (for himself and Mr. CASEY):

S. Con. Res. 37. A concurrent resolution supporting the goals and ideals of senior caregiving and affordability; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 229

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. DODD), the Senator from Maine (Ms. SNOWE) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 384

At the request of Mr. LUGAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 451

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 456

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 510

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 575

At the request of Mr. CARPER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 575, a bill to amend title 49, United States Code, to develop plans and targets for States and metropolitan planning organizations to develop plans to reduce greenhouse gas emissions from the transportation sector, and for other purposes.

S. 604

At the request of Mr. SANDERS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor 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. 634

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 823

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. BAYH) 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. 841

At the request of Mr. KERRY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 848

At the request of Mrs. MCCASKILL, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 848, a bill to recognize and clarify the authority of the States to regulate intrastate helicopter medical services, and for other purposes.

S. 850

At the request of Mr. KERRY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors 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. 866

At the request of Mr. REED, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Illinois (Mr. BURRIS) were added as cosponsors of S. 866, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 990

At the request of Ms. STABENOW, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 990, a bill to amend the Richard B. Russell National School Lunch Act to expand access to healthy afterschool meals for school children in working families.

S. 1019

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1019, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1023

At the request of Mr. DORGAN, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1023, a bill to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

S. 1243

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1243, a bill to require repayments of obligations and proceeds from the sale of assets under the Troubled Asset Relief Program to be repaid directly into the Treasury for reduction of the public debt.

S. 1301

At the request of Mr. MENENDEZ, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1301, a bill 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.

S. 1344

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1344, a bill to temporarily protect the solvency of the Highway Trust Fund.

S. 1348

At the request of Mr. CHAMBLISS, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1348, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

S. 1388

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1388, a bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

S. 1438

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1438, a bill to express the sense of Congress on improving cybersecurity globally, to require the Secretary of State to submit a report to Congress on improving cybersecurity, and for other purposes.

S. 1507

At the request of Mr. CARPER, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1507, a bill to amend chapter 89 of title 5, United States Code, to reform Postal Service retiree health benefits funding, and for other purposes.

S.J. RES. 16

At the request of Mr. DEMINT, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. RES. 195

At the request of Mr. INOUYE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 195, a resolution recognizing Bishop Museum, the Nation's premier showcase for Hawaiian culture and history, on the occasions of its 120th anniversary and the restoration and renovation of its Historic Hall.

S. RES. 210

At the request of Mrs. LINCOLN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 210, a resolution designating the week beginning on November 9, 2009, as National School Psychology Week.

AMENDMENT NO. 1701

At the request of Mr. JOHANNS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 1701 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR (for himself and Mr. REED):

S. 1523. A Bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals and families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I join my colleague, Senator BURR, in reintroducing the Services for Ending Long-Term Homelessness Act, SELHA.

It is estimated that between 2.5 and 3.5 million Americans experience a period of homelessness in a given year. With the current economy, with more Americans losing their jobs and their homes, it is likely that the total has risen. While the majority of these individuals will only be homeless for a brief period of time, a growing segment is experiencing prolonged periods of homelessness. Roughly 124,000 Americans fall under the category of chronically homeless. In my state of Rhode Island, approximately ten percent of homeless individuals cycle in and out of homelessness.

In March 2003, former Department of Health and Human Services Secretary Tommy Thompson issued a report that defined the issues and challenges facing the chronically homeless and developed a comprehensive approach to bringing the appropriate services and treatments to this population of individuals who typically fall outside of mainstream support programs.

The same year, the New Freedom Commission on Mental Health also recommended the development of a comprehensive plan to facilitate access to permanent supportive housing for individuals and families who are chronically homeless. Affordable housing, alone, is not enough for many chronically homeless to achieve stability. This population also needs flexible, mobile, and individualized support services to sustain them in housing.

Since the Commission made the recommendations, approximately 60,000 units of permanent supportive housing have been developed and currently another 30,000 are under development. Numerous studies conducted by cities and states across the country demonstrate that supportive housing can save local governments between $15,000 and $30,000 that would otherwise be spent in publicly funded shelters, hospitals—including VA hospitals—and prisons. The savings nearly pays for the cost of supportive housing and the outcome is much different; indeed it is much improved. Permanent supportive housing results in better mental and physical health, employment, greater income, fewer arrests, better progress toward recovery, self sufficiency, and less homelessness.

However, funding for supportive services to complement these housing efforts continues to be an issue. The legislation we are introducing today is critical to the development and implementation of more effective strategies to combat chronic homelessness through improved service delivery and coordination across federal agencies serving this population. It directs the Substance Abuse and Mental Health Services Administration, SAMHSA, to coordinate its Federal efforts with the Department of Housing and Urban Development, other Federal departments that provide supportive housing, and various agencies within HHS that provide supportive services.

This bipartisan measure is designed to help improve coordination and ensure access to the range of supportive services that the growing number of chronically homeless Americans need to get back on their feet. Our bill brings together permanent supportive housing and services, the essential tools to enable these individuals to begin to take the steps necessary to once again become productive and active members of our communities.

I look forward to working with my colleagues toward passage of this legislation.

By Mr. KERRY (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. CORKER, Mr. RISCH, and Mr. CARDIN):

S. 1524. A bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes; to the Committee on Foreign Relations.

Mr. KERRY. Mr. President, for the past 6 months, the administration has been busy laying the groundwork for a new development agenda.

First, the President issued a bold 2010 international affairs budget that significantly increases funding for vital programs in Pakistan and Afghanistan, begins to rebuild our diplomatic and development capacity, and renews our commitment to essential programs from education to HIV/AIDS and hunger.

Then, earlier this month, President Obama and other G8 leaders announced a $20 billion food security partnership to provide small farmers in poor countries with the seeds, fertilizers, and equipment they need to break a decades-long cycle of hunger, malnutrition and dependency. Finally, the State Department unveiled plans for a ''Quadrennial Diplomacy and Development Review,'' a comprehensive assessment designed to improve policy, strategy, and planning at the State Department.

While we are still awaiting a nominee to head the U.S. Agency for International Development I am confident that a name will soon be forthcoming.

These are welcome changes that demonstrate this Administration's commitment to a vigorous reform process and a bold development plan. Congress will be a strong partner in those efforts—providing the resources, legislation, and authorities to ensure that our development programs are funded and designed to meet our priorities.

While there is some debate on what form foreign aid reform should take, there is a broad consensus in the development community about why reform matters.

Experts agree that the strength of our development programs is directly linked to success or failure in frontline states like Afghanistan and Pakistan.

They agree that USAID is more critical to achieving our foreign policy objectives than ever before—yet it lacks the tools, capacity and expertise to fulfill its mission.

They agree that too often decision-makers lack basic information about the actual impact of our development programs.

They also agree that excessive bureaucracy and regulations and fragmented coordination are hampering our efforts to swiftly and effectively deliver assistance.

And they agree that even as we plan for broad, fundamental reform, there are many steps we can take in the interim to dramatically improve the effectiveness of our foreign aid efforts.

We assembled a small bipartisan Senate working group to formulate legislation that makes short-term improvements while setting the stage for longer-term reform. Senators LUGAR, MENENDEZ, CORKER and I have been developing initial reform legislation that we believe goes a long way towards improving our short-term capacity to deliver foreign aid in a more accountable, thoughtful and strategic manner.

One provision in the bill that we believe is particularly important establishes an independent evaluation group, based in the executive branch, to measure and evaluate the impact and results of all U.S. foreign aid programs, across all departments and agencies. This new institution—the Council on Research and Evaluation of Foreign Assistance—can address a fundamental knowledge gap in our foreign aid programs—quite simply, it will help us understand which programs work, which do not, and why.

I want to emphasize, this legislation only represents the first step in a longer reform process. But we believe it sends an important bipartisan signal that foreign aid reform will be a priority for this committee in the years ahead. I am pleased that Senators RISCH and Cardin will join as original cosponsors to the bill.

When John F. Kennedy spoke at the founding of USAID, in 1961, he articulated a basic truth about our foreign policy. We cannot escape our moral obligation to be a wise leader in the community of free nations. Kennedy warned that—''To fail to meet those obligations now would be disastrous; and, in the long run, more expensive. For widespread poverty and chaos lead to a collapse of existing political and social structures which would inevitably invite the advance of totalitarianism into every weak and unstable area. Thus our own security would be endangered and our prosperity imperiled.''

Just substitute violent extremism for totalitarianism and the quote is as accurate today as it was then. Just as we did in Marshall's time and Kennedy's time, America today has a chance to return to a foreign policy that is not just seen by people everywhere, but felt and lived, one that translates our promises into real value and real progress on the ground—one that improves people's daily lives, inspires them, and earns their respect.

The good news is that, as we rebuild our civilian institutions, there will so many chances to lead in the process. We are living in a moment of volatility, but also—emphatically—a moment of possibility.

Infant mortality rates dropped by 27 percent worldwide since 1990. By 2015, let us cut under-five mortality by 2/3. Life expectancy is eight years higher than it was in 1990—but we can do better by cutting hunger and poverty in half and reversing the spread of HIV/AIDs, malaria and other major diseases. Primary school enrollment has increased by 10 percent—it is time we made it universal. While we are at it, let us eliminate gender disparity in education once and for all.

History teaches us that America is safest and strongest when we understand that our security will not be protected by military means alone. It must be protected as well by our generosity, by our example, by powerful outreach, and by instilling a palpable sense in the people of the world that we understand—and share their destiny. That has always inspired people, and it always will. It undercuts our enemies, it empowers our friends—and it keeps us safer.

Mr. LUGAR. Mr. President, I am pleased to join my colleague, Senator JOHN KERRY, in introducing the Foreign Assistance Revitalization and Accountability Act of 2009. Our colleagues, Senators CORKER, MENENDEZ, RISCH, and CARDIN, join us in this effort as original cosponsors.

The role of foreign assistance in achieving U.S. foreign policy objectives has come into sharper focus since 2001. President Bush elevated development as a third pillar of the U.S. National Security Strategy. President Obama pledged to double foreign assistance, and announced new initiatives on global food security and health. Secretary Clinton announced a quadrennial review of diplomacy and development. These initiatives are likely to have far reaching implications for foreign assistance policy and organization.

For development to play its full role in our national security structure, the U.S. Agency for International Development, USAID, must be a strong agency with the resources to accomplish the missions we give it. Earlier this month, Secretary Clinton stated: ''I want USAID to be seen as the premier development agency in the world, both governmental and NGO. I want people coming here to consult with us about the best way to do anything having to do with development.'' I share the sentiments expressed by Secretary Clinton, and I have confidence in the extraordinary development expertise housed at USAID.

But during the last two decades, decision-makers have not made it easy for USAID to perform its vital function. Even as we have rediscovered the importance of foreign assistance, we find ourselves with a frail foundation to support a robust development strategy. We have increased funds for development and elevated its priority, while allowing USAID to atrophy. Many new programs have been located outside USAID with roughly two dozen departments and agencies having taken over some aspects of foreign assistance, including the Department of Defense. Each of these agencies naturally considers itself the lead agency in its sector, provoking competition among agencies rather than coordination and coherence. We do not really know whether these programs are complementary or working at cross-purposes.

USAID's staffing and expertise have declined markedly since the 1980s. There are only five engineers left; 23 education officers are tasked with overseeing different programs in 84 countries. Decisions to reorganize in pursuit of better coordination between the Department of State and USAID resulted in the latter's loss of evaluation, budget, and policy capacity. Much of the work of running America's development programs is now farmed out to private contractors.

I believe the starting point for any future design of our assistance programs and organization should not be the status quo, but rather the period in which we had a well-functioning and well-resourced aid agency. To be a full partner in support of foreign policy objectives, USAID must have the capacity to participate in policy, planning, and budgeting. The migration of these functions to the State Department has fed the impression that an independent aid agency no longer exists.

It the administration pursues the goal of doubling foreign assistance over time, it is crucial that Congress has confidence that these funds will be used efficiently. USAID must have the capacity to evaluate programs and disseminate information about best practices and methods and it must have a central role in development policy decisions.

The legislation that we introduce today promotes capacity, accountability, and transparency in U.S. foreign assistance programs. It has received strong initial support from outside groups led by the Modernizing Foreign Assistance Network. There are three deficiencies we are trying to address.

First, the evaluation of assistance programs and the dissemination of knowledge have deteriorated in the last couple of decades. While USAID was a respected voice in this regard during the 1980s, its evaluation capacity has been allowed to wither. The bill strengthens USAID's monitoring and

evaluation capacity with the creation of an internal evaluation and knowledge center. The bill also re-establishes a policy and planning bureau. It is crucial that USAID be able to fully partner with the State Department in decisions relating to development.

Second, U.S. foreign assistance programs are littered among some two dozen agencies with little or no coordination. We do not have adequate knowledge of whether programs are complementary or working at cross-purposes. The bill requires all government agencies with a foreign assistance role to make information about its activities publicly available in a timely fashion. It designates the USAID Mission Director as responsible for coordinating all development and humanitarian assistance in-country. It creates an independent evaluation and research organization that can analyze and evaluate foreign assistance programs across government.

Third, staffing and expertise at USAID have declined since the early 1990s, even as funding for foreign assistance programs has increased. This decline in capacity has resulted in other agencies stepping in to fill the gap. While Congress has begun to provide the necessary resources to rebuild this capacity, the agency does not have a human resources strategy to guide hiring and deployment decisions. The bill would require such a strategy and a high-level task force to advise on critical personnel issues. The bill also encourages increased training and inter-agency rotations to build expertise and effectiveness.

It is especially important that Congress weigh in on this issue because the Administration has yet to appoint a USAID Administrator or fill any confirmable positions in the agency. Without an Administrator in place, USAID is likely to have less of a role in the current State Department review than it should have. The State Department review process should include strong voices advocating for an independent aid agency.

Both Congress and the State Department should be offering proposals on how to improve development assistance. Our legislation does not rule out any options that the State Department may propose as a result of its review. But ultimately, Congress will have to make decisions on resources for development programs. Given budget constraints, it is essential that Congress has confidence in how development resources are spent. Building capacity at USAID will be an important part of this calculation.

The issues that we face today—from chronic poverty and hunger to violent acts of terrorism—require that we work seamlessly toward identifiable goals. I look forward to working with colleagues to improve and support the development mission that benefits our long-term security.

Mr. MENENDEZ. Mr. President, I am pleased to introduce today, with my colleagues Senators KERRY, LUGAR, and CORKER, legislation that will help strengthen the foreign assistance efforts of the United States. We have put together a piece of legislation that helps move our collective foreign assistance efforts in the right direction.

I am pleased that we have worked very closely and in a bipartisan fashion on this legislation and I want to thank my colleagues for their work. Foreign assistance is something that is of great interest to many members of the Foreign Relations Committee. While we may disagree on the overall resources that should be devoted to development assistance, I think we all agree that the resources we do provide should be used in the best way possible.

I also want to thank the broader community of people who have been supportive of these efforts for years. I cannot tell you how many letters from people in New Jersey and from around the country I have received on these issues. These individuals, and the groups who help advocate for these issues are an important voice in the process.

President Obama has pledged to double foreign assistance by 2012. In this context, it is now more important than ever for the Congress to know which U.S. Government programs are the best investments. Right now, we have too little evidence that is objective and independent about which U.S. Government Agencies should have their budgets increased and which should be held constant or decreased. This legislation will help provide a more objective basis for this kind of decisionmaking. It will help both the Congress and the administration to make smarter, more analytical decisions about which agencies should carry out what programs, and help build more rigorous analysis across U.S. Government programs that may be working on similar issues.

Foreign assistance is not just an issue of morality or an issue that is driven by a sense of doing what is right for the most disenfranchised around the world—these issues are directly in our national interests and our national security interests. Every time we provide credit to a farmer who is displaced or training to a woman who wants to run a business out of her home, we are making inroads to the bread and butter issues that people care about. When we provide an effective alternative to illicit economic activity, we are dealing a blow against drugs coming to the streets of New Jersey, and helping to build the institutions around the world that will provide the framework for stable and prosperous societies. We all want to live in a community where we can walk freely without fear of persecution, and without fear of our personal safety. No matter where you come from, these are a basic set of principles that resonate with all of us.

Congress needs to see results, the American people need to see results, and so do the millions of people around the world whose lives literally depend on our ability to carry out these programs in the smartest way possible. This is why we have included an independent monitoring mechanism to evaluate the impact of our foreign assistance programs. It's one thing to say that we handed out 500 textbooks or trained 200 teachers, but it's far different to say that we improved the aptitude of school children and that these improvements help connect them to meaningful employment, which raised their household income, which allowed them to eat better, access medical services, and so on . . . it's the difference between outputs and outcomes that we are trying to get at with the independent evaluation unit, as outlined in the legislation we are introducing today.

I have long believed that foreign assistance is a critical part of our overall engagement overseas and I have been a consistent advocate of stepping up our efforts in this area. In recent years, I have focused on building up the United States Agency for International Development, USAID, from the inside out—I have called for building-up the staff of USAID in a coherent and strategic manner—this bill will help do that.

Now that USAID is working alongside the Department of Defense in places like Iraq and Afghanistan, and immersed in complex situations like those in Pakistan, Sudan, or Sri Lanka, we need an agency that is nimble, responsive, and ahead of the curve. From staffing, resources, and training, our development tools need to be, at the very least at par, if not ahead of our diplomatic and defense efforts.

One way to start us along this path is to focus on USAID's leadership. It needs credible and high-profile leadership that can work in partnership with the Congress, the Department of State, the Department of Defense, and the National Security Council. The ''development voice'' in our Government needs to be a ''heavyweight voice'' that commands respect both in Washington and around the world.

I believe USAID needs to take back resources and programs that have slowly been moved over to the Department of Defense. Having the Department of State or the Department of Defense control development strategy and resources, with USAID simply serving as an implementing agency, has caused confusion and ambiguity. We ask our military to plan and execute a lot of missions; development should not be one of them. Civilian resources should be appropriated to civilian agencies.

Staff at USAID needs to be rebuilt—not just with more people, but we need to make sure we have the right people and make sure we are attracting and retaining the best possible candidates. This bill will help us get there with the comprehensive human resource strategy that is mandated for human resources. We need to build up our foreign assistance programs not just where they used to be, but to where they need to be.

I look forward to continuing our work on these programs. This legislation is a start, but there is much more work to be done. Let me be clear—this bill, combined with additional resources is not going to fix everything—foreign assistance has its limits. However, I believe we have not yet approached this limit. More resources, and better-spent resources, combined with active diplomatic and economic engagement will help build the institutions that will create more stable political, social, and economic systems.

Only until we recognize that the success of those systems is deeply connected to the success of our own, will we begin to adequately address the joint challenges that threaten our national security, our economy, our way of life.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 1526. A bill to establish and clarify that Congress does not authorize persons convicted of dangerous crimes in foreign courts to freely possess firearms in the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the No Firearms for Foreign Felons Act of 2009. This bill would close a loophole that currently exists in law, by ensuring that people convicted of foreign felonies and crimes involving domestic violence cannot possess firearms. I imagine that most Americans may be surprised—as I was—to learn that foreign felons actually have greater gun rights than American citizens convicted of felonies and crimes of domestic violence in our own courts.

In 1968, Congress passed the landmark Gun Control Act, ensuring that it was illegal for felons to possess firearms. I have been working since 1994 to build upon that legacy and protect American families from senseless gun violence.

Unfortunately, in 2005 the Supreme Court created a gaping loophole in this longstanding felon-in-possession law. In the case of Small v. United States, a majority of the Court held that foreign felony is not a bar to gun possession when those felons come to the U.S.

At the time, the Supreme Court was very much aware that its ruling could lead to unintended consequences. Justice Clarence Thomas noted in his dissent, ''the majority's interpretation permits those convicted overseas of murder, rape, assault, kidnapping, terrorism and other dangerous crimes to possess firearms freely in the United States.''

The majority of the Court identified a fundamental flaw in the Gun Control Act of 1968. Simply put, Congress was not clear enough. Although the law states that a person convicted of a felony ''in any court'' could not possess a firearm, the Court said that the phrase, ''any court,'' applied only to American courts.

The federal felon-in-possession laws outlined in the Gun Control Act of 1968 has been applied to foreign felons from 1968 until the Small decision in 2005. However, the Court found these arguments unpersuasive.

In their dissent, Justices Thomas, Scalia and Kennedy accused the majority of creating a novel legal construction that would ''wreak havoc'' with established rules of extraterritorial construction. But whatever we may think of the Court's legal analysis, there is no doubt that the Small decision is now the law of the land.

We must now make every effort to close this dangerous loophole and the only way to do that is to pass the No Firearms for Foreign Fellons Act of 2009. The bill I am introducing today would do just that. Under this bill, the Gun Control Act of 1968 is amended to ensure that convictions in foreign courts are included. Similar changes would be made in other sections of the Gun Control Act, where there are references to ''state offenses'' or ''offenses under state law''—the bill would expand these terms to include convictions for felony offenses committed abroad.

In other words, the bill would make it clear that if someone is convicted in a foreign court of an offense that would have disqualified him from possessing a firearm in the U.S. the same laws relating to gun possession would be applied.

As introduced, the only exception would involve a conviction in a foreign court that was invalid. In that specific situation, this bill would allow a person convicted in a foreign court to challenge its validity. Under the bill, a foreign conviction will not constitute a ''conviction'' for purposes of the felon-in-possession laws, if the foreign conviction either: resulted from a denial of fundamental fairness that would violate due process if committed in the United States, or, if the conduct on which the foreign conviction was based would be legal if committed in the U.S.

I expect that these circumstances will be fairly rare, but the bill does take them into account, and will provide a complete defense to anyone with an invalid foreign conviction under these specific circumstances.

The need for action is clear. In 2001, U.S. law enforcement outfitted in bullet proof vests raided the New York City hotel room of Rohan Ingram. Ingram was found with 13 different firearms, had an extensive criminal background, including at least 18 convictions for crimes such as assault and use of deadly weapon. He was known to law enforcement as ''armed and dangerous'' and they rightfully took all of the necessary precautions to protect themselves. However, because all of his crimes had occurred in Canada, his felon-in-possession of a firearm charge was eventually thrown out of court. This is a direct result of the Supreme Court case and illustrates a very dangerous loophole in our criminal justice system.

What we need to do as an institution is clear. We cannot keep in place a policy that allows felons convicted overseas to possess firearms. It simply makes no sense. In a country filled with senseless gun violence, we cannot continue to give foreign-convicted murderers, rapists and even terrorists an unlimited right to buy firearms and U.S. assault weapons in the U.S. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORDD, as follows:

S. 1526

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 ''No Firearms for Foreign Felons Act of 2009''.

SEC. 2. DEFINITIONS.

(a) COURTS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(36) The term 'any court' includes any Federal, State, or foreign court.''.

(b) EXCLUSION OF CERTAIN FELONIES.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''any Federal or State offenses'' and inserting ''any Federal, State, or foreign offenses'';

(2) in subparagraph (B), by striking ''any State offense classified by the laws of the State'' and inserting ''any State or foreign offense classified by the laws of that jurisdiction''; and

(3) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: '', except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States''.

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(2) in subparagraph (B)(ii), by striking ''if the conviction has'' and inserting the following: ''if the conviction—

''(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

''(II) has''.

SEC. 3. PENALTIES.

Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended—

(1) by striking ''an offense under State law'' and inserting ''an offense under State or foreign law''; and

(2) by inserting before the semicolon the following: '', except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States''.

By Mr. UDALL, of New Mexico.

S. 1527. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to authorize the Secretary of Agriculture to order the recall of meat and poultry that is adulterated, misbranded, or otherwise unsafe; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. UDALL of New Mexico. Mr. President, I rise today to introduce the Unsafe Meat and Poultry Recall Act, to grant the Secretary of Agriculture the authority to order the recall of meat and poultry that is adulterated, misbranded, or otherwise unsafe.

Sadly, and in some cases tragically, in recent years recalls of unsafe food products has seemingly become a regular occurrence in our Nation. Last week, a Denver-based grocery chain recalled 466,236 pounds of ground beef products that were distributed to stores in Colorado, Kansas, Missouri, Nebraska, Utah, Wyoming, and my State of New Mexico. The tainted meat is blamed for fourteen cases of salmonella and 6 hospitalizations.

Last year, the USDA requested a recall of 143 million pounds of beef from a slaughterhouse that was being investigated for unsafe practices. In this instance, like most, the recalled beef had been distributed throughout the country, including to my state of New Mexico where the U.S. Department of Agriculture's Commodity Foods Program had sent 3,000 cases of the questionable beef to the state's Human Services Department to be distributed to school lunch programs. Luckily, most of the beef was found before it was served, but putting New Mexico's children at such a risk is clearly unacceptable.

The number of people affected annually from ingesting tainted meat and poultry products illuminates this proposition: 5,000 people die from foodborne illnesses each year; nearly 76 million people get sick annually from eating tainted food, of these individuals, 325,000 require hospitalization.

Shockingly, the USDA does not have the authority to issue mandatory recalls of tainted meat and poultry products. Complying with agency recalls, therefore, is at the industry's discretion. The meat industry says that it has never failed to cooperate with a recall request from the USDA, rendering mandatory recalls of tainted meat unnecessary. However, when the USDA asks for a recall, a negotiation process ensues between the agency and the industry. Meanwhile, thousands of people are at risk of eating the potentially harmful meat in the marketplace during the ongoing negotiations.

It is the responsibility of the USDA to see that the poultry and meatpacking industry produces only safe meat products. It is the right of American consumers to feel safe purchasing the meat sold in their grocery stores. And it is the right of our cattle producers to know that the beef they produce is being handled properly and sent into the market safely.

My bill would finally give the Secretary of Agriculture the power to ensure that the meat in our Nation's markets is clean and safe.

By Mr. FEINGOLD:

S. 1528. A bill to establish a Foreign Intelligence and Information Commission and for other purposes; to the Select Committee on Intelligence.

Mr. FEINGOLD. Mr. President, the legislation I am introducing today would establish an independent, bipartisan Foreign Intelligence and Information Commission to significantly reform and improve our intelligence capabilities. On July 16, the bill was approved, on a bipartisan basis, by the Senate Intelligence Committee as an amendment to the Fiscal Year 2010 Intelligence Authorization bill. The bill is similar to the one I introduced in the last Congress with Senator Hagel, which also had bipartisan support in the Intelligence Committee, and it is my hope and expectation that it will soon become law. The New York Times has also expressed its support for the commission.

The work of this commission is critical to our national security. For years, our intelligence officials have acknowledged that we lack adequate coverage around the world and that we have gaps in our ability to anticipate threats and crises before they emerge. The 2006 Annual Report of the Intelligence Community described how current crises divert resources from emerging and strategic issues. In 2007, the Deputy Director of National Intelligence for Collection testified that we need to ''pay attention to places that we are not.'' In 2008, the DNI testified that current crisis support ''takes a disproportionate share'' of intelligence resources over emerging and strategic issues. Earlier this year, during his confirmation process, the current CIA Director expressed his concern about the broad set of issues to which insufficient resources are being devoted. The problem, in other words, is not new, nor is it unique to any administration. It is systematic and it results from structural problems in how we develop priorities and allocate resources.

These structural problems afflict the Intelligence Community, but they are also much broader. Around the world, information our government needs to inform our foreign policy and protect our country is obtained openly by State Department officials. Yet there is no interagency strategy that integrates the capabilities of our diplomats and other embassy personnel with the activities of our clandestine collectors. The result is big gaps in what we know about the world—gaps that don't necessarily require more spying.

This information pertains to instability and civil conflict, threats to democratic institutions, human rights abuses and corruption, and whether we can count on the support of a country for our policies. This information is also directly related to the threat from al Qaeda, its affiliates and other terrorist organizations. The 9/11 Commission recommended that our government identify and prioritize actual or potential terrorist sanctuaries. Yet, as the Director of the National Counterterrorism Center testified to the Senate Intelligence Committee, ''much of the information about the instability that can lead to safe havens or ideological radicalization comes not from covert collection but from open collection, best done by Foreign Service Officers.'' The solution, then, is to ensure that, if State Department or other U.S. officials are best suited to gather this kind of critical information, they have the capabilities and resources to do so.

At the core of the commission's mandate is the need for an interagency strategy that asks and answers four key questions: ''What is it that the U.S. Government needs to know?'' ''How do we best anticipate threats and crises around the world, before they emerge?'' ''Who in our government, within and outside of the Intelligence Community, is best equipped to get this information, report on it, and analyze it?'' ''And how do we develop missions and provide resources so that we are using all of our capabilities on behalf of our national security?'' The commission will provide recommendations on how the government can and should develop this strategy and whether new legislation is needed to clarify the authority of existing executive branch entities or create a new one. And it will provide recommendations on how to ensure that the budget process reflects the best and most efficient means to collect, report on and analyze intelligence and information, rather than the influence of individual bureaucracies.

The reform recommendations made by this commission will provide a critical and welcome boost to everyone, in the executive branch and in Congress, responsible for defending our national security. The Intelligence Community, as its own leadership has attested, needs guidance if it is to reprioritize global coverage and long-term threats. It also needs help in areas that need not be its top priorities: if State Department or other U.S. officials outside the Intelligence Community are best equipped to obtain certain information and are given sufficient resources, the IC can focus on areas where clandestine collection is most needed. The State Department will benefit from an interagency process that recognizes the critical reporting capabilities of the diplomatic service and allocates resources accordingly. The President will be provided with recommendations on interagency reforms that extend beyond the purview of any one department or agency.

Implementation of the commission's recommendations will allow the congressional intelligence and foreign relations committees to conduct oversight of the Intelligence Community and the State Department in the context of a clearly defined strategy. The

budget committees and the appropriators as well as authorizers will have an interagency strategy that explains the rationale for the President's budget request. Congress as a whole will be provided recommendations on whether new legislation is needed to reform the process.

This is not just a step toward good governance. It will ensure that taxpayer dollars are used more efficiently and effectively. Most of all, it will make us safer. This bill is not partisan, and it has nothing to do with who is in the White House. The commission will not investigate anyone, nor cast blame for long-standing structural problems. It seeks only to identify the reforms still needed and to provide recommendations, to the executive branch and to Congress, on how to achieve them.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WEBB, and Mr. WARNER):

S.J. Res. 19. A joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact; considered and passed.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 19

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

''(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

''(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: 'I, , hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.' ''.

(2) Subsection (a) of section 9 is amended to read as follows:

''(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.''.

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

''(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.''.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

''(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110–432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

''(2) For the purposes of this paragraph (d), a 'dedicated funding source' means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110–432 for payments to the Authority.''.

SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is expressly reserved. The consent granted by this Act shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

SEC. 3. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

SEC. 4. INCONSISTENCY OF LANGUAGE.

The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 225—RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE ENTRY OF HAWAII INTO THE UNION AS THE 50TH STATE

Mr. INOUYE (for himself and Mr. AKAKA) submitted the following resolution; which was considered and agreed to:

S. RES. 225

Whereas August 21, 2009, marks the 50th anniversary of Proclamation 3309, signed by Dwight D. Eisenhower, which admitted Hawaii into the Union in compliance with the Hawaii Admission Act (Public Law 86–3; 73 Stat. 4), enacted into law on March 18, 1959;

Whereas Hawaii is a place like no other, with people like no other, and bridges mainland United States to the Asia-Pacific region;

Whereas the 44th President of the United States, Barack Obama, was born in Hawaii on August 4, 1961;

Whereas Hawaii contributed to a more diverse Congress by electing—

(1) the first Native Hawaiian member of Congress, Prince Jonah Kuhio Kalaniana'ole;
(2) the first Asian-American Senator, Hiram Fong;
(3) the first woman of color elected to Congress, Patsy T. Mink;
(4) the first Native Hawaiian to serve in the Senate, Daniel Kahikina Akaka; and
(5) the first Japanese American to serve in the Senate, Daniel Ken Inouye;

Whereas Hawaii is an example to the rest of the world of unity and positive race relations;

Whereas Pearl Harbor is a strategic United States military base in the Pacific and became a national historic site after the December 7, 1941, surprise aerial attack by Japan that thrust the United States into World War II;

Whereas Hawaii is home to ¼ of the endangered species in the United States;

Whereas Hawaii has 8 national parks, which preserve volcanoes, complex ecosystems, a colony for victims of Hansen's disease, and other sites of historical and cultural significance;

Whereas Kilauea ranks among the most active volcanoes on Earth;

Whereas President George W. Bush nominated the Papahanaumokuakea Marine National Monument to the United Nations Educational, Scientific and Cultural Organization World Heritage Centre for consideration for the World Heritage List;

Whereas Hawaii has produced musical legends ranging from traditional favorites such as Alfred Apaka, Don Ho, and Genoa Keawe, to Hawaii renaissance performers such as Eddie Kamae, Raymond Kane, Gabby Pahinui, Israel Kamakawiwo'ole, the Brothers Cazimero, and the Beamer Brothers, to contemporary stars such as Keali'i Reichel, Ledward Kaapana, Jake Shimabukuro, and Raiatea Helm;

Whereas Hawaii is culturally rich because the Hawaiian culture has been protected through Hawaiian language immersion schools, hula competitions such as the Merrie Monarch Festival, canoeing voyages undertaken by vessels such as the *Hokule'a*, and the continuing historic preservation of Hawaiian traditions;

Whereas the Hawaii Statehood Commission held a Joint Session of the Hawaii State Legislature in honor of statehood and will celebrate the milestone with a public discussion and the arrival of the USS *Hawaii*; and

Whereas for all of these reasons Hawaii is a truly unique State: Now, therefore, be it

Resolved, That the Senate recognizes and celebrates the 50th anniversary of the entry of Hawaii into the Union as the 50th State.

SENATE CONCURRENT RESOLUTION 37—SUPPORTING THE GOALS AND IDEALS OF SENIOR CAREGIVING AND AFFORDABILITY

Mr. JOHANNS (for himself and Mr. CASEY) submitted the following concurrent resolution; which was considered to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 37

Whereas 8,000 people in the United States turn 60 years old every day;

Whereas an estimated 35,900,000 people, 12.4 percent of the population, are 65 years of age and older;

Whereas the United States population age 65 and older is expected to more than double in the next 50 years to 86,700,000 in 2050;

Whereas the 85 and older population is projected to reach 9,600,000 in 2030, and double again to 20,900,000 in 2050;

Whereas it is estimated that 4,500,000 people in the United States have Alzheimer's disease today;

Whereas it is estimated that number will increase to between 11,300,000 and 16,000,000 by 2050;

Whereas 70 percent of people with Alzheimer's disease and other dementias live at home, and these individuals are examples of individuals who need assistance in the home with activities of daily living;

Whereas more than 25 percent of all seniors need some level of assistance with activities of daily living;

Whereas so as to address the surging population of seniors who have significant needs for in-home care, the field of senior caregiving will continue to grow;

Whereas there are an estimated 44,000,000 adults in the United States providing care to adult relatives or friends and an estimated 725,000 nonfamily private paid senior caregivers;

Whereas both unpaid family caregivers and paid caregivers work together to serve the daily living needs of seniors who live in their own homes;

Whereas the Department of Labor estimated that paid caregivers for the year 2006 worked a total of 835,000,000 hours, and the projected hours of paid senior caregivers are estimated to increase to 4,350,000,000 hours by 2025; and

Whereas the longer a senior is able to provide for his or her own care, the less burden is placed on public payment systems in Federal and State governments: Now, therefore, be it

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

(1) recognizes caregiving as a profession;
(2) supports the private home care industry and the efforts of family caregivers throughout the United States by encouraging individuals to provide care to family, friends, and neighbors;
(3) encourages alternatives to make caregiving for seniors even more accessible and affordable through reviews of Federal policies that relate to caregiving for seniors;
(4) supports current Federal programs that address the accessibility and affordability needs of seniors and their family caregivers; and
(5) encourages the Secretary of Health and Human Services to continue working to educate people in the United States on the impact of aging and the importance of knowing the options available to seniors when they need care to meet their personal needs.

Mr. JOHANNS. Mr. President, I rise today to recognize the importance of the senior caregiving community. In the U.S., over 36 million people are 65 years of age or older, which is approximately 12 percent of the population. That number is expected to double by the year 2025 as the baby-boomers fully enter their golden years.

Thus, while senior caregivers are playing an important role now, this profession will be even more important in the future. The people who provide care to millions of seniors across this country provide a great service not only to these individuals, but also to their families and our communities, as a whole.

It is estimated that 25 percent of all seniors need some level of assistance to complete their daily activities. Senior companions provide a wide-range of services, such as medication reminders, housekeeping, meal preparation, travel assistance, and general companionship. These services enable seniors to stay in their own homes and stay engaged in their communities—which can make all the difference in the world when it comes to their happiness.

I have talked to seniors who are helped by caregivers and they use words like guardian angel and lifesaver to describe them. Senior caregiver services are a much preferred alternative for seniors who desire to maintain their independence. They also offer families peace of mind, knowing their loved one is being taken care of in a safe and affordable manner.

The senior caregiving profession is part of the solution to the challenges our country faces as we continue to age. Currently, an estimated 44 million adults in this country provide care to adult relatives or friends, and an estimated 725,000 non-family, privately-paid individuals are senior caregivers. The caregiving profession will continue to grow in prominence and demand as the senior population rises.

That is why I am happy to introduce a resolution with my colleague, Senator CASEY, to honor senior caregivers and the private home care industry. We salute those who provide such quality care for so many Americans. It also encourages individuals to reach out and provide these services to their family, friends, and neighbors.

We need to examine federal policy alternatives to make caregiving for seniors more accessible and more affordable for families. If we can keep seniors in their homes, instead of nursing facilities, we accomplish a number of goals. We preserve the independence and dignity of our seniors. That alone is significant. But, it also saves money in a health care system facing skyrocketing costs and soon-to-be insolvent programs.

This resolution encourages the Secretary of Health and Human Services to continue working to educate aging Americans about the assistance options available for seniors. Senior caregivers are doing a great service to this country and I commend them for it.

It is an indisputable fact that we will all grow old, thus this issue will sooner or later affect every American. Therefore, it is important to have access to quality, affordable caregiving services in every community. Caregiving is a profession that will continue to grow in prominence and need as the senior population rises. Again, I thank the senior caregivers for their service to Americans throughout this nation, and I am pleased to offer this resolution on their behalf.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1842. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010,

and for other purposes; which was ordered to lie on the table.

SA 1843. Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1844. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1845. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1846. Mr. REID (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1847. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1848. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1849. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1850. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1851. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1852. Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1853. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1854. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1855. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1856. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1857. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1858. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1859. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1860. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1861. Mr. REED (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1862. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra.

SA 1863. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, supra; which was ordered to lie on the table.

SA 1864. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3183, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1842. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 13 and 14, insert the following:

SEC. ____. Section 805(a)(2) of Public Law 106-541 (114 Stat. 2704) is amended by striking ''2010'' each place it appears and inserting ''2013''.

SA 1843. Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1____. Section 3 of the Act of August 18, 1941 (55 Stat. 642; 121 Stat. 1109) is amended, in the matter under the heading ''LOWER MISSISSIPPI RIVER'', in subsection (a), in the second sentence—

(1) by striking ''the first section'' and inserting ''sections 1 and 6''; and

(2) by inserting ''and any subsequent Act,'' before ''shall remain as''.

SA 1844. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike the proviso starting on line 7 and continuing through the colon on line 16 and insert the following in lieu thereof:

Provided further, That the Chief of Engineers is directed to use $1,500,000 of funds available for the Greenbrier Basin, Marlinton, West Virginia, Local Protection Project to continue engineering and design efforts, execute a project partnership agreement, and initiate construction of the project substantially in accordance with Alternative 1 as described in the Corps of Engineers Final Detailed Project Report and Environmental Impact Statement for Marlinton, West Virginia Local Protection Project dated September 2008:

SA 1845. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 15 and 16, insert the following:

SEC. __. Title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by adding at the end of the Title, the following new section 411:

''Section 411.—Up to 0.5 percent of each amount appropriated to the Department of the Army and the Bureau of Reclamation in this title may be used for the expenses of management and oversight of the programs, grants, and activities funded by such appropriation, and may be transferred by the Head of the Federal Agency involved to any other appropriate account within the department for that purpose: *Provided*, That the Secretary will provide a report to the Committees on Appropriations of the House of Representatives and the Senate 30 days prior to the transfer: *Provided further*, That funds set aside under this section shall remain available for obligation until September 30, 2012.''

SA 1846. Mr. REID (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

Beginning on page 26, strike line 1 and all that follows through page 32, line 14, and insert the following:

SEC. 206. Section 208(a) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268), is amended—

(1) in paragraph (1)—

(A) by redesignating clauses (i) through (iv) of subparagraph (B) as subclauses (I) through (IV), respectively, and indenting the subclauses appropriately;

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(C) by striking ''(a)(1) Using'' and inserting the following:

''(a) ACTION BY SECRETARY.—

''(1) PROVISION OF FUNDS.—

''(A) IN GENERAL.—Using'';

(D) in subparagraph (A) (as so redesignated)—

(i) in the matter preceding clause (i) (as so redesignated), by inserting ''or the National Fish and Wildlife Foundation'' after ''University of Nevada'';

(ii) in clause (i) (as so redesignated), by striking '', Nevada; and'' and inserting a semicolon;

(iii) in clause (ii)(IV) (as so redesignated), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(iii) to design and implement conservation and stewardship measures to address impacts from activities carried out—

''(I) under clause (i); and

''(II) in conjunction with willing landowners.''; and

(E) by adding at the end the following:

''(B) NATIONAL FISH AND WILDLIFE FOUNDATION.—

''(i) DATE OF PROVISION.—The Secretary shall provide funds to the National Fish and Wildlife Foundation pursuant to subparagraph (A) in an advance payment of the available amount—

''(I) on the date of enactment of the Energy and Water Development and Related Agencies Appropriations Act, 2010; or

''(II) as soon as practicable after that date of enactment.

''(ii) REQUIREMENTS.—

''(I) IN GENERAL.—Except as provided in subclause (II), the funds provided under clause (i) shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), in accordance with section 10(b)(1) of that Act (16 U.S.C. 3709(b)(1)).

''(II) EXCEPTIONS.—Sections 4(e) and 10(b)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e), 3709(b)(2)), and the provision of subsection (c)(2) of section 4 of that Act (16 U.S.C. 3703) relating to subsection (e) of that section, shall not apply to the funds provided under clause (i).''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (1)(A)'' and all that follows through ''beneficial to—'' and inserting ''paragraph (1)(A)(i), the University of Nevada or the National Fish and Wildlife Foundation shall make acquisitions that the University or the Foundation determines to be the most beneficial to—''; and

(B) in subparagraph (A), by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)(ii)''.

SEC. 207. Section 2507(b) of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) for efforts consistent with researching, supporting, and conserving fish, wildlife, plant, and habitat resources in the Walker River Basin.''.

SEC. 208. (a) Of the amounts made available under section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171), the Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(1) provide, in accordance with section 208(a)(1)(A)(i) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268), and subject to subsection (b), $66,200,000 to establish the Walker Basin Restoration Program for the primary purpose of restoring and maintaining Walker Lake, a natural desert terminal lake in the State of Nevada, consistent with protection of the ecological health of the Walker River and the riparian and watershed resources of the West, East, and Main Walker Rivers; and

(2) allocate—

(A) acting through a nonprofit conservation organization that is acting in consultation with the Truckee Meadows Water Authority, $2,000,000, to remain available until expended, for—

(i) the acquisition of land surrounding Independence Lake; and

(ii) protection of the native fishery and water quality of Independence Lake, as determined by the nonprofit conservation organization;

(B) $5,000,000 to provide grants of equal amounts to the State of Nevada, the State of California, the Truckee Meadows Water Authority, the Pyramid Lake Paiute Tribe, and the Federal Watermaster of the Truckee River to implement the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101–618; 104 Stat. 3289);

(C) $1,500,000, to be divided equally by the city of Fernley, Nevada, and the Pyramid Lake Paiute Tribe, for joint planning and development activities for water, wastewater, and sewer facilities; and

(D) $1,000,000 to the United States Geological Survey to design and implement, in consultation and cooperation with other Federal departments and agencies, State and tribal governments, and other water management and conservation organizations, a water monitoring program for the Walker River Basin.

(b)(1) The amount made available under subsection (a)(1) shall be—

(A) used, consistent with the primary purpose set forth in subsection (a)(1), to support efforts to preserve Walker Lake while protecting agricultural, environmental, and habitat interests in the Walker River Basin; and

(B) allocated as follows:

(i) $25,000,000 to the Walker River Irrigation District, acting in accordance with an agreement between that District and the National Fish and Wildlife Foundation—

(I) to administer and manage a 3-year water leasing demonstration program in the Walker River Basin to increase Walker Lake inflows; and

(II) for use in obtaining information regarding the establishment, budget, and scope of a longer-term leasing program.

(ii) $25,000,000 to advance the acquisition of water and related interests from willing sellers authorized by section 208(a)(1)(A)(i) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268).

(iii) $1,000,000 for activities relating to the exercise of acquired option agreements and implementation of the water leasing demonstration program, including but not limited to the pursuit of change applications, approvals, and agreements pertaining to the exercise of water rights and leases acquired under the program.

(iv) $10,000,000 for associated conservation and stewardship activities, including water conservation and management, watershed planning, land stewardship, habitat restoration, and the establishment of a local, nonprofit entity to hold and exercise water rights acquired by, and to achieve the purposes of, the Walker Basin Restoration Program.

(v) $5,000,000 to the University of Nevada, Reno, and the Desert Research Institute—

(I) for additional research to supplement the water rights research conducted under section 208(a)(1)(A)(ii) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268);

(II) to conduct an annual evaluation of the results of the activities carried out under clauses (i) and (ii); and

(III) to support and provide information to the programs described in this subparagraph and related acquisition and stewardship initiatives to preserve Walker Lake and protect agricultural, environmental, and habitat interests in the Walker River Basin.

(vi) $200,000 to support alternative crops and alternative agricultural cooperatives programs in Lyon County, Nevada, that promote water conservation in the Walker River Basin.

(2)(A) The amount made available under subsection (a)(1) shall be provided to the National Fish and Wildlife Foundation—

(i) in an advance payment of the entire amount—

(I) on the date of enactment of this Act; or

(II) as soon as practicable after that date of enactment; and

(ii) except as provided in subparagraph (B), subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), in accordance with section 10(b)(1) of that Act (16 U.S.C. 3709(b)(1)).

(B) Sections 4(e) and 10(b)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(e), 3709(b)(2)), and the provision of subsection (c)(2) of section 4 of that Act (16 U.S.C. 3703) relating to subsection (e) of that section, shall not apply to the amount made available under subsection (a)(1).

SA 1847. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1___. PERMANENT PROTECTION SYSTEM IN NEW ORLEANS, LOUISIANA.

(a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means the project for permanent pumps and canal modifications that is—

(A) authorized by the matter under the heading ''GENERAL PROJECTS'' in section 204 of the Flood Control Act of 1965 (Public Law 89–298; 79 Stat. 1077); and

(B) modified by—

(i) the matter under the heading ''FLOOD CONTROL AND COASTAL EMERGENCIES (INCLUDING RESCISSION OF FUNDS)'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' under the heading ''DEPARTMENT OF DEFENSE—CIVIL'' of chapter 3 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 454);

(ii) section 7012(a)(2) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1279); and

(iii) the matter under the heading ''FLOOD CONTROL AND COASTAL EMERGENCIES'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' under the heading ''DEPARTMENT OF DEFENSE—CIVIL'' of chapter 3 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2349).

(2) REPORT.—The term ''report'' means the report—

(A) entitled ''Report to Congress for Public Law 110–252, 17th Street, Orleans Avenue and London Avenue Canals Permanent Protection System, Hurricane Protection System, New Orleans, Louisiana'';

(B) prepared by the Secretary;

(C) dated September 26, 2008; and

(D) revised in December 2008.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(4) STATE.—The term ''State'' means the State of Louisiana.

(b) PROJECT MODIFICATION.—The project is further modified to direct the Secretary—

(1) to construct a pump station and optimized diversion from the 2,500-acre area known as ''Hoey's Basin'' to the Mississippi River to help reduce storm water flow into the 17th Street canal;

(2) to construct an optimized diversion through the Florida Avenue canal for discharging water into the Inner Harbor Navigation Canal;

(3) to construct new, permanent pump stations at or near the lakefront on the 17th Street, Orleans Avenue, and London Avenue canals to provide for future flow capacity;

(4) to deepen, widen within each right-of-way in existence as of the date of enactment of this Act, and line the bottom and side slopes of the 17th Street, Orleans Avenue, and London Avenue canals to allow for a gravity flow of storm water to the pump stations at the lakefront;

(5) to modify or replace bridges that are located in close proximity or adjacent to the 17th Street, Orleans Avenue, and London Avenue canals;

(6) to the extent the Secretary determines the action to be consistent with the safe operation of the project, to remove the levees and floodwalls in existence as of the date of enactment of this Act that line each side of the canals described in paragraph (5) down to the surrounding ground grade;

(7) to decommission or bypass the interior pump stations of the Sewerage and Water Board of New Orleans that are located at each canal described in paragraph (5) to maintain the water surface differential across the existing pumping stations until all systems and features are in place to allow for a fully functional system at a lowered canal water surface elevation; and

(8) to decommission and remove the interim control structures that are located at each canal described in paragraph (5).

(c) IMPLEMENTATION REQUIREMENTS.—

(1) DUTIES OF SECRETARY.—In carrying out subsection (b), the Secretary shall—

(A) provide for any investigation, design, and construction sequencing in a manner consistent with the options identified as ''Option 2'' and ''Option 2a'', as described in the report; and

(B) notwithstanding any other provision of law, use continuing contracts and other agreements to the extent that the contracts or other agreements would enable the Secretary to carry out subsection (b) in a shorter period of time than without the use of the contracts or other agreements.

(2) FUNDING.—

(A) IN GENERAL.—In carrying out subsection (b), the Secretary shall use amounts made available to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront in the first proviso in—

(i) the matter under the heading ''FLOOD CONTROL AND COASTAL EMERGENCIES (INCLUDING RESCISSION OF FUNDS)'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' under the heading ''DEPARTMENT OF DEFENSE—CIVIL'' of chapter 3 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 454); and

(ii) the second undesignated paragraph under the heading ''FLOOD CONTROL AND COASTAL EMERGENCIES'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' under the heading ''DEPARTMENT OF DEFENSE—CIVIL'' of chapter 3 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2349).

(B) EMERGENCY DESIGNATIONS.—Each amount referred to in subparagraph (A) is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(3) NON-FEDERAL SHARE; LIABILITY OF STATE.—As a condition for the Secretary to initiate the conduct of the project, the State shall enter into an agreement with the Secretary under which the State shall agree—

(A) to pay 100 percent of the costs arising from the operation, maintenance, repair, replacement, and rehabilitation of each completed component of the project; and

(B) to hold the United States harmless from any claim or damage that may arise from carrying out the project except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

SA 1848. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 7, before the period, insert the following: '': *Provided further*, That an additional $100,000,000 shall be used to make grants for energy efficiency improvement and energy sustainability under subsections (c) and (d) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1): *Provided further*, That the amount made available for the Nuclear Power 2010 initiative in the matter under the heading 'NUCLEAR ENERGY' shall be reduced by $100,000,000''.

SA 1849. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 7, before the period, insert the following: '': *Provided further*, That an additional $15,000,000 shall be used to make technical assistance grants under section 399A(b) of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1(b)): *Provided further*, That the amount made available for the Strategic Petroleum Reserve in the matter under the heading 'STRATEGIC PETROLUEM RESERVE' shall be reduced by $15,000,000''.

SA 1850. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, lines 24 and 25, strike ''$170,000,000, to remain available until expended'' and insert ''$164,500,000, to remain available until expended, of which no funds shall be used for the feasibility study for the Missouri River in the States of North Dakota, Montana, South Dakota, Nebraska, Iowa, Kansas, and Missouri, as identified in the committee report accompanying this Act''.

SA 1851. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1____. (a) The Federal share of the cost of the project for navigation, Rhodes Point, Smith Island, Maryland, carried out in accordance with section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), shall be $7,000,000.

(b) The non-Federal interest for the project described in subsection (a) may provide the remaining share of the total cost of the project through work-in-kind, for which the non-Federal interest shall receive credit towards the share of the project costs of the non-Federal interest, except that the credit may not exceed the actual and reasonable costs of the materials or services provided by the non-Federal interest, as determined by the Secretary of the Army.

SA 1852. Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1____. TEN MILE CREEK WATER PRESERVE AREA.

Section 528(b)(3)(C)(ii) of the Water Resources Development Act of 1996 (110 Stat. 3769; 121 Stat. 1270) is amended—

(1) in subclause (I), by striking ''subclause (II)'' and inserting ''subclauses (II) and (III)''; and

(2) by adding at the end the following:

''(III) TEN MILE CREEK WATER PRESERVE AREA.—The Federal share of the cost of the Ten Mile Creek Water Preserve Area may exceed $25,000,000 by an amount equal to not more than $3,500,000, which shall be used to pay the Federal share of the cost of—

''(aa) the completion of a post authorization change report; and

''(bb) the maintenance of the Ten Mile Creek Water Preserve Area in caretaker status through fiscal year 2013.''.

SA 1853. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, line 20, strike ''basis.'' and insert ''basis: *Provided further*, That funds made available for the Milk River/St. Mary Diversion Rehabilitation Project in the State of Montana shall be expended by the Commissioner of Reclamation on a nonreimbursable basis.''

SA 1854. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr.

DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, lines 23 and 24, strike ''until expended'' and insert the following:

until expended: *Provided*, That, not later than 30 days after the date of enactment of this Act, the President shall certify that the Yucca Mountain site has been selected as, and remains, 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): *Provided further*, That if the President fails to make the certification, $98,400,000 shall be made available to the States that store defense-related nuclear waste (which is to be transferred to the Yucca Mountain site), to be used by each State to help offset the loss in community investments that results from the continued storage of defense-related nuclear waste in the State and to help mitigate the public health risks that result from the continued storage of the defense-related nuclear waste in the State

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SA 1855. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AGENCY ADMINISTRATIVE EXPENSES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—The term ''administrative expenses'' has the meaning as determined by the Director under subsection (b)(2).

(2) AGENCY.—The term ''agency''—

(A) means an agency as defined under section 1101 of title 31, United States Code, that is established in the executive branch; and

(B) shall not include the District of Columbia government.

(3) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(b) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—All agencies shall include a separate category for administrative expenses when submitting their appropriation requests to the Office of Management and Budget for fiscal year 2011 and each fiscal year thereafter.

(2) ADMINISTRATIVE EXPENSES DETERMINED.—In consultation with the agencies, the Director shall establish and revise as necessary a definition of administration expenses for the purposes of this section. All questions regarding the definition of administrative expenses shall be resolved by the Director.

(c) BUDGET SUBMISSION.—Each budget of the United States Government submitted under section 1105 of title 31, United States Code, for fiscal year 2011 and each fiscal year thereafter shall include the amount requested for each agency for administrative expenses.

SA 1856. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1____. With respect to the project for ecosystem restoration at Liberty State Park, New Jersey, authorized for construction by section 1001(31) of the Water Resources Development Act of 2007 (121 Stat. 1054), the value of any work performed in furtherance of the recommended plan by the non-Federal sponsor in advance of the execution of a project partnership agreement shall, if the project partnership agreement is executed, be credited against the cash contribution required by the non-Federal sponsor.

SA 1857. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 63, after line 23, insert the following:

SEC. ____. It is the sense of the Senate that the Senate intends to fund the Energy Efficiency and Conservation Block Grant Program established under subtitle E of title V of the Energy Independence and Security Act of 2007 (42 U.S.C. 17151 et seq.) through the regular appropriations process after the majority of funds allocated to the Program under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) have been expended.

SA 1858. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1____. (a) In carrying out the construction of the project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana, authorized by section 1001(24) of the Water Resources Development Act of 2007 (121 Stat. 1053), the Secretary of the Army (referred to in this section as the ''Secretary'') shall—

(1) give priority to each element of the project that provides hurricane and storm damage reduction benefits to the most populated areas;

(2) consider, and if appropriate design, build, and use, adaptive management techniques and other execution techniques to expedite the completion of the works;

(3) to the maximum extent practicable, implement the project in a manner compatible with the long-term restoration of coastal wetlands, including the beneficial capture and reuse of precipitation runoff as a part of the restoration;

(4) after the completion of any portion of the project, determine and make publicly available a calculation of the residual risk of—

(A) hurricane and storm damage; and

(B) the loss of human life and human safety; and

(5) immediately initiate the design of the Houma Navigation Canal Lock.

(b) The non-Federal interest for the project described in subsection (a) may initiate—

(1) the construction of any authorized portion of the project; and

(2) efforts to provide interim protection for any portion of the project area.

(c) In accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), the Secretary shall credit towards the non-Federal share of the cost of the project, or provide reimbursement for the cost of design and construction, work carried out by the non-Federal interest if the Secretary determines that the work—

(1) is integral to the project; or

(2) would provide interim protection for the project area.

(d) The Secretary shall allocate the amount to be credited under subsection (c) towards the non-Federal share of the cost of the project, or each element of the project, as requested by the non-Federal interest.

SA 1859. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 13 and 14, insert the following:

SEC. ____. (a) Section 3405(a)(1)(M) of Public Law 102–575 (106 Stat. 4711) is amended by striking ''countries'' and inserting ''counties''.

''(b) During a two-year period beginning on date of enactment of this Act, any approval of a transfer between a Friant Division contractor and a south-of-Delta CVP agricultural water service contractor shall be deemed to meet the conditions set forth in subparagraphs (A) and (I) of section 3405(a)(1) of Public Law 102–575 (106 Stat. 4709), if the transfer under this clause (1) does not interfere with the San Joaquin River Restoration Settlement Act (part I of subtitle A of title X of Public Law 111–11; 123 Stat. 1349) (including the priorities described in section 10004(a)(4)(B) of that Act relating to implementation of paragraph 16 of the Settlement), and the Settlement (as defined in section 10003 of that Act); and (2) is completed by September 2012.

(c) As soon as practicable after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall revise, finalize, and implement the applicable draft recovery plan for the Giant Garter Snake (Thamnophis gigas).

SA 1860. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 25, strike ''expended.'' and insert the following:

expended, of which $600,000 shall be made available to the Secretary of the Army, acting through the Chief of Engineers, to initiate a study for the deepening and widening of the Port of Gulfport.

SA 1861. Mr. REED (for himself and Ms. SNOWE) submitted an amendment

intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 7, before the period, insert the following: ": *Provided further*, That none of the funds made available under this Act may be used to carry out a pilot project to demonstrate energy savings through the use of improved insulating and sealing in homes built prior to 1980: *Provided further*, That, not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the plan of the Department of Energy for carrying out the Weatherization Assistance Program, including strategies to sustain the number of low-income units weatherized at levels comparable to the number of units weatherized under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)".

SA 1862. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 15 and 16, insert the following:

SEC. _____. RESTRICTIONS ON TARP EXPENDITURES FOR AUTOMOBILE MANUFACTURERS; FIDUCIARY DUTY TO TAXPAYERS; REQUIRED ISSUANCE OF COMMON STOCK TO TAXPAYERS.

(a) SHORT TITLE.—This section may be cited as the "Auto Stock for Every Taxpayer Act".

(b) PROHIBITION ON FURTHER TARP FUNDS.—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) or any other provision of law, the Secretary may not expend or obligate any funds made available under that Act on or after the date of enactment of this Act with respect to any designated automobile manufacturer.

(c) FIDUCIARY DUTY TO SHAREHOLDERS.—With respect to any designated automobile manufacturer, the Secretary, and the designee of the Secretary who is responsible for the exercise of shareholder voting rights with respect to a designated automobile manufacturer pursuant to assistance provided under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), shall have a fiduciary duty to each eligible taxpayer for the maximization of the return on the investment of the taxpayer under that Act, in the same manner, and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applicable provisions of State law.

(d) REQUIRED ISSUANCE OF COMMON STOCK TO ELIGIBLE TAXPAYERS.—Not later than 1 year after the emergence of any designated automobile manufacturer from bankruptcy protection described in subsection (f)(1)(B), the Secretary shall direct the designated automobile manufacturer to issue through the Secretary a certificate of common stock to each eligible taxpayer, which shall represent such taxpayer's per capita share of the aggregate common stock holdings of the United States Government in the designated automobile manufacturer on such date.

(e) CIVIL ACTIONS AUTHORIZED.—A person who is aggrieved of a violation of the fiduciary duty established under subsection (c) may bring a civil action in an appropriate United States district court to obtain injunctive or other equitable relief relating to the violation.

(f) DEFINITIONS.—As used in this section—

(1) the term "designated automobile manufacturer" means an entity organized under the laws of a State, the primary business of which is the manufacture of automobiles, and any affiliate thereof, if such automobile manufacturer—

(A) has received funds under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), or funds were obligated under that Act, before the date of enactment of this Act; and

(B) has filed for bankruptcy protection under chapter 11 of title 11, United States Code, during the 90-day period preceding the date of enactment of this Act;

(2) the term "eligible taxpayer" means any individual taxpayer who filed a Federal taxable return for taxable year 2008 (including any joint return) not later than the due date for such return (including any extension);

(3) the term "Secretary" means the Secretary of the Treasury or the designee of the Secretary; and

(4) the terms "director", "issuer", "securities", and "securities laws" have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

SA 1863. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1813 submitted by Mr. DORGAN to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 16 and 17, insert the following:

SEC. 1 ____. Funding for the construction of the Chickamauga Lock and Dam shall be exempt from any requirement that limits the source of the funds made available for the construction of the Chickamauga Lock and Dam to funds made available out of the Inland Waterways Trust Fund.

SA 1864. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

The National Renewable Energy Laboratory has determined the need to evolve a more comprehensive physical understanding of the casual relationships between atmospheric inflow phenomena and wind farm interaction and has identified the need to better understand the relationship as the key remaining science issue before new technology and microclimatology could be addressed.

Of the $85,000,000 provided for wind energy under Energy Efficiency and Renewable Energy account, $8 million shall be directed to the National Wind Resource Center for turbine and equipment purchase specifically for the purpose of operations research, turbine to turbine wake interaction, and the need to provide a demonstration platform for new turbine technology accelerating acceptance and adoption by the commercial industry.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 30, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to examine the increase of gang activity in Indian country.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 28, 2009 at 9:30 a.m. to conduct a hearing entitled "Regulatory Modernization: Perspectives on Insurance."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, July 28, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 28, 2009, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to

meet during the session of the Senate on Tuesday, July 28, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 28, 2009, at 10 a.m., in SH–216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM AND HOMELAND SECURITY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet during the session of the Senate on July 28, 2009, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office building, to conduct a hearing entitled ''Prosecuting Terrorists: Civilian and Military Trials for GTMO and Beyond.'' The witness list is attached.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 28, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, on behalf of Senator TESTER, I ask unanimous consent that his science fellow, David Szymanski, be given floor privileges during the consideration of H.R. 3183, the Energy and Water appropriations bill.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, David Toepen, be granted the privilege of the floor for today's deliberations.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that T.J. Kim of Senator VOINOVICH's staff be granted floor privileges for the duration of the Senate's consideration of H.R. 3183.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE ENTRY OF HAWAII INTO THE UNION AS THE 50TH STATE

Mr. INOUYE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 225, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 225) recognizing and celebrating the 50th anniversary of the entry of Hawaii into the Union as the 50th State.

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

Mr. INOUYE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 225

Whereas August 21, 2009, marks the 50th anniversary of Proclamation 3309, signed by Dwight D. Eisenhower, which admitted Hawaii into the Union in compliance with the Hawaii Admission Act (Public Law 86–3; 73 Stat. 4), enacted into law on March 18, 1959;

Whereas Hawaii is a place like no other, with people like no other, and bridges mainland United States to the Asia-Pacific region;

Whereas the 44th President of the United States, Barack Obama, was born in Hawaii on August 4, 1961;

Whereas Hawaii contributed to a more diverse Congress by electing—

(1) the first Native Hawaiian member of Congress, Prince Jonah Kuhio Kalaniana'ole;

(2) the first Asian-American Senator, Hiram Fong;

(3) the first woman of color elected to Congress, Patsy T. Mink;

(4) the first Native Hawaiian to serve in the Senate, Daniel Kahikina Akaka; and

(5) the first Japanese American to serve in the Senate, Daniel Ken Inouye;

Whereas Hawaii is an example to the rest of the world of unity and positive race relations;

Whereas Pearl Harbor is a strategic United States military base in the Pacific and became a national historic site after the December 7, 1941, surprise aerial attack by Japan that thrust the United States into World War II;

Whereas Hawaii is home to ¼ of the endangered species in the United States;

Whereas Hawaii has 8 national parks, which preserve volcanoes, complex ecosystems, a colony for victims of Hansen's disease, and other sites of historical and cultural significance;

Whereas Kilauea ranks among the most active volcanoes on Earth;

Whereas President George W. Bush nominated the Papahanaumokuakea Marine National Monument to the United Nations Educational, Scientific and Cultural Organization World Heritage Centre for consideration for the World Heritage List;

Whereas Hawaii has produced musical legends ranging from traditional favorites such as Alfred Apaka, Don Ho, and Genoa Keawe, to Hawaii renaissance performers such as Eddie Kamae, Raymond Kane, Gabby Pahinui, Israel Kamakawiwo'ole, the Brothers Cazimero, and the Beamer Brothers, to contemporary stars such as Keali'i Reichel, Ledward Kaapana, Jake Shimabukuro, and Raiatea Helm;

Whereas Hawaii is culturally rich because the Hawaiian culture has been protected through Hawaiian language immersion schools, hula competitions such as the Merrie Monarch Festival, canoeing voyages undertaken by vessels such as the *Hokule'a*, and the continuing historic preservation of Hawaiian traditions;

Whereas the Hawaii Statehood Commission held a Joint Session of the Hawaii State Legislature in honor of statehood and will celebrate the milestone with a public discussion and the arrival of the USS *Hawaii*; and

Whereas for all of these reasons Hawaii is a truly unique State: Now, therefore, be it

Resolved, That the Senate recognizes and celebrates the 50th anniversary of the entry of Hawaii into the Union as the 50th State.

Mr. INOUYE. Mr. President, 50 years ago next month, the 85th Congress of the United States voted to allow a tiny island archipelago made up of people of every race and creed and situated in the middle of the Pacific Ocean entry into the Union.

August 21, 2009, marks the 50th anniversary of the execution of Proclamation 3309, signed by President Dwight David Eisenhower, which admitted Hawaii into the Union as the 50th State.

On a personal note, 50 years ago today, I was elected by the people of Hawaii to serve as the first Member of the House of Representatives from the State of Hawaii. It is a moment I shall never forget. And on August 25, 1959, I had the great honor and privilege of standing behind the great President of the United States, Dwight David Eisenhower, when he signed Proclamation 3309.

The territory of Hawaii was annexed to the United States in 1898 by a joint resolution of Congress based on a treaty signed with the Hawaiian government. For many years thereafter, many delegations of Congressmen and Senators visited the territory of Hawaii to consider the pleas submitted by generations of our people requesting statehood. Finally, during the 85th Congress in 1959, members of the Committee on Interior and Insular Affairs and the Subcommittee on Territorial and Insular Affairs, led by Congressman Leo W. O'Brien, visited the territory of Hawaii to make an inquiry into granting it statehood. The members of the committee met with local leaders and government officials in Hawaii and noted that the islands of Hawaii formed a unique and successful racial melting pot and claimed that if the rest of the Nation could mix as well, our democracy would be advanced by a century.

The State of Hawaii has been a rich cultural addition to the United States, thanks to the ancient culture of Native Hawaiians, the diverse multiracial society created by generations of Asian and European immigrants, and the stunning natural beauty of our tropical climate. Hawaii has produced the first Chinese and Japanese American Members of Congress, the first woman of color in Congress, and the first Native Hawaiian in the Senate. The Honorable Barack Obama, the first African-American President of the United States, was born and raised in Honolulu, HI.

Hawaii is much more than hula dancing, lovely beaches, and beautiful

weather. For example, 300 years ago, before Christopher Columbus crossed the Atlantic Ocean in search of India, Polynesians boarded double-hulled canoes and sailed north seeking a place called Havaiki. These ancient voyagers found Havaiki and settled there and slowly built their society and government. A kingdom emerged and a monarchy grew to gain the respect of nations around the world. The kingdom of Hawaii entered into treaties with the United Kingdom, France, Japan, and the United States. That kingdom was overthrown with the assistance of the U.S. military forces. But the Congress of the United States, realizing that the takeover was not done in a democratic fashion, recently issued an official apology to the people of Hawaii. It takes a great country like America to admit its wrongs.

Hawaii's location in the middle of the Pacific between the U.S. mainland and the nations of Asia has made it a major center of military defense for the United States. Pearl Harbor serves as a critical naval outpost, allowing our fleet to connect to the United States, Asia, and other Pacific nations. So critical is Pearl Harbor's location to our national defense that it was targeted by our enemies at the beginning of World War II. The bombing of Pearl Harbor on December 7, 1941, brought the United States into World War II and revealed the loyalty the people of Hawaii had for the United States and the sacrifices they were willing to make for their country. Thousands upon thousands of young men from Hawaii volunteered to serve in the U.S. Army during World War II. Senator DAN AKAKA and I were two of the volunteers.

Nearly 8 billion visitors from around the world each year are drawn to Hawaii's breathtaking beaches, scenic sites, and unique culture. Hawaii is home to one-fourth of the endangered species in the United States. We have eight national parks, including the Hawaii Volcanoes National Park, which is the home to Kilauea, the most active volcano on Earth. Hawaii has truly added to the diversity and richness of the United States—culturally, racially, ecologically, and geographically.

Today, the Congress of the United States celebrates Hawaii as the 50th State to enter the Union.

Mr. AKAKA. Mr. President, I rise to speak on the resolution offered by my colleague and dear friend, Senator INOUYE, and passed by this body. It is a resolution honoring the historic milestone of Hawaii's 50th anniversary of statehood.

In the center of the Pacific on islands rising from the bottom of the ocean, Hawaii joined our great and diverse Nation as its 50th State 50 years ago. Similar to the 49 States that came before it, Hawaii has something unique to share with the world.

Everyone who is born in Hawaii or comes to Hawaii embraces the aloha spirit as a value and way of life. The aloha spirit is good for the United States and it is good for the world.

I was a teacher at Kamehameha Schools when Congress voted to make Hawaii the 50th State in March of 1959. Fire crackers and sirens went off across the island of Oahu in celebration. The bells at historic Kawaihao Church started to ring and hundreds of people gathered there.

The next day, the newspaper headlines hailed the good news. My brother, Rev. Dr. Abraham Akaka, who was minister at Kawaihao Church, delivered the sermon. Brother Abe named Hawaii ''The Aloha State,'' and 50 years later we still call it that.

I would like to quote a few words my brother said on that historic day in March of 1959:

> Aloha consists of this new attitude of heart, above negativism, above legalism. It is the unconditional desire to promote the true good of other people in a friendly spirit, out of a sense of kinship. Aloha seeks to do good, with no conditions attached. We do not do good only to those who do good to us. One of the sweetest things about the love of God, about Aloha, is that it welcomes the stranger and seeks his good. A person who has the spirit of Aloha loves even when the love is not returned. And such is the love of God.

This is the meaning of aloha, Hawaii's gift to the cultural fabric of the United States and the world.

While we celebrate this landmark anniversary next month, we must remember that the privileges of statehood came with obligations. Hawaii and the United States have a sacred trust relationship with the indigenous people of Hawaii that still remains to be fulfilled.

In admitting Hawaii as the 50th State, Congress and the people of Hawaii have recognized the importance of addressing the needs of Native Hawaiians and preservation of their culture and traditions. I am proud to continue this legacy as we move forward with that promise.

I congratulate Hawaii and its people on 50 years of statehood. I am proud to represent this great State in the Senate.

MIAMI DADE COLLEGE LAND CONVEYANCE ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 838 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 (H.R. 838) to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes.

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

Mr. BROWN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 838) was ordered to a third reading, was read the third time, and passed.

AMENDMENTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S.J. Res. 19, introduced earlier today.

The assistant legislative clerk read as follows:

> A joint resolution (S.J. Res. 19) granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

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

Mr. CARDIN. Mr. President, today the Senate will adopt the final measure required to authorize $3 billion in dedicated Fcderal and local funding for the Washington, DC, regional Metrorail system. Today, the Senate will give its consent and approval to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

This compact amendment, jointly agreed to by Maryland, Virginia and DC, makes the changes required by Federal legislation enacted last year which authorizes capital and preventive maintenance projects for the Washington Metro system.

A joint resolution of Congress is needed to authorize any changes in interstate compacts. This resolution which I introduced today with my colleagues, Senators MIKULSKI, WEBB and WARNER, simply provides that necessary congressional consent.

The National Capital Transportation Amendments Act, often referred to as the Metro funding bill, was included as title VI of Division B of PL 110–432, legislation requiring significant improvement to rail safety nationally. The Metro funding bill authorizes $1.5 billion over 10 years for capital and preventive maintenance of the Metro system. It prohibits these funds from being used for system expansion, which requires separate authorization.

The Metro funding bill includes three provisions requiring changes to the regional compact that governs the system. First, it requires an expansion of the governing board to include two Federal members with voting rights. Second, it requires that the non-Federal jurisdictions provide dedicated

funding to match, dollar for dollar, Federal funds. Finally, the legislation requires a change in the governing compact to establish an Office of Inspector General for the system.

The jurisdictions acted with great speed, enacting,these changes to the compact during their legislative sessions this spring. On June 17th they jointly sent a letter to Chairman LEAHY and Ranking Member SESSIONS requesting the Congress's consent to the changes that the jurisdictions have approved.

Today we will provide our consent to these compact amendments and in so doing we have adopted the final measure required to authorize $3 billion in dedicated Federal and local funding for the Washington, DC, regional Metrorail system.

Earlier today, I spoke on the Senate floor about the horrible tragedy that claimed nine lives on the Metrorail system. I offered my condolences to those who lost loved ones. I also took note of the unique Federal responsibility we have for the Metro system, which is really America's subway. During rush hour, more than 40 percent of Metro riders are Federal employees.

Today we mourn those lost in a tragic accident. But we must do more than extend our sympathy. We must also act. That is why I am proud to have offered the resolution adopted by the Senate today, and why I will continue to fight to ensure that this body is doing everything it can so that a similar tragedy is never repeated.

Mr. BROWN. Mr. President, I ask unanimous consent that the joint resolution be read three times and passed, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S. J. Res. 19) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 19

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSENT OF CONGRESS TO COMPACT AMENDMENTS.

(a) CONSENT.—Consent of Congress is given to the amendments of the State of Maryland, the amendments of the Commonwealth of Virginia, and the amendments of the District of Columbia to sections 5, 9 and 18 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(b) AMENDMENTS.—The amendments referred to in subsection (a) are substantially as follows:

(1) Section 5 is amended to read as follows:

''(a) The Authority shall be governed by a Board of eight Directors consisting of two Directors for each Signatory and two for the federal government (one of whom shall be a regular passenger and customer of the bus or rail service of the Authority). For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Council of the District of Columbia; for Maryland, by the Washington Suburban Transit Commission; and for the Federal Government, by the Administrator of General Services. For Virginia and Maryland, the Directors shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with their term on the appointing body. A Director for a Signatory may be removed or suspended from office only as provided by the law of the Signatory from which he was appointed. The nonfederal appointing authorities shall also appoint an alternate for each Director. In addition, the Administrator of General Services shall also appoint two nonvoting members who shall serve as the alternates for the federal Directors. An alternate Director may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate, including the federal nonvoting Directors, shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

''(b) Before entering upon the duties of his office each Director and alternate Director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the constitution or laws of the Government he represents shall provide: 'I, hereby solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.' ''.

(2) Subsection (a) of section 9 is amended to read as follows:

''(a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller, an inspector general, and a general counsel and such other officers as the Board may provide. Except for the office of general manager, inspector general, and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.''.

(3) Section 9 is further amended by inserting new subsection (d) to read as follows (and by renumbering all subsequent paragraphs of section 9):

''(d) The inspector general shall report to the Board and head the Office of the Inspector General, an independent and objective unit of the Authority that conducts and supervises audits, program evaluations, and investigations relating to Authority activities; promotes economy, efficiency, and effectiveness in Authority activities; detects and prevents fraud and abuse in Authority activities; and keeps the Board fully and currently informed about deficiencies in Authority activities as well as the necessity for and progress of corrective action.''.

(4) Section 18 is amended by adding a new section 18(d) to read as follows:

''(d)(1) All payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110–432 regarding funding of capital and preventative maintenance projects of 1 the Authority shall be made from amounts derived from dedicated funding sources.

''(2) For the purposes of this paragraph (d), a 'dedicated funding source' means any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110–432 for payments to the Authority.''.

SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is expressly reserved. The consent granted by this Act shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region that forms the subject of the compact.

SEC. 3. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this compact, or legislation enabling the compact, is held invalid, the remainder of the compact or its application to other situations or persons shall not be affected.

SEC. 4. INCONSISTENCY OF LANGUAGE.

The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, Commonwealth of Virginia and District of Columbia.

SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, are we in a period of morning business?

The PRESIDING OFFICER. The Senate is in a period of morning business.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 2010—CONTINUED

Mr. REID. Mr. President, I ask unanimous consent that the Chair report the legislation we are now working on.

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 3183) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion that is already at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Dorgan substitute amendment No. 1813 to H.R. 3183, the Energy and Water Development Appropriations Act for Fiscal Year 2010.

Byron L. Dorgan, Herb Kohl, Sherrod Brown, Dick Durbin, Jon Tester, Mark Begich, Dianne Feinstein, Tom Udall, Jeff Bingaman, Robert P. Casey, Jr., Daniel K. Akaka, John Kerry, Mark Pryor, Patty Murray, Jack Reed, Daniel K. Inouye, Harry Reid.

CLOTURE MOTION

Mr. REID. Mr. President, I have another cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.R. 3183, the energy and Water Development Appropriations Act for Fiscal Year 2010.

Byron L. Dorgan, Herb Kohl, Sherrod Brown, Dick Durbin, Jon Tester, Mark Begich, Dianne Feinstein, Tom Udall, Jeff Bingaman, Robert P. Casey, Jr., Daniel K. Akaka, John Kerry, Mark Pryor, Patty Murray, Jack Reed, Daniel K. Inouye, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Governors' Representatives on Colorado River Operations related to language included in the report to accompany the House Energy and Water Development and Related Agencies Appropriations Act, 2010, H.R. 3183.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNOR'S REPRESENTATIVES ON COLORADO RIVER OPERATIONS: STATES OF ARIZONA, CALIFORNIA, COLORADO, NEVADA, NEW MEXICO, UTAH AND WYOMING,

July 27, 2009.

Hon. HARRY REID,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATOR REID: the undersigned Governor's Representatives on Colorado River Operations (States) are writing to express our serious concerns about recommendations contained in the committee report on H.R. 3183, the FY 2010 Energy and Water Development Appropriations Bill, relating to operations of Glen Canyon Dam on the Colorado River. The relevant language in the committee report on H.R. 3183, states:

''Glen Canyon Dam. The Committee continues to support the goals of the Grand Canyon Protection Act (GCPA) and the resulting duties placed upon the Bureau of Reclamation. However, the Committee is concerned that many of the procedural requirements in the GCPA and Charter for the Glen Canyon Dam Adaptive Management Work Group are being disregarded. The result appears to be that Federal responsibilities have been neglected and public transparency compromised. Specifically, the Committee strongly encourages that the Bureau of Reclamation, in cooperation and concurrence with the National Park Service, revisit the Operating Criteria for Glen Canyon Dam. The five-year review required by the Operating Criteria should be an open public process consistent with the GCPA and 1997 Operating Criteria requirements (62 FR 9447–9448).''

The Glen Canyon Adaptive Management Work Group (AMWG) is a the federal advisory committee that includes 26 representatives from multiple federal agencies, the Colorado River Basin States, tribes, recreation interests, power customers and environmental organizations. It was authorized in the Grand Canyon Protection Act of 1992 to provide the Secretary of the Interior advice and recommendations relative to the operation of Glen Canyon Dam. The States continue to support the AMWG collaborative stakeholder process and are also supportive of the Bureau of Reclamation's reporting on Glen Canyon Dam operations consistent with the Grand Canyon Protection Act and the Colorado River Basin Project Act of 1968.

However, the States strongly disagree with the assertion in the committee report that ''federal responsibilities have been neglected and public transparency compromised'' and strongly oppose giving the National Park Service an elevated role in the AMWG or a new role in determining the operations at or Operating Criteria for Glen Canyon Dam.

Under existing law, the Bureau of Reclamation is the lead agency in establishing and reviewing the Operating Criteria for Glen Canyon Dam and developing the Annual Operating Plan. The language contained in the committee report would create a grave imbalance among the stakeholders by requiring the ''concurrence'' of the National Park Service relative to Glen Canyon Dam operations and effectively give this single purpose federal agency veto authority over the operation of a facility that is critical to maintaining a stable and dependable water supply for over 30 million people in the western United States. The States are concerned that the Committee's recommendations may have been based on less than complete information and believe that significant changes in the responsibilities of federal agencies with regard to dam operations on the Colorado River, such as those proposed in the committee report, should not be made without a full discussion among stakeholders and affected agencies.

Finally, as you may not know, a number of issues relating to the Grand Canyon Protection Act and the operations of Glen Canyon Dam are currently the subject of litigation. For this additional reason, the States do not believe it is appropriate for Congress to make recommendations for changes in the process and roles of the federal agencies with respect to Colorado River water management at this time and through this mechanism.

We urge you to work to ensure that the recommendations in the committee report on H.R. 3183 do not become part of the final House/Senate report on the FY 2010 Energy and Water Development Appropriations Bill.

Sincerely,

HERBERT R. GUENTHER,
Director, Arizona Department of Water Resources.

DANA B. FISHER, JR.,
Chairman, Colorado River Board of California.

JENNIFER GIMBEL,
Director, Colorado Water Conservation Board.

PATRICIA MULROY,
General Manager, Southern Nevada Water Authority.

GEORGE CAAN,
Director, Colorado River Commission of Nevada.

JOHN D'ANTONIO,
Secretary, New Mexico Interstate Stream Commission.

DENNIS STRONG,
Director, Utah Division of Water Resources, Utah Interstate Stream Commissioner.

PATRICK TYRRELL,
State Engineer, State of Wyoming.

The following Colorado River contractors and utilities endorse the position of the Governor's Representatives on Colorado River Operations stated in this letter: City of Aurora; Central Arizona Water Conservation District; Coachella Valley Water District; Colorado River Water Conservation District; Colorado Springs Utilities; Denver Water; City of Grand Junction; Metropolitan Water District of Southern California; Northern Colorado Water Conservancy District; Board of Water Works of Pueblo, CO; Southeastern Colorado Water Conservancy District; Southwestern Water Conservation District; and Upper Colorado River Commission.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD the Budget Committee's official scoring of S. 1436, Energy and Water Development and Related Agencies Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides $33.8 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of $19.8 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total $43.2 billion.

The Senate-reported bill matches its section 302(b) allocation for budget authority and for outlays.

The Senate-reported bill includes several provisions that make changes in mandatory programs that result in

an increase in direct spending in years following the budget year, 2011 to 2019. Each of these provisions is subject to a point of order established by section 314 of the 2009 budget resolution. The bill is not subject to any other budget points of order.

I ask unanimous consent to have the table displaying the Budget Committee scoring of the bill printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1436, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

[Spending comparisons—Senate-reported bill (in millions of dollars)]

	Defense	General Purpose	Total
Senate-Reported Bill:			
Budget Authority	16,886	16,864	33,750
Outlays	18,571	24,630	43,201
Senate 302(b) Allocation:			
Budget Authority	.....	.....	33,750
Outlays	.....	.....	43,201
House-Passed Bill:			
Budget Authority	16,367	16,931	33,298
Outlays	18,219	24,508	42,727
President's Request:			
Budget Authority	16,563	17,830	34,393
Outlays	18,353	24,124	42,477
Senate-Reported Bill Compared To:			
Senate 302(b) allocation:			
Budget Authority	.....	.....	0
Outlays	.....	.....	0
House-Passed Bill:			
Budget Authority	519	−67	452
Outlays	352	122	474
President's Request:			
Budget Authority	323	−966	−643
Outlays	218	506	724

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 29, 2009

Mr. REID. Mr. President, I ask consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, July 29; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of Calendar No. 116, H.R. 3183, the Energy and Water Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, earlier tonight I filed cloture on the Dorgan substitute amendment and the Energy and Water Appropriations bill, and under rule XXII, that means first-degree amendments must be filed at the desk prior to 1 p.m. tomorrow.

For the information of the Senate, it is my intention to turn to the Agriculture appropriations bill upon the completion of the Energy and Water bill. I have said there are certain things we have to get done before we leave. I hope we do not have to have this cloture vote on Thursday. I hope we can get to the bill and move to the Agriculture appropriations bill. If not, then we are going to have to work through the weekend because there are certain things—it is not a very long list—we have to do before we leave.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:33 p.m., adjourned until Wednesday, July 29, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL ENERGY REGULATORY COMMISSION

SUEDEEN G. KELLY, OF NEW MEXICO, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2014. (REAPPOINTMENT)

DEPARTMENT OF STATE

MARY JO WILLS, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SEYCHELLES.

DEPARTMENT OF HOMELAND SECURITY

KELVIN JAMES COCHRAN, OF LOUISIANA, TO BE ADMINISTRATOR OF THE UNITED STATES FIRE ADMINISTRATION, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE GREGORY B. CADE, RESIGNED.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

DAVID S. FERRIERO, OF NORTH CAROLINA, TO BE ARCHIVIST OF THE UNITED STATES, VICE ALLEN WEINSTEIN, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ROBERT J. SCHULTZ

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ANDREA J. FULLER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

PETER H. GUEVARA

To be major

JEAN R. ELYSEE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JAMES BANE
KENNETH F. HILL
DIANE INDYK
JONATHAN KIEV
JOHN L. MCDONOUGH

To be major

PRASAD LAKSHMINARASIMHIAH
DAVID L. SILVERMAN
BENOIT D. TANO

EXTENSIONS OF REMARKS

EARMARK DECLARATION

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. CAPITO. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010.

Awarded under: RDTE

Alcan Aluminum Armor Project, Alcan Rolled Products Ravenswood, PO Box 68, Ravenswood, WV 26164

Funding will go towards developing advanced armor more resilient against attacks, providing troops in the field with better protection.

Awarded under: RDTE,A

Direct Carbon Fuel Cell, DCFC for DoD L.C.N College of Engineering/ECE Dept. 405 Fayette Pike Montgomery, WV 24136

To develop a portable power generating system with a fuel processor that is capable of extracting carbon from coal

Awarded under: RDTE,A

Project National Shield Integration Center, Mid-Atlantic Technology Research and Innovation Center, 3200 Kanawha Turnpike, Charleston, WV 25303

The purpose of the PNS program is to establish a nationally integrated system-of-systems framework that can effectively protect the nation against terrorist attacks and provide an effective collaborative system of command, control and communications that will assist any effected region of the United States to deal with the effects of natural or man-made disasters on our population and critical infrastructure.

GENERAL LEAVE STATEMENT ON H.R. 2920—CONSIDERED 7/22/2009 THE STATUTORY PAY-AS-YOU-GO ACT OF 2009

SPEECH OF

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2009

Mr. PETERS. Mr. Speaker, I rise today as a proud co-sponsor of H.R. 2920, the Statutory Pay-As-You-Go Act of 2009. This important legislation will establish mandatory "pay-as-you-go" budget discipline, rein in deficit spending, and reduce the national debt.

This bill requires Congress to offset the cost of increases in most mandatory spending or tax cuts with savings elsewhere in the budget to avoid increasing the national budget deficit. If the net effect of legislation enacted during a session of Congress increases the deficit, there would be an across-the-board reduction in certain mandatory programs. This fiscally responsible legislation includes carefully crafted, necessary provisions allowing Congress to take emergency action exempt from PAYGO rules in response to extreme circumstances such as war, economic crises, or other emergencies.

Establishing a pay-as-you-go law is critical to restoring fiscal responsibility and balanced budgets to Washington. We need targeted, responsible investments to get our economy back on track, but Congress must be required to determine how it will pay for new proposals. Pay-as-you-go legislation will ensure that Congress determines how to pay for new initiatives by searching out and cutting waste throughout the budget.

In the 1990s, pay-as-you-go budget discipline was enshrined in law and it led to record budget surpluses. After PAYGO was originally codified in 1990, total federal spending as a percentage of GDP decreased each year from 1991 through 2000. After Congress let PAYGO expire in 2002, projected surpluses of $5.6 trillion were transformed into record deficits. Passing the Statutory Pay-As-You-Go Act of 2009 will require Congress to make the tough choices necessary to get unacceptably high budget deficits under control and avoid passing today's costs onto our children, grandchildren, and future generations.

I am proud to support the Statutory Pay-As-You-Go Act of 2009 because it is grounded in fiscal discipline and responsibility. Families make tough budget choices to live within their means, and the government should be forced to do the same thing. I urge passage of the Statutory Pay-As-You-Go Act of 2009.

EARMARK DECLARATION

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MCHUGH. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Fiscal Year 2010 Defense Appropriations Bill.

Requesting Member: JOHN M. MCHUGH

Bill Number: H.R. 3326

Account: Defense Health Program

Legal Name of Requesting Entity: Fort Drum Regional Health Planning Organization (FDRHPO)

Address of Requesting Entity: 120 Washington Street, Suite 302, Watertown, NY 13601

Provide an earmark of $430,000 to enable the FDRHPO to hire the necessary staff and conduct the required assessments. The health care delivery model for federal beneficiaries at Fort Drum is unique as the only MEDDAC with a division and no inpatient capabilities. The model is a military-community partnership that joins the Army medical treatment facility with community providers to augment the medical treatment facilities primary care capability with specialty care and inpatient services. Through ongoing collaboration of the FDRHPO, access to quality health care will continue to improve, costs will be reduced, communication will continue to increase, additional resources will be leveraged and innovated cooperative health care arrangements and agreements will be tested.

Requesting Member: JOHN M. MCHUGH

Bill Number: H.R. 3326

Account: Research and Development, Air Force

Legal Name of Requesting Entity: Clarkson University and ITT

Address of Requesting Entity: Clarkson University (8 Clarkson Ave., Potsdam, NY 13699) and ITT AES (474 Phoenix Drive, Rome, NY 13441)

Provide an earmark of $4,000,000 for Cyber Attack and Security Environment (CASE). Operating effectively in cyberspace requires a Cyber Command and Control (CC2) system to synchronize cyber attack operations, facilitate analysis of attack results including measures of effectiveness, and deconflict friendly use of cyberspace. The objective of ITT's proposed effort is to conceptualize and demonstrate the technologies necessary to systematically coordinate, plan, and execute offensive cyber campaigns; determine effects associated with an offensive cyber weapon; monitor/evaluate events that occur in cyberspace; and ultimately achieve situational awareness of cyberspace with an overall goal of achieving dominance within that critical realm. Alpha and beta testing throughout the lifecycle of this project will occur at a secure military installation in upstate New York. A significant partner in this effort is Clarkson University through its complex networks group, its biometrics group, critical electric power/large scale systems faculty, and cryptographic protocol analysis researchers, who will provide subject matter expertise and project research. The results of the CASE effort will help form a strategic partnership between AFRL Rome and Air Force's Global Cyberspace Integration Center (GCIC) located on LAFB, VA. The addition of funding in Fiscal Year 2010 for CASE will help demonstrate the technologies necessary to systematically coordinate, plan, and execute offensive cyber campaigns while maintaining defensive continuity.

Requesting Member: JOHN M. MCHUGH

Bill Number: H.R. 3326

Account: Research and Development, Navy

Legal Name of Requesting Entity: Trudeau Institute

Address of Requesting Entity: Trudeau Institute, 154 Algonquin Avenue, Saranac Lake, NY 12983

Provide an earmark of $2,000,000 for the U.S. Navy Pandemic Influenza Vaccine Program: Enhancement of Influenza Vaccine Efficacy. Prevention of seasonal and pandemic influenza remains a significant unmet need for the US armed forces. Influenza in active duty personnel and dependents compromises force readiness and impacts training. The funding

for the proposed project will help advance the development of novel techniques for enhancing vaccine efficacy to promote Force Readiness and general health of the members of the Armed Services and their dependents.

Requesting Member: JOHN M. MCHUGH

Bill Number: H.R. 3326

Account: Research and Development, Army

Legal Name of Requesting Entity: Syracuse Research Corporation

Address of Requesting Entity: 7502 Round Pond Road, North Syracuse, NY 13212

Provide an earmark of $2,000,000 for the Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER). U.S. Forces currently have no radar capability to detect and track activity under foliage. FORESTER is an airborne sensor system that provides standoff and persistent wide-area surveillance of dismounted troops and vehicles moving through foliage. The Phase II funding will help transition FORESTER to the User community, and apply the technology to additional platforms and U.S. border security applications, providing U.S. forces a critical new capability to detect and track activity under foliage.

Requesting Member: JOHN M. MCHUGH

Bill Number: H.R. 3326

Account:Research and Development, Army

Legal Name of Requesting Entity: Welch Allyn, Inc.

Address of Requesting Entity: 4341 State Street Road, Skaneateles Falls, New York 13152

Provide an earmark of $1,000,000 for the Personal Status Monitor (Nightengale). Welch Allyn is actively working on a project to monitor the health status of a soldier, remotely communicating the data to obtain the most appropriate level of care in a forward combat environment, which is essential for medical and military strategic decision-making. The Research and Development funding for this project will allow Welch Allyn to further develop its smart sensing technologies. These technologies provide on-body sensing of physiologic parameters that can be relayed to a remote server by means of a series of wireless relay devices for notification in the case of a critical or life threatening event. Specifically, the technology consists of wearable sensors with RF communication to observation stations, doctor's offices, electronic patient records, and hospital information systems, providing anywhere, anytime access to real-time or archived patient information. Applications include deployment on individuals or groups of individuals who are subject to catastrophic physiologic events such as military personnel, public safety personnel and those with cardiovascular disease.

EARMARK DECLARATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. OLSON. Madam Speaker, to provide open disclosure pursuant to Republican standards on congressionally-directed funding, I am submitting the following information regarding funding that I support included in H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman PETE OLSON

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: Other Procurement, Air Force

Name of Recipient: Texas Air National Guard

Address of Recipient: 147th Fighter Wing at Ellington Joint Reserve Base, Houston, TX 77034

Description of Request: $2,000,000 in funding for the One Air Force/One Network Infrastructure. The funding would be used to upgrade the Air National Guard's core infrastructure of wired and wireless networks to the Air Force standard architecture. The resulting capability will significantly increase the readiness and agility of the Texas Air National Guard mission by ensuring network compatibility and interoperability across Air Guard, Air Reserve, and AF Active Duty bases.

Requesting Member: Congressman PETE OLSON

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: Research, Development, Test and Evaluation, Army

Name of Recipient: University of Texas Medical Branch at Galveston

Address of Recipient: 301 University Boulevard, Galveston, TX 77555

Description of Request: $5,000,000 in funding for the National Biodefense Training Center. The funding would be used to train staff working within containment facilities across the nation. There is a major need for a systematic approach to biological safety level –3 and –4 (BSL–3, BSL–4) containment training to prepare personnel in the safe and secure handling of infectious pathogens.

EARMARK DECLARATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. MCMORRIS RODGERS. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, FY2010 Department of Defense Appropriations Act

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 3326

Account: RDTE, A

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA; 99164

Description of Request: Provide $2,000,000 to develop epigenetic biomarkers for disease in military personnel. Washington State University and the U.S. Army are focusing on the war fighter's exposure to environmental compounds utilized by the military and/or toxic materials found in war zones. The Medical Technology program element within the Department of Defense budget funds applied research required to sustain a force of healthy, medically-protected war fighters to enhance their performance in training and occupational environments.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 3326

Account: RDTE, A

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: French Administration Building, Room 324; Pullman, WA; 99164

Description of Request: Provide $1,500,000 for the Positron Capture and Storage project. Anti-matter positrons can be utilized in applications such as medical diagnostics (Positron Emission Tomography), defect characterization in materials, and fundamental physics research. When positrons en masse are squeezed into a single trap, the repulsion forces quickly become impossible to control. To overcome this, they will stretch a first generation trap into a tube of theoretically infinite length. The metal-coated tube walls will shield the low-density positron plasmas in each tube, thereby lowering the repulsive forces by 10,000-fold. An overall density will be achieved by miniaturization to micrometer scale. The research will benefit the U.S. Army by permitting advanced applications research into using positron energy for low earth orbit space platforms and other high altitude vehicles.

Requesting Member: Congresswoman MCMORRIS RODGERS

Bill Number: H.R. 3326

Account: RDTE, A

Legal Name of Requesting Entity: University of Washington

Address of Requesting Entity: 301 Gerberding Hall; Seattle, WA; 98195

Description of Request: Provide $5,800,000 for the Institute for Simulation and Interprofessional Studies project. This project enables the use of simulation technologies to improve the quality of health care education and improve patient safety. This project has a regional and Department of Defense mission. This program includes more than 6,000 active clinical faculty physicians. It will work with the Madigan Army Medical Center and the VA to demonstrate how healthcare skills training can be distributed throughout an entire region. This project will develop programs for training the global health professional workforce and leveraging these tools for the assessment and treatment of Traumatic Brain Injury and Post Traumatic Stress Disorder found in returning service personnel.

EARMARK DECLARATION

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. LEE of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY Defense Appropriations bill.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Other Procurement, Air Force—028 Combat Training Ranges

Legal Name of Requesting Entity: Northrop Grumman Amherst Systems

Address of Requesting Entity: 1740 Wehrle Drive, Buffalo, NY 14221

Description of Request: Provide an earmark of $1,000,000 for the Air National Guard

(ANG) Joint Threat Emitter (JTE) Savannah Combat Readiness Training Centers (CRTC)

The Joint Threat Emitter (JTE) system simulates electronic combat signals and is designed to provide realistic electronic warfare training for pilots and aircrew members. The Joint Threat Emitter will replace several older, harder-to-sustain and cost prohibitive threat emitters, and is specifically designed to allow for spiral development upgrades to ensure future threats are quickly integrated into its design.

The JTE has the capability to generate six modern threats from one platform and replaces more expensive, single-threat-per-platform units, which are more costly to support and do not have the flexibility to generate modern combat environments. The JTE capabilities, including the highly lethal double digital threats, add an essential element to ANG combat training ranges. The Savannah CRTC and Townsend Range Complex currently provides inadequate pilot training for real-world missions and pilots must train far from their home bases, which is more expensive and requires considerable transit time thereby reducing the time allocated for actual training. Modernization efforts are underway; however FY10 JTE funding is inadequate to procure the stated need of two (2) JTE systems at the Townsend Range Complex.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Other Procurement, Navy—038 Submarine Acoustic Warfare System

Legal Name of Requesting Entity: Hydroacoustics, Inc.

Address of Requesting Entity: 999 Lehigh Station Road, Henrietta, NY 14467

Description of Request: Provide an earmark of $2,000,000 for the Hydroacoustic Low Frequency (HLF) Sources for Trident and Virginia Class Submarines.

This project will accelerate deployment of acoustic signature protection to Trident and Virginia class submarines operating in the Atlantic. Additionally, it will help maintain the industrial capacity to design and build low frequency acoustic sources since HAI is the sole manufacturer of HLF systems in the United States. This project will fill a critical funding gap while the Navy programs funds to sustain HLF–1 procurement.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Procurement, Marine Corps—010 Modification Kits

Legal Name of Requesting Entity: Carleton Technologies, Inc.

Address of Requesting Entity: 10 Cobham Drive, Orchard Park, NY 14127

Description of Request: Provide an earmark of $1,000,000 for the Microclimate Cooling Unit (MCU) for M1 Abrams Tank.

The M1 Abrams tank was designed to combat the former Soviet Union on the fields of Europe and as such it does not have an air conditioning system. With the War on Terror taking place not in Europe, but in the extreme climate of the Middle East, tank crews have had to not only combat the enemy, but also the effects of thermal stress and heat stroke. Ambient temperatures of 125 degrees Fahrenheit can yield temperatures inside the tank approaching 150 degrees Fahrenheit

A vehicle-mounted air conditioning system has had minimal impact because body armor and other field gear the soldiers are wearing prevent the body from being cooled. Likewise, any benefits of an air conditioning system are lost when the tank operates with its hatches open and crew exposed, as is most often the case in Iraq. The M1A1 version of the tank has no crew cooling system currently outfitted.

Use of the MCU will significantly reduce soldier thermal heat stress, greatly improve soldier alertness and performance, and reduce resultant soldier injuries and casualties. Currently soldiers have no way to cool core body temperatures in the heat of Afghanistan and Iraq operations. Some soldiers have resorted to using IV fluids in an attempt to cool core body temperatures. Use of the MCU will significantly reduce soldier thermal heat stress, greatly improve soldier alertness and performance, and reduce resultant soldier injuries and casualties. An Army medical study has demonstrated a soldier work time increase on helicopters from approx 1.0 hours without cooling to in excess of 5 hours with MCU. Similar results are found on tactical and combat vehicles.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Army—30 0603002A Medical Advanced Technology

Legal Name of Requesting Entity: Roswell Park Cancer Institute

Address of Requesting Entity: Elm & Carlton Streets, Buffalo, NY 14263

Description of Request: Provide an earmark of $2,500,000 for the Advanced Cancer Genome Institute at Roswell Park Cancer Institute

Roswell Park Cancer Institute is seeking to develop an Advanced Cancer Genome Institute: a world-class program for the early detection, prognosis and treatment of cancer and other diseases through the establishment and use of cutting-edge genomics instruments and techniques that identify new cancer-related genes and that develop new anti-cancer drugs. Through an affiliation with the National Functional Genomics Consortium (NFGC), which fosters high-level collaborations in cancer genomics and proteomics, the research will benefit cancer sufferers throughout the U.S.

The advanced genomics program at Roswell Park can provide expertise and training in the use of genomics and rapid drug development technologies for investigators from the Department of Defense and other government agencies focused on emergency health threats. In the event of emergency health threats such as pandemic or a bioterrorism attack the facilities can be adapted rapidly to help identify pathogenic agents and to develop therapeutic agents. The techniques developed by researchers to identify a gene signature and personalized treatment will be useful in addressing health threats which affect our troops and the public at large.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Defense Health Program—02 RDT&E Defense Health Program

Legal Name of Requesting Entity: Daemen College

Address of Requesting Entity: 4380 Main Street, Amherst, NY 14226

Description of Request: Provide an earmark of $1,000,000 for Advanced Military Wound Healing Research and Treatment.

Applied research into acute and chronic wounds that will: Optimize wound recovery and outcomes; Develop an assay to predict wound healing; Develop an assay to predict scar formation; Integrate the new technology (assay) into treatment strategies; Develop composite wound applications to enhance wound closure.

Improving the healing of patients with acute and chronic wounds will decrease depression, increase function and independence, save limbs, and ultimately save lives. The new technologies we aim to develop can be readily adapted into military medical situations, would be suitable for military deployment in a military setting, and efficacious for use in civilian hospitals or other healthcare settings.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Air Force—2 0601103F University Research Initiatives

Legal Name of Requesting Entity: University at Buffalo

Address of Requesting Entity: 501 Capen Hall, Buffalo, NY 14260

Description of Request: Provide an earmark of $1,000,000 for the UB Energy and Sensor Informatics Research and Translation Facility.

Increase research that will focus on energy informatics. This effort will include energy collection and storage research, nanostructured sensor materials and devices, and informatics associated with efficient and accurate use of the developed technologies. The acquired instruments will be applicable to: (i) chemical and biological sensors for health informatics, (ii) biometrics devices for identification and homeland security, (iii) semiconductor-based photovoltaic devices (solar cells) for energy collection, (iv) nanostructured energy storage devices (batteries), and (v) thermoelectric energy collectors. The facility will enable the development of new devices for homeland security, information technology, and health sciences.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Air Force—34 0603260F Intelligence Advanced Development

Legal Name of Requesting Entity: Janya Inc.

Address of Requesting Entity: 1408 Sweet Home Road, Amherst, NY 14228

Description of Request: Provide an earmark of $1,000,000 for the Multilingual Text Mining Platform for Intelligence Analysts.

Extending the capabilities of Semantex, a text mining platform, to languages of great interest to DoD customers (Arabic, Urdu and Farsi). Semantex is a software platform for extracting useful information from unstructured text, such as open source news, email, social media (blogs, chat etc.) as well as message traffic.

The developed platform will support DoD intelligence applications where the current technology is insufficient, providing valuable multilingual multi-source intelligence to analysts and front-line warfighters in both tactical and strategic situations, increasing their effective bandwidth when processing intelligence information.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Defense-Wide—40 OSD 0603711D8Z Joint Robotics Program/Autonomous Systems

Legal Name of Requesting Entity: Lithos Robotics Corporation

Address of Requesting Entity: 4246 Ridge Lea Road, Suite 61, Amherst, NY 14226

Description of Request: Provide an earmark of $1,000,000 for Autonomous Control and Video Sensing for Robots.

Integrate digital radio and autonomous vehicle control system with proven Video Motion Detection for continuous visual sensing to provide surveillance and response via access to denied areas in a variety of complex situations, including EOD, expeditionary force protection in battlefields and highly flexible SOCOM needs. The system will be rugged and easy to use so it can be sent into chaotic zones to conduct surveillance, ID threats, and possibly manipulate devices for threat reduction in manual, semi-autonomous, and fully autonomous modes.

The project will result in a persistent surveillance module integrated with a digital radio system, and with a control system for unmanned ground robots. The system can be used by DoD for: 1. Standalone surveillance, force protection, and EOD; 2. Mobile, autonomous or semi-autonomous surveillance and/or force protection, and EOD

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy—50 0603609N Conventional Munitions

Legal Name of Requesting Entity: Veritay Technology, Inc.

Address of Requesting Entity: 4845 Millersport Highway, PO Box 305, East Amherst, NY 14051

Description of Request: Provide an earmark of $1,000,000 for Improved Kinetic Energy Cargo Round (I–KEET).

The Improved KEET (kinetic energy, electronically timed) round project—initially funded through a Navy SBIR award and then enhanced by a Commercialization Pilot Program grant—accelerates development of a kinetic energy round and provides a non-explosive, lethal mechanism for projectiles. By using the internal propulsion mechanism found in the round to augment the kinetic energy imparted to the projectile by the gun found aboard Arleigh Burke-class destroyers, I–KEET ejects an even larger payload mass (19 lbs vice 17 lbs) in the forward direction at +760 ft/sec relative to the projectile, thereby doubling the kinetic energy and increasing the overall payload kinetic energy by 130% compared to the current round which ejects the payload from the rear. An increased dispersion technique provides a uniform dispersion pattern which increases the lethal area 2.2 times greater than the existing MK 182 round therefore the I–KEET round provides significantly improved surface ship defense against small, fast moving attack boats.

The USS *Cole* attack, hijackings of civilian ships by pirates and last year's incident where five armed Iranian patrol boats harassed three Navy warships in the Strait of Hormuz, point to the fact that a primary asymmetric challenge to surface combatants operating in a littoral environment are attacks by small, fast boats. These emerging littoral threats have refocused Navy priorities for providing global assured access and maritime dominance in shallow water and coastal areas. This, in turn, has led to requirements for technologies to counter the threat, including munitions that fit existing weapons delivery systems that provide greater lethality through payload and dispersion patterns as well as being safer to store and transport aboard ship.

I–KEET will (1) Provide greater lethality through payload and dispersion patterns than the current Mk-182 round; (2) Use kinetic energy—not high explosives—to deliver the payload thereby making the rounds considerably safer to store and transport; (3) Fit existing gun systems so no costly delivery system modifications are needed; and (4) Provide better protection against small, fast, hard to target and disable, swarm boat attacks.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy—27 0603216N Aviation Survivability

Legal Name of Requesting Entity: Calspan Corporation

Address of Requesting Entity: 4455 Genesee Street, Buffalo, NY 14225

Description of Request: Provide an earmark of $1,000,000 for Military Upset Recovery Training.

This program provides a critical training function; heretofore missing from military pilot training curricula. Data from other related research indicates that even military trained pilots, currently the best trained and most experienced in this regime of flight, are unable to consistently recover from loss of control events, an unanticipated, un-commanded aircraft maneuver that left unchecked leads to a out of control situation and potential accident without this type of specialized training. It is important to note that the current track systems (fighter/other) that both the Navy and Air Force have transitioned, streamlines the curriculum, condenses and focuses the flying training based on the type of aircraft the pilot will fly operationally, but reduces and eliminates much of the advanced handling and aerobatic maneuvers that all military pilots were required to be proficient in. Since the separate track system was implemented about 15 years ago, the current generation of medium and large military aircraft pilots has not been trained in these scenarios.

Realistic training for the very dynamic and disorienting events that lead to loss of control accidents cannot be trained in currently fielded aircraft simulators because these devices do not reproduce the critical accelerations and disorienting motions of the actual events. Training done in high performance aerobatic jet training aircraft, while helpful, does not duplicate the skill sets needed to recover a large aircraft and, in some cases, may transfer the wrong impression possibly resulting in a negative transfer-of-training effect that has been shown in itself to be dangerous. Furthermore, current flight training regimes do not address the critical training element not only how to recover from an extreme condition but, how to do so with inoperative controls due to system failure or battle damage. This training is geared towards military pilots operating a wide variety of transport, utility, and patrol aircraft. An important aspect of the upset maneuvers used in training is applicability beyond the specific events trained. The broader purpose of this training activity is to teach pilots how to evaluate a never-before-seen situation and maneuver a large transport airplane back to a safe and stable condition. In the end, the goal is to combine expanded situational awareness, knowledge, and judgment with the requisite stick and rudder skill-sets to successfully master the many flying challenges faced over a career of military operational flying.

Continuation of this development effort with operational testing and further analysis of an In-Flight Simulation based training program will support advance of training critical piloting skills in the regime of upset recovery. The initial funding has allowed the In-Flight Simulator will be programmed to exhibit representative characteristics to include relatively heavy control forces and sluggish response so as to illustrate the inherent difficulty in recovering from Jet Upsets in this class of aircraft and to conduct initial evaluations to measure pilot performance and recovery quality. Follow on funding will be used to conduct further development and testing to ensure a program will be effective when implemented into primary test and training regimes.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy—15 0603114N Power Projection Advanced Technology

Legal Name of Requesting Entity: Moog, Inc.

Address of Requseting Entity: Seneca and Jamison Roads, East Aurora, NY 14052

Description of Request: Provide an earmark of $2,000,000 for the Quiet Drive Advanced Rotary Actuator.

Moog will develop an advanced actuation system, a quiet, compact electro-mechanical device, using a hypocycloidic gear train that would be an enabling technology for the U.S. Navy, Future Naval Capabilities (FNC) These actuators will provide the Navy with a performance improvement and lifecycle cost advantage compared to today's hydraulic rotary actuator in its efforts to develop the all-electric ship and submarines. These systems will automate many systems, thus keeping sailors out of harm's way. The immediate naval application will be used on submarines (such as bow planes and other structures employing actuator technology). Actuators convert energy from hydraulic, air, or electric power to achieve mechanical movement and control of heavy or remote devices. Current Navy ships have between 100 to 3,000 actuators each. At present, these actuators typically use old style hydraulic technology. Successful completion of the technology will reduce shipboard personnel and reduce repair and maintenance costs. The Department of the Navy has repeatedly stated its desire for an all electric ship. Environmental hazards associated with hydraulic systems will also be eliminated by moving to an electric actuator. Under prior funding, there has been constructed an electric motor which is currently being evaluated. The present design does not meet the strict acoustic requirements of the U.S. Navy. The company, using internal funding, will analyze the prototype, correcting these and other technical issues. Computer models are now being constructed to aid in the analysis and physical

models will be built to verify the analytical conclusions. Alternate design concepts will be developed and analyzed with the best proposed as the system solution.

The military service need is well documented. In the 2007 Symposium conducted by American Society Naval Engineers/Department of Defense, the Office of Naval Research conducted a panel presentation on the need for the quiet drive technology as applied to Diagnostics and Maintenance in the all electric ship. Over the past 5 years, ONR has repeatedly stated that these actuators would provide the Navy with a performance improvement and lifecycle cost advantage compared to today's hydraulic rotary actuator in its efforts to develop the all-electric ship. Army's TARDEC also supports the work because the results will be able to be used for Advanced Electric Drives configurable to axle and wheel-end applications providing greater drive capabilities and high intelligence capabilities (current immediate use includes HUMVEEs and trucks). Existing military axle and wheel-end systems fail to provide adequate measurement and date retrieval that are needed to increase engine efficiency and torque while preventing breakdown or catastrophic event.

EARMARK DECLARATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. CRENSHAW. Madam Speaker, I submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, N

Legal Name of Receiving Entity: Orion Solutions, LLC

Address of Receiving Entity: 7545 Centurion Parkway, Suite 403, Jacksonville, FL 32256

Description of Request: I have secured $2,000,000 in funding in H.R. 3326 in the RDTE, N Account for the Low Frequency Active Towed Sonar System (LFATS) Organic ASW Capability.

The purpose of this funding would be used to support the purchase of a Low Frequency Active Towed Sonar System (LFATS) to complete demonstration of critical Anti-Submarine Warfare (ASW) advancements and improvements.

This is a valuable use of taxpayer funds because the Chief of Naval Operations (CNO) has stated that Anti-Submarine Warfare (ASW) is his number one priority. ASW is critical to defend the sea base and assure access to and within the littorals in the face of the proliferation of quiet, technologically advanced submarines in the hands of nations that might choose to deny us freedom of the seas. This program provides the potential for key advancements in the area of ASW and works towards the CNO's highest priority.

There are no matching funds required for this project.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, N

Legal Name of Receiving Entity: Goodrich Engineered Polymer Products

Address of Receiving Entity: 6061 Goodrich Boulevard, Jacksonville, FL 32226

Description of Request: I have secured $2,000,000 in funding in H.R. 3326 in the RDTE, N Account for the Advanced Manufacturing for Submarine Bow Domes and Rubber Boots project.

The purpose of this funding would be used to develop an out-of-autoclave (OOA) material systems and processing techniques to fabricate a submarine sonar bow dome and the associated rubber boot without the need for an autoclave.

This is a valuable use of taxpayer funds because developing advanced manufacturing techniques for submarine bow domes and boots provides a new opportunity to further drive down the cost of submarine construction. An approved out of autoclave material system will provide greater manufacturing flexibility while maintaining stringent reliability and quality requirements. Additionally, removal of the autoclave from the manufacturing process allows the fabrication of domes and rubber boots for larger submarines like the replacement SSBN.

There are no matching funds required for this project.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, N

Legal Name of Receiving Entity: OTO Melara North America, Inc.

Address of Receiving Entity: 1625 I St. NW., Washington, DC 20006

Description of Request: I have secured $2,000,000 in funding in H.R. 3326 in the RDTE, N Account for the 76mm Swarmbuster Capability project.

The purpose of this funding would be to integrate the highly accurate fire control information from the MK 15 Close-In Weapons Systems with the high rate of fire, medium caliber, 76mm gun on *FFG–7* class ships to provide *FFG–7* class ships with protection against high-speed maneuvering surface threat.

This is a valuable use of taxpayer funds because it would be used to integrate the highly accurate fire control information from the MK 15 Close-In Weapons Systems with the high rate of fire, medium caliber, 76mm gun on *FFG–7* class ships to provide *FFG–7* class and possibly other Navy ships with a protection against high-speed maneuvering surface threat.

There are no matching funds required for this project.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, DW

Legal Name of Receiving Entity: L–3 Communications

Address of Receiving Entity: 13000 Route 73, Marlton, NJ 08053

Description of Request: I have secured $1,000,000 in funding in H.R. 3326 in the RDTE, DW Account for the Low Cost Stabilized Turret project.

The purpose of this funding would be to develop a small (less than 15 lbs) Electro-Optical/Infrared (EO/IR) turret for use on low-cost expendable unmanned aerial vehicles.

This is a valuable use of taxpayer funds because the Force Protection Task Force has a requirement for a low cost autonomous surveillance of designated areas. Low Cost Stabilized Turret will provide a light weight, low cost solution for a flexible, efficient payload that is consistent with this requirement and the warfighter's needs, yet in a cost range consistent with the concept of expendable systems.

There are no matching funds required for this project.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, A

Legal Name of Receiving Entity: University of North Florida

Address of Receiving Entity: 1 UNF Drive, Jacksonville, FL 32224

Description of Request: I have secured $4,000,000 in funding in H.R. 3326 in the RDTE, A Account for the Ruggedized Military Laptop Fuel Cell Power Supply project.

The purpose of this funding would be to develop, demonstrate and prototype a ruggedized Direct Methanol Fuel Cell (DMFC) powered laptop power supply.

This project is a benefit to DOD because it addresses urgent military requirements for extended-run power and offers spin-off potential for other products such as unattended ground sensors, handheld devises, GPS, and micro air vehicles. It will reduce reliance on batteries and greatly simplify supply chain for military field electronics.

There are no matching funds required for this project.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDTE, A

Legal Name of Receiving Entity: Nanotherapeutics

Address of Receiving Entity: 13859 Progress Boulevard, Alachua, FL 32615

Description of Request: I have secured $2,000,000 in funding in H.R. 3326 in the RDTE, A Account for the Anti-Microbial Bone Graft Product project.

The purpose of this funding would be to evaluate the ability to expedite the healing of open tibia and femoral fractures among injured U.S. soldiers thus preventing death or further injury from infections.

This is a valuable use of taxpayer funds because it would be used to evaluate the ability to expedite the healing of open tibia and femoral fractures among injured U.S. soldiers thus preventing death or further injury from infections. According to the U.S. Army Institute of Surgical Research, open fractures account for approximately 20 percent of all combat-related injuries in soldiers. Infection presents an enormous surgical challenge and leads to considerable loss of life. And, despite meticulous treatment, these fractures cause complications that can threaten the viability of the limb and even the life of the patient.

There are no matching funds required for this project.

EARMARK DECLARATION

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

I received two projects in H.R. 3326.

$3,000,000 for The Miami Project to Cure Paralysis located at 1095 NW 14th Terrace, Miami, FL 33136. These funds will be used for continued research into spinal cord injuries and their treatments as part of the Project Battlefield and Combat Related Spinal Cord Injury Research program at the University of Miami's Miller School of Medicine. These funds would be used to study the battlefield injuries of returning veterans and active military members as well as non-military patients.

$2,000,000 for Saint Leo University located at 33701 State Road 52, P.O. Box 6665, St. Leo, FL 33574. These funds will be used to continue the tele-learning program and connect student soldiers around the Nation and at military bases around the world to the Saint Leo distance education program.

THE 2009 TRIBAL CANOE JOURNEY

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. INSLEE. Madam Speaker, it gives me great pleasure to announce that this August, the Suquamish Tribe will be hosting the annual Tribal Canoe Journey from August 3 to August 9 at the town of Suquamish on Washington State's Kitsap Peninsula. Native Americans have lived on the shores of Puget Sound for thousands of years. Canoes carved from massive cedar logs were the traditional mode of transportation for Native Americans in the Pacific Northwest. In 1851, pioneers established the city of Seattle, named for Chief Sealth of the Suquamish and Duwamish Tribes, who helped non-native settlers survive their first years in the Northwest.

As the United States expanded westward, the Suquamish and other Native American tribes struggled to preserve their culture. In 1855, the Suquamish tribe signed a treaty that ceded their ancestral lands—including much of what is now my district—and moved to a reservation west of Seattle. In 1904, Old Man House village, the home of Chief Sealth, burned to the ground and was not rebuilt. For the first time in millennia, traditional canoes no longer plied the waters of Puget Sound.

In 1989, the Suquamish tribe hosted the Paddle to Seattle, the first intertribal canoe journey in more than 100 years. During that journey, people from the Helitsuk Nation invited canoes to travel to their village in British Columbia. In 1993, twenty-eight canoes answered their challenge. Since then, canoe journeys have been held annually to celebrate the traditional Native American culture of the Northwest.

I am pleased to announce that more than 100 cedar canoes from over 90 Native American tribes are expected to make the voyage to Suquamish in August, celebrating the 20th anniversary of the Paddle to Seattle. Canoes will land near the former site of Old Man House village, where visitors will receive a traditional welcome. The Suquamish Tribe expects more than 12,000 visitors and 5,000 campers to participate in the week-long cultural celebration.

Native American tribes have long struggled to preserve their traditional culture. The 2009 Tribal Canoe Journey is part of a cultural resurgence among Native Americans in the Northwest, and I am honored to recognize its importance before Congress today.

EARMARK DECLARATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. HARPER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010:

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Account: RDT&E, Defense-Wide

Project Name: Advanced, Long Endurance Unattended Ground Sensor Technologies

Recipient and Address: Mississippi State University, P.O. Box 6301, Mississippi State, Mississippi 39762

Amount: $2,000,000

Description: A significant challenge in modern military operations is the ability to achieve and maintain real-time battlefield situational awareness. Achieving battlefield situational awareness requires the ability to robustly and persistently monitor the movements of the adversary in near real-time across a wide range of operational environments including foliage, mountainous, and urban terrain. This initiative is a follow-on effort to ongoing Mississippi State University Unattended Ground Sensor (UGS) research and development in support of the U.S. Special Operations Command (USSOCOM).

Requesting Member: Congressman GREGG HARPER

Bill Number: H.R. 3326

Account: Operating Forces Drug Interdiction and Counter-Drug Activities, Defense

Project Name: Regional Counter Drug Training Academy

Recipient and Address: Naval Air Station, 219 Fuller Road, Meridian, Mississippi 39309

Amount: $1,500,000

Description: The National Guard Bureau identified a fiscal year 2009 unfunded requirement of $24.2M for Counterdrug (CD) Schools. With appropriate funding, CD schools will be better positioned to provide counter narcotics-based training programs critical to domestic law enforcement against narcoterrorism. The RCTA Meridian budget has shown little growth since fiscal year 2000, yet the costs associated with training law enforcement officers have increased by approximately 20 percent.

EARMARK DECLARATION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BONNER. Madam Speaker, I submit the following.

Project Name: Antennas for Unmanned Aerial Vehicles

Requesting Member: Congressman JO BONNER

Bill: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDT&E, A

Legal Name of Requesting Entity: The University of Alabama

Address of Requesting Entity: 201 Rose Administration Building, Box 870117, Tuscaloosa, AL 35487

Description of Request: Provide an earmark of $1,000,000 to develop miniature antenna structures capable of supporting UAV (Unmanned Aerial Vehicle) communication needs while reducing space and power requirements on communication systems. Approximately $500,000 [or 50%] will be used on salaries; $100,000 [or 10%] will be used for laboratory supplies and materials; $60,000 [or 6%] will be used for equipment rental; $40,000 [or 4%] will be used for travel; $300,000 [or 30%] will be used for equipment. The Department of Defense will benefit from new miniature antenna technology as this project will address the unstable imaging problem that exists with current UAV cameras and research will develop antenna structures that are capable of supporting proficient UAV's communication needs in order to recognize their full potential in wartime. The project will also establish the foundation for a research group focusing on the UAV antenna and communication area that will drive future discoveries in the field. The benefit and promise offered by UAVs has drawn the attention of senior military and civilian officials due to the significant impact they will have on national security.

Project Name: Multi-Element Structured Filter Arrays for Naval Platforms

Requesting Member: Congressman JO BONNER

Bill: H.R. 3326—Department of Defense Appropriations Act, 2010

Account: RDT&E, N

Legal Name of Requesting Entity: Auburn University

Address of Requesting Entity: 102 Samford Hall, Auburn, AL 36849

Description of Request: Provide an earmark of $4,300,000 to increase the effectiveness of current and future Naval platforms by reducing the weight, volume, and parasitic energy consumption of air filtration and distribution systems used for turbine engines, instrument/electronics cooling, and next generation shipboard fuel cell auxiliary power units. Reductions in volume aid to off-set and de-bottleneck severe design constraints associated with increasing system/component crowding and associated thermal management. Assuming a ten percent administrative withholding at the Department of Defense, approximately $3.9 million will be available for the project spent in the following manner: $1.4 million [or 36%] will be used for Auburn University personnel; $740,000 [or 19%] will be used for research expenses and supplies; $590,000 [or

15%] will be used for equipment; $390,000 [or 10%] will be used for Auburn's Tech Transition Licensee; $195,000 [or 5%] will be used for pilot scale commercial filter fabrication; $390,000 [or 10%] will be used for supply chain software and business model development; $195,000 [or 5%] will be used for supply chain software IP protection and management. This project directly supports the war fighting capabilities of the entire U.S. military and a wide range of current and future combat platforms.

EARMARK DECLARATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. THOMPSON of Pennsylvania. Madam Speaker, pursuant to the Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 3326, the Department of Defense Appropriations Act, 2010. The entity to receive funding is NanoBlox, Inc., 800 Wood Street, Clarion, PA 16214, in the amount of $2,000,000. Funding will be used for the domestic production of nanodiamond for military applications.

SUPPORTING VETERANS OF FOREIGN WARS DAY

SPEECH OF

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2009

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in strong support of H. Res. 483 Supporting the goals and Ideals of Veterans of Foreign Wars Day.

Nearly 110 years ago, what was then known as the American Veterans of Foreign Service was established to advocate for the rights and benefits for veterans of the Spanish-American War and Philippine Insurrection. That organization later became the Veterans of Foreign Wars, which was chartered by Congress in 1936.

Since then, the VFW's voice has been instrumental in establishing the Veterans Administration, creating a GI bill, developing the national cemetery system and the fight for compensation for Vietnam vets exposed to Agent Orange and for veterans diagnosed with Gulf War Syndrome.

Today, the VFW is a strong advocate for today's servicemen and women returning from the battlefields of Iraq and Afghanistan—assisting combat wounded veterans receive compensation for their injuries and helping to create a 21st Century GI Bill.

VFW's Operation Uplink hosts free call days every month of the year, so troops can call home—at no charge—from Internet cafes throughout Iraq, Afghanistan and Kuwait.

The VFW provides grants to meet the needs of servicemen and women faced with hardship as a result of military service—they award more than $3.4 million in scholarships and incentives to worthy students and VFW Posts often sponsor Farewell and Welcome Home Activities.

The reason that we are free today is because brave men and women have answered our nation's call in our time of need. They have sweated, bled and sacrificed for our freedom.

And as it is written on the Korean War Memorial in Washington, D.C, freedom isn't free—the cost is readily apparent in the rows of crosses in Arlington, where many generations of American warriors have been laid to rest.

We owe our veterans a debt that can never be fully repaid, but I personally want to thank them for your service and sacrifice. I will continue to work to ensure that our veterans get the care, help, and benefits they so richly deserve.

Let us remember our obligations to our nation's veterans, as Abraham Lincoln said in his Second Inaugural Address, "to care for him who shall have borne the battle, and for his widow and his orphan." The VFW has been there for our nation's veterans for over 110 years, and I'm proud to support this resolution.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. AL GREEN of Texas. Madam Speaker, today I was unavoidably delayed and missed the votes on:

1. H. Res. 593—Recognizing and celebrating the 50th Anniversary of the entry of Hawaii into the Union as the 50th State
2. H.R. 1376—Waco Mammoth National Monument Establishment Act of 2009
3. H.R. 1121—Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009

I respectfully request the opportunity to record my position. Had I been present I would have voted "yea" on these votes.

At this time I would ask for unanimous consent that my position be entered into the RECORD following that vote or in the appropriate portion of the RECORD.

IN RECOGNITION OF KEVIN LEONARD, JR. AND SHAWN LEONARD

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MURTHA. Madam Speaker, I wish to recognize the heroic efforts of two brothers, fourteen-year-old Kevin Leonard, Jr. and twelve-year-old Shawn Leonard.

Last summer in July of 2008, while the two boys were riding bicycles near their home in Kittanning, Pennsylvania, they saw a man drowning near the Kittanning Riverfront Park. They quickly swam into the Allegheny River where they began to help the victim. Eventually, a nearby fisherman provided life jackets and the boys were able to use them to keep the man afloat while they waited for professional rescue crews to arrive.

While many their age would have been content to let others act, the selfless courage exhibited by these fine young men helped to save another's life. Their quick thinking and reaction was also invaluable as it allowed the man to stay afloat while waiting to be taken back to shore.

In honor of their life-saving effort, the two were presented outstanding citizenship awards by the Pennsylvania State Police.

Madam Speaker, I wish to conclude my remarks by congratulating the Leonard brothers for their fine act of bravery and for their awards. The selfless qualities exhibited by these two young men inspire us all to help others who are in need. I hope that their hard work will be an example for many.

SUPPORT FOR VETERANS' BILLS

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BOOZMAN. Madam Speaker, I rise before you today to express my support for several veterans' bills that are on today's legislative calendar under suspension of the rules. Before I proceed, I would first like to thank the sponsors of the legislation and the Chairman and Ranking Member of the House Veterans' Affairs Committee, Mr. FILNER and Mr. BUYER, for working together to bring this legislation before the House today. As the number of veterans returning from their deployments in the Global War on Terror increases, it is imperative that those of us on the Committee on Veterans' Affairs, and all Members of Congress, continue working to improve benefits for our veterans and ensure that they and their families receive everything that has been promised to them. I am proud to be an original Cosponsor of H.R. 3219, the "Veterans' Insurance and Health Care Improvements Act," as well as H. Res. 483, which supports the goals and ideals of Veterans of Foreign Wars Day. H.R. 3219 contains numerous measures and technical corrections to modernize many of the life insurance and health care benefits that are received by disabled and non-disabled veterans. This bill also brings overdue recognition to many World War II veterans who have yet to receive their rightful recognition and benefits compensation from the United States government, including but not limited to the Flying Tigers of WWII and the Women Airforce Service Pilots of WW II (WASPs). H. Res. 483 supports the goal and ideals of Veterans of Foreign Wars Day, September 29th. Since 1899 the VFW has been advocating and fighting for the rights and benefits of our veterans, making invaluable contributions to the national dialogue surrounding how to care for those who enable us to live in safety and peace. It is also my privilege to be a cosponsor of H.R. 1293, the "Disabled Veterans Home Improvement and Structural Alteration Grant Increase Act of 2009," which makes much needed increases in the amounts our service-connected disabled veterans can receive to make alterations to their homes that enable them and their families to live the most fulfilling lives possible. I would also like to thank, once again, Chairman FILNER and Congressman MICHAUD for their bills H.R. 2770 and H.R. 3155, respectively, both of which I supported in Committee, and which represent a step in the right direction for improving veterans' benefits and care. It is my hope that the House Committee on

Veterans' Affairs will continue with its spirit of bipartisan cooperation to help our nation's veterans; a spirit that is represented in all of this legislation before us today.

EARMARK DECLARATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. THOMPSON of Pennsylvania. Madam Speaker, pursuant to the Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 3326, the Department of Defense Appropriations Act, 2010. The entity to receive funding is the Piezo Resonance Innovations, Inc, 310 Rolling Ridge Drive, Bellefonte, PA 16823, in the amount of $500,000. Funding will be used for lightweight, battery driven and battlefield deployment ready NG feeding tube cleaner.

ON H. RES. 659, CONGRATULATING KAPPA ALPHA PSI FRATERNITY, INC. ON 98 YEARS OF SERVING LOCAL COMMUNITIES AND ENRICHING THE LIVES OF COLLEGIATE MEN THROUGHOUT THE NATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. HASTINGS of Florida. Madam Speaker, as a member of Kappa Alpha Psi Fraternity, Inc., I rise today to pay homage to my fraternity brothers. On July 17, 2009, I introduced House Resolution 659 along with Representatives JOHN CONYERS, JR., SANFORD D. BISHOP, JR., WM. LACY CLAY, and BENNIE G. THOMPSON congratulating Kappa Alpha Psi Fraternity, Inc. on 98 years of community service. Kappa Alpha Psi Fraternity, Inc. (KAΨ) is a collegiate Greek-letter fraternity founded on January 5, 1911 by ten distinguished African-American gentlemen on the campus of Indiana University in Bloomington, Indiana. The vision of the God-fearing men was to foster leadership through fraternal brotherhood and Christian ideals.

Kappa Alpha Psi Fraternity, Inc. has been a significant contributor to our society. Through its Kappa League and National Guide Right programs, Kappa Alpha Psi has provided thousands of at-risk youth in communities throughout the Nation with role models and mentors that encourage them to make positive contributions to, and to take leadership roles in, their communities. Among so many other notable accomplishments from my brotherhood, I am honored to continue serving Kappa Alpha Psi alongside our other brothers in Congress. Each day in Congress, we strive to ensure that our brotherhood continues to exemplify achievement in every field of human endeavor.

Kappa Alpha Psi Fraternity, Inc. is celebrating its 79th Grand Chapter Meeting in Washington, DC from August 4 to 9, 2009. With anticipation of the Golden (100th) Anniversary in 2011 at Indiana University, the Washington, DC Conclave of Kappa Alpha Psi Fraternity is projected to be one of the largest and most celebrated ''homecomings'' within the Kappa's conclave history. Madame Speaker, I ask that you join me in welcoming the brothers of Kappa Alpha Psi Fraternity, Inc. and, their families to our Nation's ''Kapitol'' for this significant occasion of unity and achievement.

I urge my colleagues to join me in support of this important resolution honoring my great fraternity Kappa Alpha Psi Fraternity, Inc.

HONORING CHEYENNE BRUGH FOR HER WORK WITH EMERGENCY ANIMAL RESCUE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. HUNTER. Madam Speaker, today I rise in recognition of Cheyenne Brugh of Ramona, CA. Cheyenne is a 13-year old young woman who has committed her time and energy to the Emergency Animal Rescue group. This nonprofit organization located in my district is made up of volunteers, like Cheyenne, who are committed to rescuing and housing animals from life threatening situations. Today, I am honored to recognize this young lady for her outstanding achievements and superior quality of character.

Cheyenne is the youngest of three children and the daughter of a single, working mother. She is involved with Big Brothers and Big Sisters of America and works with her Big Sister at the Emergency Animal Rescue organization. When Cheyenne is not helping rescued animals, she continues volunteering her time at promotional events to raise money for Emergency Animal Rescue. In addition to her involvement with the rescue group, she is a hardworking and dedicated student, receiving excellent grades in school. Her dedication to such a demanding organization while balancing schoolwork is truly remarkable.

Along with all of her achievements, Cheyenne took the Large Animal Rescue course in California to further expand her knowledge of animal rescue. This rigorous 2-day training program teaches ways to extract animals from multiple dangerous and life threatening situations. At 12 years old, she was awarded the certification for Large Animal Rescue by the California State Fire Marshal, making her the youngest person to ever receive these qualifications.

Madam Speaker, this is an extraordinary young lady whose actions and accomplishments directly reflect the type of person she is and will be. Individuals like Cheyenne, who volunteer their time, are at the heart of this great nation. The next time there is a wildfire in Southern California, you can rest assured that Cheyenne will be there rescuing animals. Her selfless dedication to saving animals' lives at such a young age is something we can all emulate. Cheyenne, thank you for your incredible work, you are an inspiration to us all.

HONORING THE LIFE OF FRAN GREENSPAN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. ISRAEL. Madam Speaker, I rise today to pay tribute to the life of Fran Greenspan. If we are lucky in our lives, we will have come across someone who inspires us to be better citizens, someone who we hold out as a role model for our children, someone who makes it her life's work to improve the community in which she lives. Thankfully, there are hundreds of students in a town I represent who can say that their lives were touched by Fran Greenspan.

For over twenty years, Fran has been involved in the education of students in the Half Hollow Hills School District. After she gave up teaching to raise her family, she joined the Parent Teacher Association, then the district's school board and ultimately became the district's President. She was a passionate advocate for child safety, expansion of the district's gifted students program and improvement in the drug and alcohol awareness programs. Her list of accomplishments is lengthy, but does not fully express the measure of her impact because woven into each one is a caring and warmth unique to Fran. For example, she founded and hosted a small program in the district for families with working parents who left for work before the start of the school day that needed a place for their children. At the elementary school each morning, Fran served those kids breakfast. For years, The Breakfast Club eased the burden on working families, and each child that passed through it became one of Fran's children. In this and a thousand other ways, the community came to know and cherish Fran Greenspan. In honor of her years of dedication and service, the district's central administrative building now bears her name. Her memory is an inspiration to all who work there that we can in our own lives make the lives of others better through community service and an unending kindness.

HONORING THE LIFE OF JOHN ''JACK'' WHITE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. WOLF. Madam Speaker, I rise to share with our colleagues today the recent passing of John Thomas ''Jack'' White II. He died on June 7, 2009, at the age of 84.

Jack had a long history of service to the Virginia congressional delegation, starting out as a legislative assistant to my Republican predecessor in the 10th District, Congressman Joel Broyhill. He later worked for Congressmen Richard Poff and Stan Parris, and Senators William Scott, Harry Byrd, Sr., and John Warner, all of Virginia.

I would like to share an obituary for Jack that ran in the Alexandria Gazette Packet on June 18:

[From the Alexandria Gazette Packet, June 18, 2009]

JOHN THOMAS WHITE, II, 84, DIES

John Thomas ''Jack'' White, II, 84, a longtime senior congressional aide, died June 7,

2009 in the early morning hours at his home in Alexandria.

He had congestive heart failure.

Mr. White was born in New Orleans and grew up in Baltimore, Port Townsend, Wash., Norfolk, Va., and Staten Island, N.Y., traveling around the country with his father, Dr. Harry F. White, a physician in the United States Public Health Service. His family roots in this area are deep, going back to the 1600s in both Virginia and Maryland's Eastern Shore, both of which he was deeply fond.

He graduated from Curtis High School, on Staten Island, in 1942 and enrolled at the University of Virginia, in Charlottesville. He enlisted in the Navy V–12 officer training program there and under an accelerated wartime curriculum, was able to complete one year of medical school before being assigned to midshipmen's school at Princeton and Columbia Universities and being commissioned as an ensign, USNR, in 1945. He trained in destroyers and was en route to his ship in the Pacific when World War II ended.

Completing his Navy service in 1946, Mr. White returned to the University of Virginia, receiving his bachelor's degree in 1947. He then took a position as a detailer with Schenley Pharmaceuticals, working in the Washington, D.C., metropolitan area. The family has lived in Alexandria near Mt. Vernon since 1947. In 1959, he became legislative assistant to Congressman Joel T. Broyhill, representing the 10th Congressional District in Northern Virginia, commencing a career on Capitol Hill that would last for some 40 years. Mr. White would become a legislative and/or administrative assistant to Congressmen Richard H. Poff, and Hon. Stan Parris as well as to Senators William Scott, Harry Flood Byrd, Sr. and Sen. John Warner, successively, all respected members of the Virginia delegation.

After leaving the Hill on Jan 31, 2000, he worked for Newport News Shipbuilding and Dry Dock, Newport News, Va., then a subsidiary of Tenneco, Inc. now Northrop Grumman. Among other accomplishments, helped that firm acquire major contracts for submarines and a nuclear aircraft carrier.

Mr. White was a passionate historian, antique collector and saved several antebellum properties by restoring them—several in Church Hill Richmond Va., and one in Milton Del.

Mr. White is survived by his wife, Betty Parker White, of Alexandria and Milton Del.; four children, Ann Wallis White of Annapolis, Md., Elizabeth Parker White of Alexandria, John Thomas. White, III of Arlington, Va. and Mathews County, Va., Margaret Sewell White of Halifax, Nova Scotia; a brother, Col. William V.H. White, USMC (Ret) of Nokesville, Va.; four grand-children; and his loyal companion Labrador retriever, ''Scout.'' In lieu of flowers, the family requests donations be made to Labrador Retriever Rescue—www.Lab-Rescue.com or www.LabMed.org or an animal welfare organization of their choice. He took great pleasure in his grandchildren and the Labradors in his life. There will be a private memorial at Christ Church in Old Town Alexandria, and a ceremony at the family plot in Norfolk, Va.

CONGRATULATING DAN HOLMAN

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. KING of New York. Madam Speaker, I rise today to express best wishes and congratulations to my good friend Dan Holman on his upcoming marriage to Tina Loh on September 19, 2009. Considering Dan's respect for tradition, it is especially fitting that the wedding will be celebrated in St. Patrick's Cathedral on Fifth Avenue in Manhattan. I first met Dan when he was a student at the Notre Dame Law School during the same time my son and daughter were attending Notre Dame. Dan has had an outstanding career as a knowledgeable and respected attorney and is a fervent believer in America's values and beliefs. He is a true patriot. I wish Dan and Tina many years of health and happiness.

EARMARK DECLARATION

HON. GLENN THOMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. THOMPSON of Pennsylvania. Madam Speaker, pursuant to the Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 3326, the Department of Defense Appropriations Act, 2010. The entity to receive funding is KCF Technologies, 112 West Foster Avenue, State College, PA 16801, in the amount of $2,000,000. Funding will be used for self-powered prosthetic limb technology.

EARMARK DECLARATION

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BOOZMAN. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 3326, Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman JOHN BOOZMAN

Bill Number: H.R. 3326

Account: RDTE,A

Legal Name of Requesting Entity: University of Arkansas

Address of Requesting Entity: University of Arkansas—Fayetteville, 119 Ozark Hall, Fayetteville, AR 72701

Description of Request: It is my understanding that the funding would be used for the continuation of research and development of nanoscale bio-sensors at the University of Arkansas.

Requesting Member: Congressman JOHN BOOZMAN

Bill Number: H.R. 3326

Account: RDTE,A

Legal Name of Requesting Entity: University of Arkansas

Address of Requesting Entity: University of Arkansas—Fayetteville, 119 Ozark Hall, Fayetteville, AR 72701

Description of Request: It is my understanding that the funding would be used to the development of high power, portable terahertz sensing and imaging technology for the hostage stand-off, detection of landmines, and concealed weapons screening.

EARMARK DECLARATION

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. ADERHOLT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—the Department of Defense Appropriations Act, 2010.

Request as named in the report: Electrically Charged Mesh Defense Net Troop Protection System

Requesting Member: ROBERT ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: Victory Solutions, Inc.

Address of Requesting Entity: 4900 Corporate Drive, Suite A, Huntsville, AL, 35805.

Description of Request: $7,500,000. The funding would be used for ''D-NET'' a Defense Net Troop Protection System designed to intercept and negate the serious insurgent and terrorist threat tactics employing Rocket Propelled Grenades (RPG), mortars, and small rocket munitions encountered by U.S. Combat Forces. This product could help save warfighters' lives in hostile territories such as Afghanistan and Iraq through an innovative and low-cost system of defending vehicles against enemy attacks by further testing and prototype development of a system which has passed all tests so far and gotten favorable government program manager review, and which was developed with input from troops in the field. The spending plan for this Phase II of the program, to total $7,500,000, is: Prototype Production and Field Test & Evaluation Program for integration and operational development. Further develop the D-Net technology based on Phase I R&D Tests to a Technology Readiness Level (TRL) worthy of deploying a limited quantity of ''Field Prototypes'' to Theatre for field and operations test and evaluation.

FY2010 Task A: D-Net ''Field Prototypes'' ($3.5M). Deliver to Army Logistics: 100 ''Field Prototypes'' of the D-Net Static Troop Protection System for Theatre Deployment on military asset vehicle for field testing (Procurement of Prototypes delivered to Military. Develop, Build, Assemble, Kit Packaging within military requirements like HAZMAT etc, Deliver and Ship to War Zone to fill purchase for Field Test Program) ($3.5M, or $35K/unit).

Task B: Field Test Program, data collection and refinement ($1.075M). Send science and engineering teams to Theatre for collection of field data from Field Prototypes deployed (Data collection material $125K, OCONUS Labor $425K), interact with operating community for feedback, return to lab and refine the technology for better performance and utility (Re-engineer labor $225K). Requires OCONUS travel ($300K).

Task C: Threat Characterization ($350K). Analyze and Perform trade Studies on Threat variants commonly engaged in Theatre scenarios. Engineering and analysis labor ($350K).

Task D: Net Optimization & Continued R&D ($1.3M); Range Test Net Materials ($250K); Government Provided Range Test Facilities &

Government Provided Threats for Tests ($500K); Parametric Studies/ Validation Labor/ Salaries Engineering ($250K) and Manufacturing labor ($250K), Travel ($50K).

Task E: Continue Launcher Development ($870K). Ground and Aerial Launcher Design and Development R&D and Fabrication Material ($320K); Testing ($150K); Labor for Engineering, Integration and Manufacturing for Platform Depot Requirements ($400K).

Task F: Integration to Systems & Platforms ($405K). Design and Integration Trade Studies, COTS Sensor Integration Analysis and Labor ($250K); Material ($75K), Travel to Platform Project Offices ($80K).

Request as named in the report: Marine Corps MK 1077 Flatracks

Requesting Member: ROBERT ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: SUMMA Technology, Inc.

Address of Requesting Entity: headquartered at 140 Sparkman Drive, Huntsville, AL 35805. The manufacturing facility is in Cullman, Alabama.

Description of Request: $3,000,000. The funding would be used for the MK1077 Flatrack. This is a revolutionary material handling system that provides the Marines with expedited logistical support while achieving significant manpower and equipment reductions. These racks and the containers they work with can be used to transport ammunition or other supplies in and out of areas quickly, thus greatly reducing the warfighter's exposure to danger. This is a continuation of a multi-year procurement program, and the recipient company has a proven record of meeting the strict, structural requirements for this item. The USMC has a requirement for 3,500 MK1077 Flatrack units of which 1,000 units have been acquired to date. $3,000,000 will provide approximately 347 additional units, bringing the inventory up to 1,347.

Request as named in the report: Waterside Wide Area Tactical Coverage and Homing

Requesting Member: ROBERT ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Army

Legal Name of Requesting Entity: Miltec Corporation

Address of Requesting Entity: Miltec Corporation, located at 21232 Hwy 431 Guntersville, AL 35976

Description of Request: $4,000,000. The funding would be used for development and integration of systems for the final test and demonstration of the WaterWATCH affordable underwater monitoring capability. Most waterfront facilities are unprotected due to cost considerations. Finalization of this product would make available a security system which installations at military bases and other critical infrastructure locations (such as nuclear power plants near waterways) could afford. WaterWATCH integrates many currently available components through the development of new software and the testing of these systems. Approximately $60,000 would be needed for travel, approximately $150,000 for hardware, and the rest for labor (software development and testing).

Request as named in the report: Protective Self-Decontaminating Surfaces

Requesting Member: ROBERT ADERHOLT

Bill Number: H.R. 3326—the Department of Defense Appropriations Act, 2010

Account or Provision: RDT&E—Defense-Wide

Legal Name of Requesting Entity: Ventana Research Corp. (VRC) & Kappler, Inc., and Kappler, Inc.

Address of Requesting Entity: VRC at 2702 South 4th Avenue, South Tucson, AZ 85713-4816; and Kappler at 115 Grimes Drive, Guntersville, AL 35976-9364

Description of Request: $2,000,000. The funding would be used for Prototype field validation tests of VRC-Kappler Chemical Biohazard Protective systems, lab tests of bacterial infections, diseases and contaminated human remains pouches (CHRPs); to field and live test nerve gas and radiological agents (in order to design the suit to withstand such an attack by a hostile nation). Present decontamination processes are labor intensive and require lengthy downtimes. Field-tested prototypes of this fabric demonstrate cost-effective Chemical Biohazard protection for military personnel and civilian populations. Applications could be military, for homeland security, or for dangerous medical and rescue operations. The spending plan is Personnel: $620,000; Materials: $80,000; Equipment: $120,000; travel: $25,000; Govt Agency partnerships: Oversight and testing work: DTRA/CBT: $90,000; AFRL/Tyndall AFB: $250,000; USA NSRDEC: $90,000; Preproduction, Live Agents Tests, $825,000.

EARMARK DECLARATION

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of the H.R. 3326, Department of Defense Appropriations Act, FY2010.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 3326, Department of Defense Appropriations Act, FY2010

Account: RDT&E, Army account

Legal Name of Requesting Entity: St. Thomas University

Address of Requesting Entity: 16401 NW 37th Avenue, Miami Gardens, FL 33054

Description of Request: I am proud to have secured $1,500,000 for the Neuroscience Research Consortium to Study Spinal Cord Injury at St. Thomas University. St. Thomas University supports the study of central nervous system regeneration following traumatic spinal cord injury (SCI) to benefit the rehabilitation of soldiers returning from Iraq and Afghanistan with these injuries. To carry out this research, St. Thomas University proposes the continued establishment of a research consortium in a partnership with researchers at the Spinal Cord Repair Laboratory at the University of Pittsburgh in Pennsylvania, who will translate the results of this research to a clinical setting. An important aspect of the consortium is that minority science students will be trained in research procedures. There is a documented lack of participation of minorities in the sciences, particularly the Neurosciences. On a national level, a National Science Foundation report by the Division of Science Resources Statistics reported in 2001 that only 5.7% of doctoral degrees in math and science were awarded to minority students.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 3326, Department of Defense Appropriations Act, FY2010

Account: RDT&E, Defense-Wide account

Legal Name of Requesting Entity: Barry University

Address of Requesting Entity: 11300 NE 2nd Avenue, Miami Shores, FL 33161

Description of Request: I am proud to have secured $2,600,000 to fund Phase II of the Institute for Collaborative Sciences Research which is intended to create a state-of-the-art research infrastructure through new laboratory and teaching space in health care and physical sciences programs. The focus of the Institute will be to prepare minority leaders for future work in healthcare professions while facilitating important research that has a direct benefit on minority populations in my South Florida community. Barry University is one of the largest independent universities in Florida. The university boasts a student body that is more than 60% minority and 42% are the first in their family to attend college.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 3326, Department of Defense Appropriations Act, FY2010

Account: RDT&E, Army account

Legal Name of Requesting Entity: University of Miami Ryder Trauma Center/William Lehman Injury Research Center

Address of Requesting Entity: 1800 NW 10th Avenue, Miami, FL 33136

Description of Request: I am proud to have secured $4,000,000 for the Army Trauma Training Center (ATTC) at the Ryder Trauma Center situated in the University of Miami/ Jackson Memorial Medical Center. The ATTC has functioned as the national training center for U.S. Army Forward Surgical Teams (FSTs) since 2001. Monthly, the ATTC conducts 14-day training program for deploying FSTs in order to improve clinical skills and teamwork. The resources of the Ryder Trauma Center and the William Lehman Injury Research Center present a unique opportunity to develop and evaluate new and innovative diagnostic and treatment tools and point-of-care information systems to maximize the care of injured soldiers. The Ryder Trauma Center is developing diagnostics and devices to help the medic on the battlefield determine which casualties require immediate resuscitation and to enhance the capability of first-responders to effectively treat casualties as close to the geographic location and time of the injury as possible. Since January 2001, the Army Trauma Training Center, in conjunction with the Ryder Trauma Center, has trained over 33 forward surgical teams and more than 650 Army personnel in active duty and reserve components—two-thirds of all forward surgical teams in the U.S. Army—supporting over 75,000 combat troops.

IN RECOGNITION OF IRAQI KURDISH ELECTION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. WILSON of South Carolina. Madam Speaker, on Saturday, July 25th Iraqi Kurds went to the polls to elect a new Parliament. The election was a success garnering nearly 80 percent participation from eligible voters. This was an important benchmark for the people of Iraq's Kurdistan Region as they continue to build a democracy both in their own region and Iraq as a whole.

Congratulations to the people of the Kurdish Region for their courage and determination to promote democracy within a federated Iraq.

I commend and congratulate Kurdish regional President Massoud Barzani on his reelection. President Barzani's leadership will be vital as the local Kurdish population works with their fellow countrymen in Baghdad to resolve certain outstanding issues including oil production and revenue-sharing as well as territory disputes.

Moving forward, I know that the people of Iraqi Kurdistan will work together with the United States to bring peace and prosperity to that region and to the nation of Iraq.

CELEBRATING THE 150TH ANNIVERSARY OF THE SAM SCHLOSS LODGE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. COHEN. Madam Speaker, I rise today to celebrate the 150th anniversary of the Sam Schloss Lodge of B'nai B'rith in Memphis, Tennessee.

Sam Schloss Lodge is one of the oldest B'nai B'rith lodges in the country and has the largest membership of any original Lodge. B'nai B'rith's mission is to engage in community service and promote Jewish rights.

The lodge is involved in multiple service organizations in the Memphis area, including the Harwood Center for Developmentally Delayed Children and the Jewish Family Service of Memphis. The Lodge's most successful service project is the ''Care Bear'' project, which collects stuffed animals from the community and distributes them to abused and neglected children.

I want to congratulate all of the members of the Sam Schloss Lodge, including President Leon Hellman for this tremendous milestone.

JARED MONTI: AMERICAN HERO

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. FRANK of Massachusetts. Madam Speaker, one of the saddest and most important parts of our job is to attend funerals for the extraordinary young men and women of our districts who have lost their lives in the service of our country. A few years ago I attended such a funeral in the town of Raynham, Massachusetts, where I heard about a particularly impressive young man, Sgt. Jared C. Monti—of the U.S. Army, who died in Afghanistan in a valiant effort to save his comrades. I was struck then by the impact this young man had had on virtually everyone who knew him, and the magnitude of our loss as a community was clear. Last week we learned that he has been awarded the Medal of Honor for the bravery of this effort to save others.

Madam Speaker, to his family and others who loved and were warmed by this young man, the conferring of this award is, as his father said, ''very, very bittersweet.'' They relive now the pain they felt when they learned of his death, but they now have the knowledge that I hope will be comforting at some level at some point that the rest of the world now knows what a wonderful man he was, and the pride they felt in his accomplishments now become a matter in which our whole country takes pride.

Madam Speaker, to the family and friends of Jared Monti, I again extend my deepest condolences, and to his memory I extend the salute that is the least we as a grateful nation can do for a young man who quite literally gave his life in defense of others, and I ask that the article about Sgt. Monti from the Taunton Daily Gazette be printed here, so that his example can be widely understood and appreciated.

[From the Taunton Daily Gazette, July 27, 2009]

DEPARTMENT OF DEFENSE REPORT DETAILS RAYNHAM SOLDIER'S HEROISM

(By Jessica Scarpati)

RAYNHAM—On Sept. 17, President Barack Obama will present Army Sgt. 1st Class Jared C. Monti's parents, Paul and Janet, with the Medal of Honor, the nation's highest military award. Only five Medals of Honor have been bestowed, all posthumously, for service in Iraq and Afghanistan.

The final act of courage by the Raynham man is retold through a Department of Defense report and interviews with his family:

Evening fell, but the desert sun had cooked the earth Army Staff Sgt. Jared C. Monti traipsed with his soldiers and their 70-pound packs.

Even at dusk, the air still boiled in the northeastern mountains of Afghanistan and sweat streamed down Monti's muscular 5-foot-5 frame.

They were out of water. They radioed for more.

North of where he stood on the plateau, Monti, 30, could see the enemy compound he and the 15 other soldiers in his group were sent to scout out June 21, 2006.

In his 12-year military career, the Raynham soldier had been lauded by superiors in his military records for his ''endless potential'' and ''uncompromising courage.''

That day would be no different, except that Monti's final act of bravery—running into a combat zone to save a wounded comrade—would end with the ultimate sacrifice.

Monti, a member of the elite 10th Mountain Division, was on his second tour in Afghanistan and that day was part of an advance scouting group—sent ahead of a larger force pushing into a valley in the Nuristan province, his father said.

More troops were coming behind them to rid the valley of Taliban insurgents.

Staff Sgt. Patrick L. Lybert, 28, of Wisconsin, finished filling his water bottle and was lying down behind a stone wall with another soldier, according to the military report.

Monti slid down and sat behind a nearby rock and chatted with two other soldiers. A third group collected behind another rock wall.

No one heard the clicks and rumbles of the grenade launcher above them 50 meters away.

The blasts began.

The first rocket-propelled grenade exploded on their plateau, followed by a hurricane of bullets from assault rifles and machine guns coming from in front of and behind them.

The group ran to the rock where Monti sat, hesitating to return fire. There were allies—possibly American soldiers—in that direction.

He grabbed the radio and shouted back to the command center. They were under attack and needed air support.

They couldn't climb down from the plateau—the way down was too steep. It would kill them.

Behind Monti, one of his soldiers, a private, screamed. He was shot in the back and his wrist was gashed open—probably by a grenade fragment.

The private, whose name the Department of Defense redacted in the report, crawled toward the group with Monti. He was bleeding and disoriented. Another soldier put pressure on the wrist wound while someone yelled for the medic.

Lybert leaned over the stone wall and fired back at the insurgents and rockets exploded around them.

''You couldn't see anything but muzzle flashes and pops through the trees,' said one staff sergeant, who was not identified in the report.

Monti was firing back, positioning the men and shouting in the radio, doing what he did best—commanding everything at once.

He was their expert at calling in air attacks to precise locations, which was what they needed—now.

Everyone was there except for Pvt. Brian Bradbury, a 22-year-old from Missouri. He had to still be farther up—he hadn't made it behind the rocks.

Monti and the soldiers shouted his name. The explosions drowned them out.

Lybert rose again from behind the rock to fire. He was shot. One bullet in his face. He collapsed.

Someone yelled that Lybert wasn't moving. Blood was pooling beneath his body.

They continued firing, trying to ward off the insurgents closing in on their team from the east and west.

Bradbury was still nowhere to be found.

Monti called for his men to cover him. He would not let the young private remain out there alone.

Seconds passed. Bullets blasted the plateau.

Monti dropped back. He turned back into the fire.

Grenades exploded.

Monti screamed.

''Help me!'' he shouted.

Bradbury had been wounded when a grenade landed nearby earlier, injuring his arm and shoulder.

Another grenade had hit Monti as he dashed across the ridge to Bradbury, severely wounding his arm, leg and midsection.

He was 20 meters from his team. He screamed in pain. They fired at the insurgents as a fellow sergeant tried to dash toward him.

The sergeant ducked as more explosions came. He was 10 yards away.

He heard Monti gasp his last words.

''Tell my family I love them,'' he said.

HONORING SHANNON PARKS

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BOOZMAN. Madam Speaker, I would like to recognize the initiative and achievement of Shannon Parks from Rogers, Arkansas. Shannon is a recipient of the Congressional Award Bronze Medal.

The Congressional Award Program recognizes excellence and service among young Americans who are challenged to set goals and carry through in public service, personal development and physical fitness and expedition or exploration.

Shannon diligently worked completing her volunteer hours through two different avenues, choosing to volunteer with children because she aspires to become an elementary teacher. She volunteered at the Boys and Girls Club in Rogers, Arkansas, and then she started to help kids learn at the Benton County School of the Arts.

She improved her personal development by learning to fence and practicing at her local fencing club. She completed physical fitness goals by lifting weights, running, and dancing. She also planned a family outing that included camping and rock climbing over a weekend.

Shannon has worked very hard for this award, and it is refreshing to see that young Americans in my district and all across the country are working so hard to improve themselves and their communities.

I want to thank Shannon for her efforts and encourage her to keep working towards her goals.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. McCARTHY of New York. Madam Speaker, yesterday, I missed three votes. Had I been present, I would have voted as follows.

Rollcall No. 647, on the Motion to Suspend the Rules and Agree to H. Res. 593, as Amended, I would have voted "yea."

Rollcall No. 648, on the Motion to Suspend the Rules and Pass H.R. 1376, as Amended, I would have voted "yea."

Rollcall No. 649, on the Motion to Suspend the Rules and Pass H.R. 1121, as Amended, I would have voted "yea."

HONORING THE ROCK SCHOOL FOR DANCE EDUCATION, AN ADMIRED PHILADELPHIA, PA ORGANIZATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. ANDREWS. Madam Speaker, I rise today to honor the Rock School for Dance Education of Philadelphia, PA. The Rock School helps its students succeed academically as well as artistically. For many years, the Rock School has helped prepare students both in the performing arts world and the educational world.

Initially called the School of Pennsylvania Ballet, the Rock School changed its name in 1992 to become an independent institution. During this time, the school became one of the nation's top-five pre-professional training programs. Its reputation continues to grow as it attracts more international students while acquiring exceptional faculty and great successes from its alumni.

The Rock School engages and enriches local communities through its comprehensive outreach programs. More than 10,000 inner city children and their families take part in the School's outreach program annually. The Rock School and its Rock Reach program create positive opportunities for inner city children to participate in productive, stimulating activities. Rock School serves the Philadelphia and Camden community by teaching dance lessons and making dance facilities accessible to local citizens. The Rock Reach program, directed by Sarah Cooper, brings dance to life for Philadelphia and Camden students. Dancers from the school perform at local schools, teach dance lessons, and open their faculties up to the local community

In addition, the Rock School awards over $500,000 in academic scholarships annually. The scholarships are given to talented students who need financial assistance. Scholarship students attend a pre-professional dance training program while also giving outstanding college-preparatory classes. These students dedicate themselves to dance, and the discipline they learn while dancing carries on in everything they do for the rest of their lives.

Madam Speaker, the Rock School for Dance Education instills a quality of thought and action that enriches its students' lives and the local community. I hope to see the school continue along this path of success for years to come. It is an honor to pay tribute to such a fine institution.

HONORING THE LIFE OF MARINE SERGEANT MICHAEL WAYNE HEEDE, JR.

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor the life of Marine Sergeant Michael Wayne Heede, Jr. who died honorably serving his country in Afghanistan as a part of Operation Enduring Freedom.

Sergeant Heede enlisted in the Marine Corps in September of 2005, shortly after his high school graduation. A veteran of the Iraq war and on his third tour of duty, he served as a Combat Engineer. Sergeant Heede was assigned under the 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force at Marine Corps Base Camp Pendleton, California.

In July of 2009 at the age of 22, Sergeant Heede was killed in action while supporting combat operations in the Helmand province of southern Afghanistan. During his military career, Sergeant Heede was awarded the Combat Action Ribbon, Navy Unit Commendation Medal, National Defense Service Medal, and the Global War on Terrorism Service Medal, among others.

I commend Sergeant Heede for the dedication and devotion to preserving the freedom of our nation. His commitment and bravery gives his mother, Mrs. Gloria Crothers of Edgewood, Maryland and his widow, Mrs. Brittney Heede of Southport, North Carolina great pride.

Madam Speaker, I ask that you join with me today to honor the life of Marine Sergeant Michael Wayne Heede, Jr. The distinguished service Sergeant Heede has shown to our country will forever reverberate in our memories. It gives me great pride to honor one of our nation's fallen heroes.

TRIBUTE TO THE MOST REVEREND JOSEPH R. CISTONE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. CAMP. Madam Speaker, I rise today to pay tribute to The Most Reverend Joseph R. Cistone on his installation as the sixth bishop of the Diocese of Saginaw.

A lifelong resident of Philadelphia, Bishop Cistone knew he wanted to be a priest from an early age. His life's calling has now led him to mid-Michigan as the new leader of more than 130,000 Catholics in the 11–county diocese.

Without question, this is a region in transition; one hit especially hard by worldwide economic downturn severely impacting this longtime manufacturing community. We look to our faith now more than ever to carry us though these difficult times and strengthen us during hardship.

In the midst of these challenges, we are thankful His Holiness Pope Benedict XVI led Bishop Cistone to Saginaw as a powerful sign that we are not alone in this journey. We believe Bishop Cistone has been led to Saginaw to richly bless us with his talents in our time of greatest need.

As members of the community of believers in the diocese, we offer our prayers and congratulations to Bishop Cistone as he starts his ministry in mid-Michigan. We pray for his family, especially his parents and brothers today as their son and brother takes on a new role in the Church. We also pray for his new family, the people of the Diocese of Saginaw. We hope that Bishop Cistone's example of faith in God will inspire not just Catholics but people of all faiths and even non-religious backgrounds to seek the Lord.

For the many Catholics I represent in Michigan's Fourth Congressional District, may God lead and guide Bishop Cistone and the Saginaw Diocese to do His will.

IN SUPPORT OF FAMILIES AFFECTED BY OVARIAN CANCER

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MARCHANT. Madam Speaker, I rise today to express my support for women and

families affected by ovarian cancer. Ovarian cancer is recognized as one of the nation's deadliest cancers. The five-year survival rate for ovarian cancer patients is 46 percent, while the ten-year survival rate is calculated to be as low as 39 percent. In 2009, it is estimated that more than 21,550 women will be diagnosed with ovarian cancer and 14,600 will die of the disease.

However, there is hope. If ovarian cancer is treated before it has spread outside the ovary, the five-year survival rate is an outstanding 93 percent.

Unfortunately, due to the lack of an effective early detection test, less than 20 percent of cases are found early enough to treat. Survival rates vary greatly depending on the stage of ovarian cancer at diagnosis. Women diagnosed at an early stage have a dramatically higher five-year survival rate than those diagnosed at a late stage. Since there are currently no effective screening tools for ovarian cancer, raising patient and health care provider awareness is crucial and the only way to help women recognize potential warning signs that can extend and improve their lives.

To this end, I urge my colleagues and their staff to join me in recognizing September as National Ovarian Cancer Awareness Month. This is an important time during which the ovarian cancer community will be helping to increase awareness of the disease and its symptoms, as well as support research to improve treatments and the development of a desperately needed screening test. September 4th is recognized as ''Teal Day'', a day on which everyone is encouraged to wear teal to raise awareness of ovarian cancer and its symptoms, much like pink is worn to do the same for breast cancer. Teal Day is an excellent opportunity to increase public knowledge about this disease.

I commend the Ovarian Cancer National Alliance and other groups like it for their unwavering commitment to make women aware of ovarian cancer symptoms and for their advocacy on behalf of women and families touched by this devastating disease. More must be done to identify ovarian cancer at its earliest and most treatable stage.

DEMOCRATS' GOVERNMENT INTRUSION INTO PRIVATE HEALTH CARE

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MCKEON. Madam Speaker, I rise in opposition to the Democrats' government takeover of our Nation's health care system. This new vision of health care in America is not something the American people can embrace. A bill allowing for government intrusion into the most private matters of our lives can never be justified. Let me share a couple of examples:

Imagine you are 65 years old and you go in for your annual checkup. You are in fine health and you are expecting to hear that everything is fine. Instead, your doctor is required by unelected government bureaucrats to tell you of the proper way to wind down your life and enter hospice care. You may be in perfect health, but the government entered your conversation with you and your doctor and determined that you should really be preparing for the end of your life. This is just one single intrusion on page 424 of this thousand-page bill.

Another example of government intrusion? How about the millions of seniors who may lose their choice of coverage when the government steps in and pares back the Medicare Advantage program? The $162 billion in cuts proposed by the Democrat majority will result in the loss of health care choices for rural Californians in my district. That's just another government intrusion on page 331 of this 1,000-plus-page bill.

Madam Speaker, this bill injects government into all of our private health care decisions, and drives the deficit up by trillions of dollars, passing on mountains of debt and a ruined health care system to our children and grandchildren. Let's take the time to read this bill and give the American people the opportunity to learn how much this is going to impact their lives every day.

ENHANCED EDUCATION AND TRAINING FOR PROVIDERS

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. KENNEDY. Madam Speaker, the America's Affordable Health Choices Act of 2009 vitally enhances the provision of mental health care in our nation. Perhaps most importantly, the legislation includes mental health and substance-use disorders benefits in the essential benefits package. It is because of the precedent set by the mental health parity law, fortifying the civil rights of those with mental illnesses, which lead to the clear recognition by the bill that optimal health cannot be achieved without the inclusion of mental health and substance-use disorder services. I am pleased to have worked with the Committees to have accomplished this victory.

This bill also bolsters the provision of primary care in our country, and in particular prevention. However, if mental health and substance-use disorders are to be included as an essential benefit, we need to be sure that our Nation's physicians, both primary care doctors and specialists, have the behavioral health training and education necessary for them to meet these new provisions. Current medical education, and in particular continuing medical education, does not include enough behavioral health components for physicians to adequately meet the mental health needs of their patients. Substance-use disorder education in particular is rarely offered as a separate component of education, leading medical school graduates with a lack of confidence in their skills to screen, assess, or provide the needed interventions to their patients, according to the 2005 National Academy of Sciences' Institute of Medicine (IOM) Improving the Quality of Health Care for Mental and Substance-Use Conditions report. This report also found that even in preventative medicine, most substance-use education focused solely on tobacco.

The recommendations from this report were so essential for the health of our Nation that I developed legislation based on them—the Improving the Quality of Mental and Substance Use Health Care Act. These issues are now more pertinent than ever as we craft a reform of the current system which will greatly increase the access to mental health care for Americans. Sadly, a recent study showed that barely a third of Americans with mental illness get proper treatment, and that most people who do get care obtain it through their care from primary care physicians. Yet about two-thirds of U.S. primary care physicians reported in 2004–05 that they could not get outpatient mental health services for their patients—a rate that was at least twice as high as for other services, according to the Commonwealth Fund. It is more crucial now than ever that physicians receive the proper behavioral health training—we cannot increase access without arming our workforce with the tools needed to meet this challenge. I therefore respectfully ask the Committees' and my colleagues to ensure that this essential education and training is included in the workforce and education enhancements sections of this bill.

EARMARK DECLARATION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. PETRI. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, Department of Defense Appropriations Act, 2010:

Requesting Member: Hon. THOMAS E. PETRI

Bill Number: H.R. 3326

Account: Department of Defense: Operations and Maintenance, Army (OM, A)

Legal Name of Requesting Entity: Department of Defense

Address of Requesting Entity: 1400 Defense Pentagon, Washington, DC 20301–1400

Description of Request: The $4,500,000 appropriation will be used by the Department of Defense to purchase Light Weight Tactical Utility Vehicles. This vehicle will be manufactured at John Deere Horicon Works in Horicon, Wisconsin. The Light Weight Tactical Utility Vehicle, better known as the M-Gator, is a rugged, air-droppable, highly mobile diesel-powered tactical vehicle to expedite casualty evacuation and resupply activities. They have been heavily utilized during Operation Iraqi Freedom and Operation Enduring Freedom. The M-Gator has proven to be a key asset to our troops around the world in support of the Global War on Terror and provides a unique capability that does not exist in the Army equipment inventory. M-Gators fill critical equipment shortages in Infantry, Aviation, Military Police, Combat and Field Service Hospitals, Special Operations, and other Combat Support and Combat Service Support units. The M-Gator enjoys an enviable reputation because of its ruggedness, load-carrying capability, and reliability.

EARMARK DECLARATION

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. BONO MACK. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3293—Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010

Requesting Member: MARY BONO MACK

Bill Number: H.R. 3293

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Entity Requesting: California State University San Bernardino, 5500 University Parkway, San Bernardino, CA 92407

Description of Earmark: $100,000 is provided for California State University, San Bernardino, to equip a nursing lab in its Health Sciences building at the Palm Desert campus. The need for nursing and health science education has been voiced throughout the Coachella Valley. The Palm Desert Campus of California State University, San Bernardino has responded by establishing new health sciences programs, including a R.N. to B.S.N. that enrolls registered nurses currently working in local hospitals and enables them to upgrade their skills, preparing them for more responsible roles in local hospitals. I am asking for appropriated funds to help outfit the simulation lab (sim lab) of the Health Sciences Building, which will provide the necessary real-life experience needed by nursing students. The sim lab would help the University deal with the decline in clinical placements sites through the use of human patient simulation. The sim lab provides a computer-model-driven, full-sized human patient simulator that delivers true-to-live experiences.

Spending Plan: With local and state funding, a new Health Science Building is being constructed to house traditional classrooms and computer labs, science labs, as well as specialized labs for nursing, including a hospital-like simulation lab with projected completion by end of FY09. California State University provides both the programming and staff, and it will be responsible for future expansion as needed.

Project Budget Breakout: Human Patient Simulator Base Unit—$259,835; Pediatric Human Patient Simulator Base Unit—$262,400; Second Human Patient Simulator Base Unit—$227,835; Equipment for lab to support mannequins (computers, replacement equipment, etc. Mannequins are run on Apple Mac G4's.)—$150,930; Clinical Simulation programs scenarios—$35,000; Eight Stryker Bed Secure 2 Beds (or Hillrohm equivalent) with monitoring equipment @ $6,000/ea—$48,000; Eight portable crash carts (Intermetro Industries or equivalent) @ $2,000/ea—$16,000; Total: $1,000,000

Requesting Member: MARY BONO MACK

Bill Number: H.R. 3293

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Entity Requesting: Eisenhower Medical Center, 39000 Bob Hope Drive, Rancho Mirage, CA 92270

Description of Earmark: $350,000 is provided for Eisenhower Medical Center to meet the needs of a growing medically underserved community in need of health care services in the fast-growing East Coachella Valley. Eisenhower Medical Center is developing a health center in La Quinta, California to address this need. The first phase will house an academically affiliated physician group, an imaging center, a radiation oncology center, a breast and bone screening satellite, Express Clinic, a satellite lab and pharmacy, and prevention and wellness programs. This center will combine conventional medicine and cutting edge technologies with preventative practices. This will ensure that the Health Center in La Quinta will serve as the focal point for integrative health, wellness education and treatment, addressing more than the management of disease, but the pursuits of optimal health in the Coachella Valley. This clinic will also provide much needed job opportunities for the east valley. A study conducted as recently as 2006 showed that the Coachella Valley is 100 primary care physicians short of meeting the current demand. The Health Center is designed to provide an additional 15 primary care physicians and 80 to 100 health care professionals in the first four years and will provide services to a population of 80,000 to 100,000 people. Eisenhower Medical Center, a not-for-profit organization, exists to serve the changing health care needs of our region by providing excellence in patient care with supportive education and research and therefore believes community education and health are of utmost importance.

Spending Plan: EMC is committed to meeting the rapidly growing, critical community needs of the East Valley and to provide the best cancer treatment services to the communities with the new Health Center in LaQuinta.

Construction: $45,000,000; Equipment/Furnishings/Fixtures: $6,000,000; Total: $51,000,000

Requesting Member: MARY BONO MACK

Bill Number: H.R. 3293

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Entity Requesting: Riverside Community College District, 4800 Magnolia Avenue, Riverside, CA 92506–1299

Description of Earmark: $150,000 is provided for Riverside Community College District to equip their Allied Health Sciences Program. A lack of skilled workers, advances in medical science, and an aging healthcare workforce are producing a national and regional shortage of allied healthcare professionals such as Physician Assistants, Laboratory Technicians, Paramedics, and Physical Therapists. To begin filling the shortage, RCCD seeks to expand existing Allied Health Sciences Program and Funds would be used to purchase equipment for this program, enabling RCCD to graduate 300 percent more medical professionals over five years. RCCD's Allied Health Sciences program has been recognized as the best program in California in terms of graduating allied health services professionals, topping USC and Stanford in a recent competition. RCCD serves a region which is severely medically underserved. The Inland Empire has the state's lowest number of physicians per 100,000, with a projected shortfall of 1,140 physicians by 2015. This ratio also holds for allied health service professionals, making the Inland Empire one of the most medically underserved areas in the nation. Cutting-edge equipment at the Allied Health Sciences program will increase the effectiveness and efficiency of training efforts through close interaction, exchange and collaboration within and between various disciplines. Further, a program equipped with the latest technology will also attract more high-quality students and new faculty.

Spending Plan: The State of California recently awarded RCCD $495,000 for equipment purchases. RCCD will undertake a private fundraising effort to raise the delta between $1.25 million, the State funds, and any federal appropriations. These efforts will be similar to those which netted $100,000 per year over five years from Tri-Dental to establish and grow RCCD's Dental Hygienist program. While the acute need for such workers will spur private donations from professional organizations, federal funds will allow the program to fill the worker shortage more quickly.

Requesting Member: MARY BONO MACK

Bill Number: H.R. 3293

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Entity Requesting: University of California—Riverside, 900 University Ave., Riverside, CA 92521

Description of Earmark: $3,400,000 is provided for University of California—Riverside for the UC Riverside School of Medicine. The planned School of Medicine at the University of California, Riverside (UCR) will address the severe physician shortage in Inland Southern California by training a diverse physician workforce. The UCR medical school will also respond to 21st century health care needs by incorporating advances in medical education, science and technology for the benefit of the population of Inland Southern California. The medical school at UCR is being built on the strong foundation already established by the campus' joint medical education program with the University of California Los Angeles School of Medicine. This partnership of more than 30 years has produced more than 700 practicing physicians. UCR is uniquely positioned to launch its own four-year School of Medicine. The campus lies in the heart of Southern California's Inland Empire, one of the most rapidly growing regions in the nation.

The first incoming class of 50 medical students is projected to enroll in the UCR School of Medicine in fall 2012. Concurrently, the medical school will launch residency programs to offer the required training for postgraduate medical students to achieve board certification. Enrollment will ramp up gradually to a total of 400 medical students, 160 residents and 160 graduate students. With the regional physician shortfall forecast to be as high as 53 percent by 2015, the Inland Empire faces a health care challenge of crisis proportions. Since physicians tend to practice near where they complete their residencies, building a medical school in the region is an effective means of mitigating some of the area's physician shortfall. The regional focus of the medical school's research and clinical enterprises will address the poor health outcomes for many residents of Riverside and San Bernardino counties.

Spending Plan: Health Sciences Building construction (financing + campus funds): $39,689,000; Health Science Building 1st/2nd

fl. fit-out, vivarium (funding unidentified): 10,311,000; Anatomy Lab Renovation (this request): 2,500,000; Biomedical Sciences Renovation (this request): 2,975,000; PRIME Telemedicine (state general obligation bond funding): 5,000,000; TOTAL COST: $60,475,000

OCCASION OF UNITED STATES ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT CHANGE OF COMMAND AND RETIREMENT OF COLONEL PAUL GROSSKRUGER

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MEEK of Florida. Madam Speaker, I would like to take this opportunity to recognize the service and contributions of Colonel Paul Grosskruger of the United States Army Corps of Engineers—Jacksonville District as he passes Command to Colonel Pantano and prepares to retire from military service. He has had a long and admirable career, worthy of distinction and worthy of our gratitude.

Colonel Grosskruger assumed command of the Jacksonville District on July 25, 2006 and it has been my distinct pleasure to work closely with him for these past several years. Most notably, I have worked with Colonel Grosskruger on the Merrill-Stevens Expansion Project and was also fortunate to assist the U.S. Army Corps of Engineers as they completed the restoration of Virginia Key Beach. Each time, Colonel Grosskruger impressed us with his clarity, candor and fairness. Colonel Andrew Pantano has large new responsibilities to fill, but from reading his resume and noting his experiences, I am confident that he will be more than up to the task.

Below is a brief biographical sketch of Colonel Grosskruger's long and distinguished career. We have come to expect nothing less than great things of this career officer and we look forward to hearing from Colonel Grosskruger again, though as a private citizen. I know that many members of Florida's delegation join me in wishing him the best as he enters this new stage of life and we have every confidence that Colonel Pantano will continue the U.S. Army Corps of Engineers—Jacksonville District's fine tradition.

Born and raised in eastern Iowa, Colonel Grosskruger was commissioned into the Corps of Engineers upon graduation from the United States Military Academy in 1983. Colonel Grosskruger is a graduate of the U.S. Army Engineer Basic and Advance Courses, the Combined Arms and Services Staff School, the U.S. Army Command and General Staff College, and the U.S. Army War College. He holds a Bachelor of Science degree in engineering mechanics from the United States Military Academy and a Master of Science degree in civil engineering from Iowa State University. He is a registered professional engineer in both the Commonwealth of Virginia and the State of Florida.

His assignments include platoon leader, battalion S2 officer and company executive officer in the 317th Engineer Battalion, Eschborn, Germany; company commander and battalion S4 officer in the 82d Engineer Battalion, Bamberg, Germany; company commander of the 535th Engineer Company (Combat Support Equipment), Grafenwoehr, Germany; project officer and deputy resident engineer in the Omaha Engineer District, U.S. Army Corps of Engineers, Colorado Springs, Colorado; battalion executive officer, 317th Engineer Battalion, Fort Benning, Georgia; group operations officer, 36th Engineer Group, Fort Benning, Georgia; Instructor, U.S. Army Command and General Staff College, Fort Leavenworth, Kansas; Chief of Engineer Operations and Assistant Corps Engineer, V Corps, Heidelberg, Germany; Commander of the 94th Engineer Combat Battalion, Vilseck, Germany, where he planned and conducted operations in support of Operation Iraqi Freedom. His prior assignment was as the Chief of Staff of the U.S. Army Engineer School, Fort Leonard Wood, Missouri. Colonel Grosskruger's awards include the Bronze Star, the Meritorious Service Medal (seventh award); the Army Commendation Medal (three awards and the "V" device); the Joint Commendation Medal; the Army Achievement Medal (fifth award); the NATO Medal; the Joint Meritorious Unit award; and the Humanitarian Service Medal. He has earned medals from Nicaragua and Poland. He has the U.S. and German parachutist badge and the air assault badge. His battalion earned the Presidential Unit Citation for service with the 3d Infantry Division during Operation Iraqi Freedom.

I would be remiss if I did not also take this opportunity to thank Colonel Grosskruger's wife and family for their support and dedication. It is a well known fact that the hardest job in the military is that of the military spouse; our service men and women would not be able to do what our country asks of them without the backbone of a loving family. Claudia Grosskruger is to be commended as much as Colonel Grosskruger for their work in service to this country and for their efforts in raising Jerry, 20 and Jennifer, 18.

PERSONAL EXPLANATION

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. AKIN. Madam Speaker, on rollcall No. 649, H.R. 1121, the Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009, had I been present, I would have voted "yea."

On rollcall No. 648, H.R. 1376, the Waco Mammoth National Monument Establishment Act of 2009, had I been present, I would have voted "yea."

On rollcall No. 647, H. Res. 593—Recognizing and celebrating the 50th Anniversary of the entry of Hawaii into the Union as the 50th State, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. PENCE. Madam Speaker, I rise to state that I was unavoidably detained and unable to vote on rollcall votes 644, 645, and 646. Had I been present, I would have voted "aye" on Nos. 644 and 645, and "nay" on No. 646.

PERSONAL EXPLANATION

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. KILROY. Madam Speaker, on the legislative day of Monday, July 27, 2009, I was unable to cast votes a number of rollcall votes. Had I been present, I would have voted "yea" on rollcall votes 647, 648, and 649.

HONORING THE LIFE OF JOHN T. FINLEY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. MCCOLLUM. Madam Speaker, I rise today to pay tribute to the distinguished life of John T. Finley, retired Ramsey County District Judge and lifelong public servant. Judge Finley passed away unexpectedly in June at the age of 69, while visiting his daughter and grandchildren. While our community has lost a beloved civic leader, we celebrate John's legacy of compassion, fairness, and service to others.

On the judicial bench, John's steadfast impartiality and willingness to take on tough cases earned him the respect and admiration of his colleagues. No matter how politically charged or publicly scrutinized the case, John approached each one with a fair and impartial mind. He was, in this regard, an exemplary judge.

John's public service began when he was elected as a Ramsey County commissioner in 1970, only one year after graduating from William Mitchell College of Law in St. Paul. He would become the longest-serving member of the Ramsey County Board of Commissioners before being elected as a judge in 1996. His vision and leadership helped to craft a comprehensive transportation plan for the region that includes light rail transit. His advocacy for investments in parks and recreation helped to put Ramsey County on the map as one of the most livable communities in America.

Whether serving on the board or the bench, John's love for the community was remarkable. He was a proud native and lifelong resident of St. Paul, and he lived to serve its people. His sense of duty and honor are irreplaceable, and his leadership will be sorely missed.

Madam Speaker, please join me in this tribute to former Ramsey County Judge John T. Finley.

HONORING MR. AND MRS. DICK RIDINGER, COMMENDABLE ARMY VETERANS AND ADMIRED WOODBURY, NJ COMMUNITY CITIZENS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. ANDREWS. Madam Speaker, I rise today to honor Mr. Dick and Mrs. Tommie Ridinger, residents of Woodbury, NJ for the past five decades. Dick and Tommie are 86 and 89 years old respectively, and have been married for the past 61 years. They met each other in Southern France while serving in the United States military during World War II.

Mr. Ridinger was a second lieutenant and Mrs Ridinger was a nurse on the front lines in Marseilles, France. Mr. Ridinger is a short man, and when he was young he was self-conscious about his height. During combat in France, an enemy soldier fired a bullet at him. It skimmed off the top of his helmet, just barely missing his forehead. Never again has Mr. Ridinger complained about his height.

At another point, Nazis attacked a house while Mr. Ridinger's platoon was inside. While seeking shelter inside a closet, he found a French book. The book contained a poem titled, in English, ''I Know Something Good About You.'' From that day forth, he embraced the teachings of the book and modeled his life philosophy after it.

In Marseilles, France, Mrs. Ridinger aided wounded soldiers on the front lines back to health. When the war ended, Tommie returned home to New Jersey with Dick. Tommie was a nurse at Redbank and Oakview elementary schools for over 20 years.

After the war, Mr. Ridinger served as a teacher, vice principal and a high school football coach at Paulsboro and Collingswood High Schools. His success led to his induction into the High School Coaches Hall of Fame in Canton, OH.

Madam Speaker, Mr. and Mrs. Ridinger have served their country in extraordinary ways. Assisting our country both in World War II and in their community for decades, they deserve tremendous recognition for their service. I congratulate Mr. and Mrs. Ridinger and wish them best of luck.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. SMITH of Washington. Madam Speaker, unfortunately I missed recorded votes on the House floor on Monday, July 27, 2009.

Had I been present, I would have voted ''yes'' on rollcall vote No. 647 (On the motion to suspend the rules and agree to H.Res. 593, as Amended), ''yes'' on rollcall vote No. 648 (On the motion to suspend the rules and pass H.R. 1376), ''yes'' on rollcall vote No. 649 (On the motion to suspend the rules and pass H.R. 1121).

HONORING MR. HAROLD MIKELL

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BOYD. Madam Speaker, I rise today to recognize a long-time employee, a trusted advisor, and a good friend of mine, Mr. Harold Mikell. Over the course of his career, which has spanned six decades, Harold has tirelessly worked for the people of Florida—both at the Florida Division of Forestry and as my Agriculture and Natural Resource liaison in North Florida.

Following his service in the United States Navy during World War II, Harold joined the Florida Division of Forestry as an Apprentice Forester. Over his 41 years with the Division, Harold rose through the ranks and distinguished himself as an expert in Fire Control.

Harold retired as Director of the Division in 1991, but his retirement proved to be short lived. In 1993, Harold accepted a position with my predecessor, Congressman Pete Peterson, to serve as his Agriculture liaison in the North Florida community, a role that Harold continued when I was elected to Congress in 1996.

The people of Florida truly owe Harold Mikell a debt of gratitude for his tireless commitment to our great state, and I look forward to his continued friendship, expertise, and counsel.

RECOGNIZING WILLIAM JP BANKS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. QUIGLEY. Madam Speaker, I rise today to recognize the long and distinguished career of Chicago Alderman William JP Banks. On August 31, 2009, Alderman William JP Banks will retire from his career in public service after 26 years.

Born in the Galewood-Montclare community, Alderman Banks graduated from DePaul University and the DePaul University College of Law, never straying far from his Chicago roots and the city he went on to serve for so long. He and his wife, Shirley, have lived in and have raised their two children, Lisa and Joseph, in this same community.

In 1983, Mr. Banks won a seat in the City Council and has since become the highest ranking Italian-American in the Council's history. Throughout his illustrious career in public service, Alderman Banks has stood out as the Chairman of the City Council's Committee on Zoning, where he created an incentive program that has generated more than $12 million for affordable housing developments in neighborhoods throughout the city. Additionally, he has authored and co-sponsored hundreds of legislative initiatives benefitting the people of Chicago that promote responsible government, support our troops and improve law enforcement.

Mr. Banks' role in the community did not stop in his office. It would be impossible to list all of Mr. Banks' involvements with community organizations, but a select few show his wide-reaching involvement with all members of his community. For example, he is an active member of the Galewood-Montclare Community Organization, the North Austin Business Association, the Polish National Alliance, and the Fraternal Order of Police, and is a Board Member of the Chicago Shriner's Hospital.

One can judge a public servant's work by his community support, and looking at Alderman Banks' accolades, one can see how invaluable he has been to his constituents. He has received more than 600 awards from Youth Sports Activities and Educational programs throughout the city, a Friends of Downtown award, and numerous Person of the Year awards from organizations throughout Chicago.

Madam Speaker, I congratulate and thank William Banks for his lengthy and influential career and his many outstanding contributions to the city of Chicago. I wish him the best of luck and continued happiness in his retirement and all his future endeavors.

EARMARK DECLARATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. WALDEN. Madam Speaker, consistent with the House Republican Leadership's policy on earmarks, to the best of my knowledge the requests I have detailed below are (1) not directed to an entity or program that will be named after a sitting Member of Congress; and (2) not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark. As required by earmark standards adopted by the House Republican Conference, I submit the following information on projects I requested and that were included in the Department of Defense Appropriations Act, 2010 (H.R. 3326).

Account: Research, Development, Test & Evaluation, Army

Project Name: Brain Safety Net

Legal Name and Address of Requesting Entity: University of Oregon, 103 Johnson Hall, Eugene, OR 97403

Project Location: Eugene, Oregon

Description of Project: H.R. 3326 appropriates $3,000,000 for the Brain Safety Net project. According to the requesting entity, the appropriated funds for this project will be used to help develop and optimize evidence-based treatments of soldiers and civilians suffering from amputations, traumatic brain injuries (TBI) and neurological disorders such as epilepsy. According to the requester, this will be a valuable use of taxpayer funds because it has the potential to improve the lives of many Oregonians including veterans injured during service in Iraq and Afghanistan. An individual's ability to effectively use a prosthetic device or manage the consequences of a traumatic brain injury means a higher quality of life and better opportunities for employment.

Account: Research, Development, Test & Evaluation, Army

Project Name: ONAMI Miniaturized Tactical Energy Systems Development

Legal Name and Address of Requesting Entity: Oregon State University/University of Oregon/Portland State University/Oregon Nanosciences and Microtechnologies Institute, Oregon State University, Corvallis, OR 97331

Project Location: Corvallis, OR; Eugene, OR; Portland, OR; Corvallis, OR

Description of Project: H.R. 3326 appropriates $2,500,000 for ONAMI Miniaturized Tactical Energy Systems Development. According to the requesting entity, the appropriated funds for this project will be used to support the development of miniaturized tactical energy systems for a wide range of military and subsequent commercial applications. According to the requesting entity, this will be a valuable use of taxpayer funds because Miniature Tactical Energy Systems address the growing problems of providing portable power (for tri-generation: electricity, heating and cooling) for forward-deployed Army forces.

Account: Research, Development, Test & Evaluation, Navy

Project Name: ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology Initiative

Legal Name and Address of Requesting Entity: Portland State University; Oregon State University; University of Oregon; Oregon Nanosciences and Microtechnologies Institute, Portland State University, Portland, OR 97207

Project Location: Portland, OR; Corvallis, OR; Eugene, OR; Corvallis, OR

Description of Project: H.R. 3326 appropriates $2,500,000 for the ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology (N31) Initiative. According to the requesting entity, this project would support collaborative research to generate new applications such as nanoelectronic devices to address the end of Moore's Law scaling, advanced solar cells, nanoscale chemical imaging for catalysis improvements in areas such as bioremediation and ethanol production, nanoscale biosensors for point-of-care health management, and biological cell imaging and measurement capabilities. According to the requesting entity, this will be a valuable use of taxpayer funds because nanoelectronics and nanomaterial-based sensors (electrical, magnetic, optical, thermal, biochemical) are critical developments for high-performance electronics and battle theater intelligence, but cannot be successfully deployed without commensurate advances in measurement and materials characterization methods (imaging, chemical analysis) at the nanometer scale.

Account: Research, Development, Test & Evaluation, Defense-Wide

Project Name: Northwest Manufacturing Initiative

Legal Name and Address of Requesting Entity: Manufacturing 21 Coalition, 1100 SW 6th Avenue, Suite 1425, Portland, OR 97204

Project Location: Portland, Oregon

Description of Project: H.R. 3326 appropriates $2,500,000 for the Northwest Manufacturing Initiative. According to the requesting entity, funds for this project would improve the performance of manufacturing companies and the products they create as part of the defense logistics pipeline. According to the requester, this will be a valuable use of taxpayer funds because it is part of a long-term investment strategy designed by industry leaders to concentrate federal, state, public and private resources to serve the needs of the Department of Defense by building the capacity of an entire region's manufacturing cluster to respond to immediate and long-term national needs.

Account: Research, Development, Test & Evaluation, Air Force

Project Name: ONAMI Safer Nanomaterials and Nanomanufacturing

Legal Name and Address of Requesting Entity: University of Oregon/Oregon State University/Portland State University/Oregon Nanosciences and Microtechnologies Institute, University of Oregon, Eugene, OR 97403

Project Location: Eugene, OR; Corvallis, OR; Portland, OR; Corvallis, OR

Description of Project: H.R. 3326 appropriates $2,000,000 for ONAMI Safer Nanomaterials and Nanomanufacturing. According to the requesting entity, this project would use proactive strategies to develop nanomaterials and nanomanufacturing methods which are inherently safer and not detrimental to the environment or health; this directly impacts the Department of Defense's need for high-performance materials. According to the requester, this will be a valuable use of taxpayer funds because the application of this research facilitates application of nanomaterials and manufacturing in important defense technologies including energy production and storage, nanoelectronics and nanophotonics, medical diagnostics and therapeutics, drinking water purification and environmental monitoring and remediation systems. Additionally, nanomaterials are the key to higher performance aircraft structural materials, coatings, fuel systems and electronics.

PERSONAL EXPLANATION

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BROWN of South Carolina. Madam Speaker, on Monday, July 27, 2009, I was unable to make votes due to weather delays impacting my flight into Washington, DC. Below please find my personal explanation for the three roll call votes I missed that day.

Rollcall Number:	Had I been present, I would have voted:
647—Recognizing and celebrating the 50th Anniversary of the entry of Hawaii into the Union as the 50th State	YEA.
648—Waco Mammoth National Monument Establishment Act of 2009	NO.
649—Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009	YEA.

EARMARK DECLARATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 3326, the Fiscal Year 2010 Department of Defense Appropriations Bill.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $3,000,000 to research materials that will lead to advances in the storage and generation of power. To maintain a strong national defense, our nation must develop new devices from innovative polymer-based materials that have lower-power requirements, greater strength, lighter weight, higher sensitivity, and robustness to operate under extreme conditions. The research will provide materials that will lead to important advances in the generation and storage of power. The power generation systems would have advantages for military use over current systems in terms of weight, flexibility, and functionality.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $3,000,000 to complete a project to develop high performance alloy materials and advanced manufacturing of steel castings for new light weight and robotic weapon systems. This program would enhance defense component capabilities at a reduced cost. The program would also augment war fighter capability by increasing the mobility and reliability of weapons systems.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, A

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $6,000,000 to develop new, low-cost, sensors and an integrating network methodology for geospatial localization and tracking of explosive related threats and precursor materials using spatially distributed, multimodal sensors. This effort is consistent with the U.S. Army goals of assured mobility and force protection.

Requesting Member: Rep. JO ANN EMERSON

Bill Number: H.R. 3326

Account: RDTE, AF

Requesting Entity: Missouri University of Science and Technology

Address of Requesting Entity: 1870 Miner Circle, Rolla, Missouri 65409

Description of Request: Provide an earmark of $3,000,000 to develop fiber reinforced ultra-high temperature materials for hypersonic flight vehicles. Ultra-high temperature materials are imperative for the leading and trailing edges, and control surfaces, of future hypersonic vehicles. The proposed project would greatly advance the material selection and design capability for military systems projected to operate in the extreme environments associated with hypersonic flight. Success of this project would enable the United States to uphold its position of world leadership in these critical technology areas.

EARMARK DECLARATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. FRELINGHUYSEN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding a request for

funding I made of the House Appropriations Committee for inclusion in H.R. 3326, the Defense Appropriations bill for Fiscal Year 2010.

Specifically, all of the projects are included in Title IV, Research, Development, Test and Evaluation (RDTE).

RDTE, ARMY

Highly Integrated Lethality Systems Development. $4 million. The entity to receive funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey 07806. The Department of Defense has a clear requirement to close the capabilities gap identified by various military users including Remotely Operated Weapon Systems, Joint Services Small Arms, Program (JSSAP), and Future Force Warrior (FFW) to improve precision through coordination of technical and tactical fire control. The application of Coordinated Lethality will make all weapons and munitions products developed and supported by the Armaments Research Development Engineering Center (ARDEC) at Picatinny Arsenal more valuable to the warfighter. This program will help the U.S. Army to achieve success on the battlefield of the future, increasing combat power by networking sensors, decision makers, and shooters to achieve shared awareness, increased speed of command, higher tempo of operations, greater lethality, increased survivability, and a degree of self-synchronization.

Advanced Technologies, Energy and Manufacturing Science. $7 million. The entity to receive this funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey, 07806. This effort will identify solutions to meet a wide array of diverse challenges including Energetics & Insensitive Munitions (IM) development, Directed Energy & Laser Vulnerability of Weapons and Munition Systems, armaments power and energy, and advanced materials manufacturing processes. These technologies are the underpinnings for the evolutionary improvement and revolutionary invention of weapon systems for the Army's Future Force. They also will significantly improve Army capabilities by providing lighter weight, stronger and more durable materiel that will improve the readiness and performance of soldiers and their weapons systems and enhance battlefield survivability and sustainability. This program helps the Army to meet the urgent need to develop and field a breadth of innovative technology solutions to the joint warfighter with a focus on the lethality and survivability demands for munitions and armaments.

Developmental Mission Integration. $7 million. The entity to receive this funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey 07806. This program responds to the critical need for the U.S. Army Armament Research Development and Engineering Center (ARDEC) to have the capability and flexibility to ''bridge the gap'' between its armaments research activities and Current Force requirements through a dedicated effort to mature, update, prototype and ''spin out'' armament and munitions technologies needed by the warfighter in the near term (6 to 12 months). This program helps the Army develop, demonstrate and transition critical armaments, munitions and logistics technologies needed by Army Brigade Combat Teams and Special Forces prior to (i.e. reset periods) and during deployment.

Reliability and Affordability Enhancement for Precision Guided Munitions. $6 million. The entity to receive this funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey, 07806. Reliable precision guided munitions provide distinct advantages against a range of targets, where their use reduces risks to U.S. forces and can save U.S. lives. These weapons can also reduce unintended harm to civilians during combat, by producing less collateral damage to civilians and civilian infrastructure than unitary weapons. This program will meet the Army's urgent need to develop and provide a breadth of innovative technology solutions for joint warfighter with a focus on precision, safety, lethality and survivability demands for munitions and armaments.

Armaments Academy. $3 million. The entity to receive this funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey, 07806. This program would establish an ''Armaments Academy'' at Picatinny Arsenal that is recognized formally as the Department of Defense's executive agent for training and certifying armament engineers and scientists for all services. This academy would develop an exceptional workforce of employees with multiple and integrated skill sets, capable of adapting quickly to DoD's changing armament mission. In the process, the Academy would ensure a sustainable talent pool for the growth and development of DoD's armament development community, accelerate developing new incoming DoD armament Scientists & Engineers

(S&E) increasing productivity and value to DoD and the Warfighter.

Joint Munitions and Lethality Mission Integration. $2 million. The entity to receive this funding is the U.S. Army at Picatinny Arsenal, Picatinny, New Jersey, 07806. The Joint Munitions & Lethality Life Cycle Management Command (JM&L LCMC) was established to support the Army's overarching goal of transforming into a more lethal and agile force. This program will assist the integration and transition of research, development and engineering (RDE) technologies into Program Executive Office (PEO)/Program Manager (PM) systems. This effort will allow the JM&L to integrate critical munitions and lethality missions across all stages of the life cycle (R&D, Production, Sustainment and Demilitarization) to more efficiently and economically support the joint warfighter.

Rapid Insertion of Developmental Technology. $2 million. The entity to receive this funding is the Stevens Institute of Technology at Castle Point on Hudson, Hoboken, NJ 07030. Continued operations in Iraq and Afghanistan have necessitated the rapid development, qualification and fielding of newly developed military technologies that enhance lethality, situational awareness, and warfighter effectiveness and survivability. There exist opportunities to rapidly field developmental technologies through spiral development into existing and future systems. This ongoing program will address five areas of need for rapid development: Intelligent Armor Systems; Micro-ElectroMechanical Systems (MEMS) for Weapons Applications; Intelligent and Precision Weapon Systems; Manufacturing Sciences Modeling & Simulation and Microchemical Platforms for Nanoenergetic Materials and Critical Defense Chemicals. This funding will be used to enhance the Army's ability to accelerate the fielding of new systems and technology that are crucial to the success of ongoing military operations.

GreenArmaments/Rangesafe. $2 million. The entity to receive this funding is the Stevens Institute of Technology at Castle Point on Hudson, Hoboken, NJ 07030. During current and ongoing training and test operations the Army expends millions of rounds of ammunition containing heavy metals such as lead, tungsten and depleted uranium. This program is developing innovative technologies to reduce the environmental impact of Army armaments, munitions and operations on natural resources. All ongoing projects are aimed at directly supporting the Army's Environmental Requirements and Technology Assessment (AERTA), to allow the Army to maintain its training and test and production facilities at the top operational level enabling their continued use to ensure war-fighting readiness.

Armament Systems Engineering—ASEI2. $2 million. The entity to receive this funding is the Stevens Institute of Technology at Castle Point on Hudson, Hoboken, NJ 07030. The dynamically changing mission requirements in numerous and diverse points of engagement for the Army can only be met by efficient, accelerated and affordable development, integration and fielding of new capabilities and systems. This ongoing program is developing and implementing new methods and practices in systems architecture, system engineering methodologies and tools, systems integration and prototyping, modeling and simulation capabilities for complex and intelligent systems, and network system engineering.

Nano Advanced Cluster Energetics. $2 million. The entity to receive this funding is the New Jersey Institute of Technology at University Heights, Newark, New Jersey 07102–1982. Advanced Cluster Energetics (ACE) combines simple, established particulate coating and handling processes to achieve net shape manufacturing of energetic products with ''perfect'' composition uniformity, dramatically higher energy density and an order of magnitude smaller process cost. The Nano Advanced Cluster Energetics program (ν-ACE) seeks to extend ACE technology to incorporate nano-scale components that will result in performance gains even greater than those already demonstrated at the micro-level. There currently is no existing technology that can process nano-particulates at production scale. Nano ACE benefits will touch all aspects of manufacturing and performance of military munitions: 50 percent manufacturing cost reduction; insensitive munitions through encapsulated uniform compositions munitions products of superior packing density in the same volume leading to greater performance and a reduced logistics tail.

Lightweight Packaging System for Enhancing Combat Munitions Logistics. $2 million. The entity to receive this funding is Frontier Performance Polymers, Picatinny Innovation Center, Picatinny, New Jersey, 07806 The Army and Marines have learned in Iraq and Afghanistan that current ammunition packaging is too heavy and bulky. This program is initially focusing on developing advanced multifunctional lightweight materials, cost-effective fabrication processes and optimized packaging systems for 120mm mortar ammunition. Research has already resulted in a reduction of 30 percent in system weight and 20 percent in system cost. There has also been success with increased shipping capacity, greater portability by one soldier, ease of access to ammunition and reduced loading, assembling and packing costs. Acceleration of

this advanced material and fabrication capability for the production of the lightweight munitions packaging systems will ultimately enhance force readiness, reduce the logistics footprint, increase handling and supply efficiency, enhance safety and improve a soldier's mobility, agility and survivability, especially at the time of additional U.S. troop deployments to Afghanistan.

Ink-based Desktop Electronic Materials. $2 million. The entity to receive funding for this project to Honeywell Corporation, headquartered at 101 Columbia Road, Morristown, New Jersey 07962. Today's Army has a demonstrated need for low-production volume, short-use life and quickly-deployable electronics that enable field-based circuit design, implementation and repair. Ink-based printable electronics technology is faster and less expensive than traditional manufacturing processes and will allow electronic materials to be printed in the field much closer to the user. This program is developing specialized inks that are capable of fabricating electronics that would be printed on a desktop printer and then incorporated into communication technologies such as laptop computers, mobile phones, Radio Frequency Identification (RFID) tags, displays, antennae, radar, etc.

RDTE, AIR FORCE

M–PACT Pure Air Generator (PAG). $2 million. The entity to receive funding for this project is Marotta Scientific Controls, 78 Boonton Avenue, Montville, New Jersey 07045. This is a request is for Air Force RDT&E to develop an enhanced Small Diameter Bomb (SDB) Alternate Compressor System to be used in missile seeker cooling and pneumatic weapons ejection and designed to meet the specific operational requirements of the Small Diameter bomb. As a direct follow-on to current funding, enhancements are needed to improve the reliability of the system, ensuring higher performance and lower cost to the Air Force for the system over the product life cycle.

Large Area APVT Materials Development for High Powered devices. $2 million. The entity to receive funding for this project is II–VI Corporation, 20 Chapin Road, Suite 1005, Pine Brook, NJ 07058. This project is developing a domestic technology and manufacturing base for large area (100mm diameter), high quality silicon carbide (SiC) materials. These materials are needed for highly energy efficient, high frequency, and high power applications for the Department of Defense which has specific future mission requirements for solid state power substations, all-electric and hybrid vehicles (Air Force, Army and Navy), and next generation radar devices (Air Force and Navy), all of which will rely upon devices manufactured with Silicon Carbide (SiC).

RDTE, NAVY

Advanced Fuel Filtration (AFF) System. $1.5 million. The entity to receive funding is Filtration Solutions, 432 Sand Shore Road, Unit 8, Hackettstown, NJ 07840. This program seeks to finalize a system that was developed under the Navy SBIR program for the replacement of the DDG shipboard centrifugal fuel oil purifier. This equipment will save $25 million per year for the Navy from maintenance and operation cost after it is fully implemented to the DDG–51 and CG–47 class ships.

PERSONAL EXPLANATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BISHOP of New York. Madam Speaker, on July 27, 2009, I was unavoidably detained en route to the Capitol from New York. Due to my absence, had I been here, I would have voted in the following manner: rollcall No. 647, I would have voted aye; rollcall No. 648, I would have voted aye; rollcall No. 649, I would have voted "aye."

100TH ANNUAL PIKE COUNTY FAIR

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize the start of the 100th annual Pike County Fair. In the mid-nineteenth century, 89 farmers, including former Congressman John Van Meter, formed the Pike County Agricultural Society. Unfortunately, the demands of the Civil War caused the dissolution of the society. But, on March 21, 1907, forty-three subscribers—local farmers and businessmen, purchased the initial stock of the Pike County Fair Board.

The first fair opened August 14th in conjunction with an opening on the Ohio Valley Racing Association circuit. The main attraction of the inaugural fair was harness racing. 10,000 people attended the three day fair. A harness racing track remains on the premises of the Pike County Fairgrounds, but races are now held a few days before the fair's opening. For three years, between 1954 and 1956, the fair did not occur due to a land lease disagreement. In 1957 the fair resumed after the signing of a new agreement and the construction of a new grandstand and horse barn.

The Pike County Fair continues to be a great event for all of the citizens of Pike County. Children for over 100 years have gained valuable tools for a successful life in agriculture as a result of their participation in the Pike County Fair.

Madam Speaker, I ask you to join me in congratulating the Pike County Fair Board for this momentous occasion and wish them continued success in the future.

PUTTING PATIENTS FIRST, NOT GOVERNMENT BUREAUCRATS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MARCHANT. Madam Speaker, Americans need health care reform, but we do not need a super expensive and inefficient government plan that will saddle our children with massive debts. With unemployment at 9.5 percent, its highest level in a quarter century, now is not the time to enact employer mandates that will lead to fewer jobs and rationed care.

I am opposed to government run health care. Over $60 billion is lost annually to health care fraud; just think of how much more money will be lost to waste, fraud, and abuse under a massive government takeover.

I stand in support of the Patients Choice Act sponsored by Congressman PAUL RYAN. This bill gives every American the opportunity to choose the health care plan that best meets their individual needs—and it ensures that our constituents will receive the same standard benefits as their Member of Congress.

Rather than allowing Washington bureaucrats to come between a patient and their doctor, the Patients Choice Act puts individuals in control. I am proud to co-sponsor the Patients Choice Act.

EARMARK DECLARATION

HON. MARY FALLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Ms. FALLIN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, "The Department of Defense Appropriations Act of 2010."

Title of Project: Advanced Autonomous Robotic Inspections for Aging Aircraft

Amount of Project: $2,000,000

Account: Air Force, Operations & Maintenance

Project Recipient: Veracity Technology Solutions, LLC, 2701 Liberty Parkway, Suite 311, Midwest City, OK 73001

At my request, $2,000,000 was included in H.R. 3326, for Veracity Solutions in Midwest City, OK, to implement a fully automated autonomous robotic vehicle that has the capability to inspect for corrosion, as well as crack detection around fasteners for the KC–135 aircraft. Current inspection methods are both antiquated and time consuming, which has increased maintenance downtime and unnecessary refurbishment. A state-of-the-art nondestructive inspection system and training, which decreases maintenance costs and improves safety, will have the ability to detect corrosion and cracking on the KC–135 wing skins (and other aging aircraft). This system will allow for condition assessment of aircraft structures, as well as continuous assessment through the historical comparison of previous and present inspection results.

Specifically, the funding will be used for the technical personnel, facilities, and equipment required to develop an integrated system that includes a medical grade ultrasonic inspection system, an advanced impedance plane analysis eddy current unit, and an autonomous inspection vehicle that will allow engineers and depot crews to accurately and instantly identify defects and that are currently undetectable with traditional nondestructive inspection methods. The end product will provide a permanent record of the structural member which can be stored on the network for future comparison.

Title of Project: Joint Fires and Effects Trainer System Enhancements

Amount of Project: $2,500,000

Account: Army, Research, Development, Test & Evaluation

Project Recipient: Creative Technologies, 6255 West Sunset Boulevard, Suite 716, Los Angeles, CA

At my request, $2,500,000 was included in H.R. 3326 to provide upgrades to the Joint Fires and Effects Trainer System (JFETS) located at Fort Sill, Oklahoma. The current immersive simulation training capability suffers from one significant drawback—the one-to-one instructor/student requirement. The funding provided for this project would increase the ability for this program to upgrade the voice recognition technology of JFETS and allow a single instructor to manage nine concurrent calls for fire training sessions in the Open Terrain module simultaneously and improve efficiency by 800 percent. Additionally, the project will develop an interactive application to drill soldiers in the five essential elements of accurate predictive fires to prepare them before they train in the immersive environment and reinforce the training before they deploy.

Title of Project: Weapons of Mass Destruction Multi-Sensor Response and Infrastructure Project System

Amount of Project: $2,000,000

Account:

Project Recipient: Triarii Scientific, LLC, 7118 South Colombia Place, Tulsa, OK 74136

At my request, $2,000,000 was included in H.R. 3326 for Triarii Scientific of Tulsa, Oklahoma to provide funding to enhance and improve the Oklahoma National Guard's (OKNG) 63rd Weapons of Mass Destruction (WMD) Civil Support Team's (CST) ability to prevent and respond to terrorist attacks. The OKNG–CST requires next generation capability that improves their ability to respond to WMD-related threats while systematically identifying truly critical vulnerabilities; thus, render state and national infrastructures less exposed.

This funding will be used to upgrade existing CST equipment to a fully integrated and mobile system that combines communications, sensors, vulnerability and engineering assessments of critical infrastructure facilities via the Homeland Defense Operational Planning System (HOPS), and a command and control suite.

The upgraded mobile system will provide complete command and control abilities, interoperable wireless communications, a suite of Acoustic, Biological, Radiological, Nuclear, Explosives (ACBRN–E) and Command, Control, Communications, Computers and Cyber for Intelligence, Surveillance and Reconnaissance (C5ISR) sensors. All system integration, test, certification, infrastructure and vulnerability assessments will be executed in conjunction with the Oklahoma State University Multispectral Laboratories (OSU–UML) and Lawrence Livermore National Laboratories (LLNL) with operational testing overseen by the Joint Interoperability Test Command (ETC).

EARMARK DECLARATION

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MORAN of Kansas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman JERRY MORAN

Bill Number: H.R. 3326

Agency/Account: Department of Defense

Legal Name of Requesting Entity: Kansas State University

Address of Requesting Entity: 110 Anderson Hall, Manhattan, KS 66506

Description of Project: I have secured $3,500,000 for the recently established Unmanned Aerial Systems (UAS) Mission Planning and Operation Center at Kansas State University at Salina, KS. The funding will be used to centralize UAS efforts in one location and continue the Center's collaboration with military, government and business to train UAS pilots, develop UAS technology, and create rules for safe integration of UAS aircraft into the national airspace system. The Center works in partnership with the Kansas National Guard to train Guard personnel by utilizing restricted airspace at nearby Smoky Hill Air National Guard Range. Better utilizing UAS assets will provide valuable real-time data, such as locating tornado victims, for Guard and other first responders to improve homeland security and disaster response. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman JERRY MORAN

Bill Number: H.R. 3326

Agency/Account: Department of Defense

Legal Name of Requesting Entity: Saline County Road and Bridge Department

Address of Requesting Entity: 3424 Airport Road, Salina, KS 67401

Description of Project: I have secured $1,000,000 for Saline County road improvements to better allow the transportation of military personnel and equipment to Smoky Hill Air National Guard Range near Salina, KS. Smoky Hill Range is remotely located and is accessible mainly via county roads. Currently, road conditions are poor and at times nearly impassible between the Range and the other facilities that make up the Kansas National Guard's Great Plains Joint Regional Training Center, as well as to major interstate highways connecting the Range to Fort Riley, KS. I certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. WAMP. Madam Speaker, as a leader on earmark reform, I am committed to protecting taxpayers' money and providing greater transparency and a fully accountable process. H.R. 3326, Department of Defense and Related Agencies Appropriations Act, 2010 contains the following funding that I requested:

Requesting Member: Rep. ZACH WAMP

Bill Number: H.R. 3326

Account: Research, Development, Test And Evaluation, Army—Medical Technology

Legal Name Requesting Entity: Department of Orthopedic Surgery, University of Tennessee College of Medicine Chattanooga

Address: 975 East Third Street, Chattanooga, TN 37403

Description of Request: The University of Tennessee College of Medicine Chattanooga requested funding for its work with artificial bone implants and grafts for American soldiers, airmen, sailors and marines who have lost limbs in combat. This research will greatly enhance the lives of injured service members giving them more independence and allow them to live more productive and fulfilling lives.

Distribution of funding:

Yearly Staffing, 37%;

Consultative Services, 9%;

Scientific Material, 54%.

Requesting Member: Rep. ZACH WAMP

Bill Number: H.R. 3326

Account: Other Procurement, Army—Training Devices, Nonsystem

Legal Name Requesting Entity: Tennessee Army National Guard

Address: Houston Barracks 3041 Sidco Drive, Nashville, TN 37204

Description of Request: The Tennessee National Guard requested funding to purchase and maintain Combined Arms Virtual Trainers to better prepare service members for deployments to Iraq and Afghanistan. This equipment replicates virtual battlefields and allows Army National Guard soldiers to train as they will fight. Allowing Combined Arms Training within a virtual environment will save lives on the real battlefield

Distribution of funding:

Equipment, Software, & Maintenance, 100%.

EARMARK DECLARATION

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. PAUL. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I obtained as part of H.R. 3183, the Education and Transportation bills

(1) Requesting Member: Congressman RON PAUL

Bill Number: H.R. 3326

Account: DOD/RDTE, A

Legal Name of Requesting Entity: U.S. DoD

Address of Requesting Entity: 504 Scott Street, Fort Detrick, MD 21702

Description of Request: $4,200,000 For Testing of safety of vanadium. Protecting the health of servicemen and civilian workers.

EARMARK DECLARATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. WALDEN. Madam Speaker, consistent with the House Republican Leadership's policy on earmarks, to the best of my knowledge the requests I have detailed below are (1) not directed to an entity or program that will be named after a sitting Member of Congress; and (2) not intended to be used by an entity to secure funds for other entities unless the use of funding is consistent with the specified purpose of the earmark. As required by earmark standards adopted by the House Republican Conference, I submit the following information on projects I requested and that were

included in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010 (H.R. 3293).

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Project Name: County of Hood River, OR for facilities and equipment

Legal Name and Address of Requesting Entity: Hood River County, 601 State Street, Hood River, Oregon 97031

Project Location: Hood River County, Oregon

Description of Project: H.R. 3293 appropriates $150,000 for the County of Hood River, OR for facilities and equipment. According to the requesting entity, the appropriated funds for this project will be used to build a health care facility that integrates public health, migrant health, mental health and primary care. According to the requester, this will be a valuable use of taxpayer funds because it would bring health care services to a community that currently has no medical or dental providers.

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Project Name: Oregon Institute of Technology, Klamath Falls, OR for purchase of equipment

Legal Name and Address of Requesting Entity: Oregon Institute of Technology, 3201 Campus Drive, Klamath Falls, Oregon 97601

Project Location: Klamath Falls, Oregon and Portland, Oregon

Description of Project: H.R. 3293 appropriates $250,000 for the Oregon Institute of Technology, Klamath Falls, OR for purchase of equipment. According to the requesting entity, the appropriated funds for this project will be used to purchase clinical laboratory science equipment for use at the existing clinical lab science program in Portland and the new program on the Klamath Falls campus. According to Oregon Institute of Technology, this will be a valuable use of taxpayer funds because expanding this program will help meet the projected need for clinical lab scientists in the next decade.

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services

Project Name: Oregon Institute of Technology, Klamath Falls, OR for purchase of equipment

Legal Name and Address of Requesting Entity: Oregon Institute of Technology, 3201 Campus Drive, Klamath Falls, Oregon 97601

Project Location: Klamath Falls, Oregon

Description of Project: H.R. 3293 appropriates $100,000 for the Oregon Institute of Technology, Klamath Falls, OR for purchase of equipment. According to the requesting entity, the appropriated funds for this project will be used to incorporate medical imaging archiving systems into the curriculum of five different medical imaging programs. According to Oregon Institute of Technology, this will be a valuable use of taxpayer funds because in order to facilitate the adoption and utilization of electronic medical records (EMRs), it is necessary to educate students in health professions programs on all aspects of EMRs, including Picture Archiving and Communication Systems (PACS). These funds will provide future workers the ability to fully maximize the potential of EMRs.

Account: Employment and Training Administration (ETA)—Training & Employment Services (TES)

Project Name: Columbia Gorge Community College, The Dalles, OR to develop a renewable energy training program, including purchase of equipment

Legal Name and Address of Requesting Entity: Columbia Gorge Community College, 400 East Scenic Drive, The Dalles, Oregon 97058

Project Location: The Dalles, Oregon

Description of Project: H.R. 3293 appropriates $350,000 for the Columbia Gorge Community College, The Dalles, OR to maintain and expand a renewable energy training program, including purchase of equipment. According to the requesting entity, the appropriated funds for this project will be used to expand the program to ensure relevance to changing industry demands and continue to meet the regional demand for wind turbine technicians. According to Columbia Gorge Community College, this will be a valuable use of taxpayer funds because funds would produce a skilled labor force for a growing industry while also reducing national dependence on imported oil.

RECOGNIZING READING IS FUNDAMENTAL

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. QUIGLEY. Madam Speaker, I rise today to recognize and honor the outstanding impact that the Chicago area Reading Is Fundamental (RIF) Program has had in promoting literacy and bringing together families and communities throughout the Chicagoland area.

Since its formation in 1972, Reading Is Fundamental in Chicago has fought passionately and effectively to combat illiteracy in inner city neighborhoods, and its efforts have been met with both enthusiasm and success. Utilizing an extensive network that now includes 82 Chicago Public Schools, RIF in Chicago has distributed over 3 and a half million books to inner city children, including over 199,000 in the last school year alone. In doing so, the organization has been instrumental in raising awareness of the burden of illiteracy, and has brought together formerly disparate groups and communities to combat a problem that affects us all.

Recognizing that illiteracy is so often symptomatic of poverty, RIF in Chicago has focused its resources on the city's most impoverished and underserved areas—communities in which books and literacy resources are a luxury rather than a right. And through the implementation of groundbreaking initiatives such as "Project Open Book," "Adolescents-at Risk," and the "Young Women's Zine Project," RIF in Chicago has empowered children throughout the Chicagoland area, helped to strengthen inner city communities, and has taken great strides towards the goal of making education a right of every individual, regardless of one's socioeconomic status.

Madam Speaker, in a day and age in which illiteracy can pose a significant barrier to success in the professional world, I commend the extraordinary efforts and success of the Reading Is Fundamental Program in Chicago. In working to eradicate illiteracy in Chicago's inner-city neighborhoods, Reading Is Fundamental in Chicago has emerged as a unifying force in the same neighborhoods, bringing together families and strengthening communities. Once again, I applaud the organization's important work and thank them for over 37 years of service to Chicago's children.

HONORING JOHN JOHNSON OF JOHN'S FRIENDLY MARKET, AN HONORABLE MAN AND AN ADMIRED NEW JERSEY CITIZEN

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. ANDREWS. Madam Speaker, I rise today to recognize John Johnson of John's Friendly Market. John has served the local residents of Haddon Heights, New Jersey for over 50 years. He has continuously provided customers with fresh food and convenience store items. Recently, John celebrated his 90th birthday and this milestone deserves acknowledgment.

When customers of John's Friendly Market walk in the front door, they know two things for sure: that their hunger will be satisfied by the delicious food that the market provides and that they will see a friendly man sitting behind the counter waiting to take their order. Customers not only love the food at John's, but they love knowing John will brighten their day.

The residents of Haddon Heights, New Jersey consider John a celebrity. His kindness is legendary. For instance, John opened up his store for a family after he had closed, simply because their dog was sick and the vet recommended a meat only diet. People gather at John's to shop for groceries, to fill their stomachs, and to take a break from their fast paced lives. John's Friendly Market is an integral part of the Haddon Heights community.

Madam Speaker, John Johnson's service to New Jersey's First Congressional District should not go unrecognized. I want to personally thank John Johnson for the food he provides, the service he performs, and the lives he has touched.

HONORING DR. GAYNELL SIMPSON

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Dr. Gaynell Simpson, recipient of the 2009 Hartford Faculty Scholar in Geriatric Social Work. Dr. Simpson, Assistant Professor and Gerontology Coordinator at Morgan State University, is one of nine distinguished scholars selected to receive funding to pursue a research project focused on evaluating and improving the field of geriatric social work. Specifically, Dr. Simpson's research project will concentrate on the influence of social resources on health outcomes among African American grandmothers with multiple caregiving roles.

Dr. Simpson earned her Bachelor's of Social Work and Master's of Social Work from the

University of Missouri-Columbia in 1993 and 1994, respectively. Her research interest in gerontological research evolved from her dissertation, Availability of Social Support Resources among African American Grandmother Caregivers. This novel exposition revealed that most grandmothers provide supplementary care for a dependent elder and/or disabled adult child. Since the completion of her dissertation in 2002, Dr. Simpson has diligently continued to contribute to the body of gerontological literature through publications including, but not limited to, the Journal of Gerontological Social Work; African American Research Perspectives, and American Journal of Public Health.

Not only has Dr. Simpson made significant scholarly achievements, she has also made a profound impact through community-based, participatory activities with the Baltimore City Commission on Aging and Retirement Education on Senior Health Education Forum. Dr. Simpson is an avid leader as she serves as the Gerontology Coordinator and Chair of both the Multidisciplinary Urban Gerontology Advisory Board and the Bi-Annual Gerontology Conference at Morgan State University. Her active participation in three competitive training institutes further attests to her commitment in the geriatric social work field.

The Gerontological Society of America administers the Hartford Faculty Scholars Program. The Society is a national organization of professionals in the field of aging and is dedicated to the promotion of scientific study. Dr. Simpson's work is an exemplary display of her dedication to scientific study in geriatrics.

Madam Speaker, I ask that you join with me today to honor Dr. Gaynell Simpson on this memorable occasion. Her demonstrated leadership, accomplishments, and continued efforts to enhance her research, has made a positive difference in field of geriatric social work.

IN DEFENSE OF RENTERS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. FRANK of Massachusetts. Madam Speaker, the House Financial Services Committee last week voted out by a large margin a bill to improve the way in which people who rent are treated under our Section 8 Voucher Program.

Madam Speaker, I believe that one of the contributing causes to the housing crisis that led to the economic crisis we now face was an insufficient recognition of the importance of decent rental housing, and the consequent push of people who were not economically suited to the task into homeownership. On July 5th, in the New York Daily News, former New York Mayor Ed Koch and a former aide of his, Robert Weiner, wrote an excellent article about the importance of this program. We are not yet finished with trying to improve the way in which renters are treated by federal policies, and this very thoughtful article by Ed Koch and Robert Weiner reminds us of how important it is to continue that job.

[From the Daily News, July 5, 2009]

RENTERS ACROSS AMERICA NEED MORE HELP FROM CONGRESS

(By Ed Koch and Robert Weiner)

While the recent anti-foreclosure bill signed by President Obama is of assistance to the homeowners affected by the current financial meltdown, the bill and its $13.6 billion of housing recovery money have ignored the nearly one-third of American households who rent, including more than 2 million households in New York City.

All these people also have a dream of having and staying in a home—and they also need help from Congress, on the double. Over the course of the last generation, things have gotten progressively worse for renters—and the deep recession has added insult to injury.

When Congress passed the Housing and Community Development Act in 1974, the law included a goal of closing the gap between the rising cost of housing and the slower rate of increase in wages. The Koch Amendment to that bill—which established that a family should pay no more than 15%–20% of their income in federally assisted housing, and that a voucher (we now call this a Section 8 voucher)—would cover the difference. After a compromise with the Senate, the cap was set at 25%.

Over the years, the successful program has been whittled away by special interest groups and misdirected priorities. In 1983, the percentage of a family's income that could go towards rent was increased to 30%. That may sound like a small but necessary increase given federal budgetary constraints. However, many families that get Section 8 are paying upwards of 40% and 50% of their income because they cannot find an apartment that meets the established rent cap.

It's not just the size of the individual voucher that's the problem; it is the overall scope of the program. The federal Department of Housing and Urban Development estimates that 3 million families will receive aid under Section 8 this year. The number of individuals in need is far greater. The New York City Housing Authority reports there are 127,825 New York families on the wait list.

Their hopes for affordable housing are dependent on the chance that their number is picked out of a hat.

The Federal Housing Administration advocates that a family should spend no more than 30% of their income on housing. In 2006, according to the U.S. Census Bureau, more than half of renters exceeded this guideline, with almost a quarter of renters spending more than 50%. The situation is particularly dire in New York, where nearly one in three New Yorkers use half of their income on rent.

It shouldn't surprise us that one very immediate consequence of all this is homelessness. New York City alone, there has been a 65% increase in the use of homeless shelters since 1998 and a 23% increase since 2002. Even at these record numbers—36,218 were in shelters as of May 31—a shelter, though a wonderful resource, is not a permanent home, and shelters only house a tiny fraction of the homeless. While a virtually immeasurable number, the New York City Coalition for the Homeless believes homelessness this decade is ''the greatest since the Great Depression.''

In Congress, Reps. Maxine Waters (D–Cal.) and Barney Frank (D–Mass.), the chairs of the House Housing Subcommittee and the full Financial Services Committee, are moving forward with Section 8 housing reform after the July 4 recess. The White House and Congress can help the third of Americans who rent by going back to the guidelines set by the Housing Act of 1974—increasing the availability of Section 8 housing vouchers, assuring that families pay no more than 30% of their income on housing and using the rent limit as a model for other low income housing. This would not be a bailout for renters, but a return to the protection needed to enable people to pay their rent and remain in their homes.

Congress must make sure that all citizens, including renters, who are often the poorest Americans, have roofs over their head. That's not too much to ask in America.

Koch is a former mayor of New York City and member of Congress. Weiner was legislative assistant to Koch.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. BLUNT. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, The Defense Appropriations Act for Fiscal Year 2010.

Requesting Member: Congressman ROY BLUNT

Priority Name: Command & Control Service Level Management (C2SLM)

Authorized Amount: $4 million

Account: Global Command And Control System

Legal Name of Requesting Entity: Accenture National Security Services

Address of Requesting Entity: 407 S Pennsylvania Ave # 201, Joplin, MO 64801

Description of Request: C2SLM addresses the articulated needs by the warfighter in both the short and long-term to deliver critical information across a low-bandwidth enterprise while providing the ability to manage services. It will be able to be deployed on top of legacy C2 systems, as well as the envisioned C2 systems of the future. In addition, this technology is being explored to provide the Secretary of the Air Force with the ability to finally integrate command and control data with financial data.

The ability to distribute services and manage them for the entire military enterprise is critical to achieving today's and tomorrow's mission. C2SLM, while leveraging the work done by the Network-Centric Enterprise Services (NCES) program, views the enterprise from the warfighters' perspective, not the networking perspective. C2SLM pushes the military enterprises capability to the edges and to the warfighter. C2SLM will enable our military to respond to the agility of our opponent by building agility and flexibility into our technology. C2SLM has been selected by the Pentagon to be the early pathfinder for the A-Staff, which will lead to use by non-AOC command and control for COCOMs and NAFs.

Priority Name: Lithium Ion Storage Advancement for Aircraft Applications

Authorized Amount: $2.5 million

Account: Force Protection Applied Research

Legal Name of Requesting Entity: EaglePicher Technologies

Address of Requesting Entity: 1215 W B St, Joplin, MO 64801

Description of Request: This funding will be used toward continued advancement in Lithium Ion storage. Protection of Li-Ion power systems is absolutely necessary on all current

chemistries to prevent catastrophic failures due to over charge, over discharge and temperature excursions. In conjunction with the necessary safety aspects of the power system, a management function is necessary to achieve maximum performance. Maximum performance is achieved by monitoring individual cell voltages, temperature and currents and using this information to control each cell's charging based on environments. By managing the system at the cell level, premature power system degradation and failure can be greatly reduced. This translates into reduced maintenance costs, increased battery life, increased performance and overall increased safety. The use of taxpayer funds is justified because the results from advancements in overall safety and chemistry not only provide safety for aircraft applications but can also be transitioned to the commercial, industrial, military as well as consumer product industries. The next generation of energy storage can be achieved. In addition, by leveraging the results from efforts on current projects, advancements toward new technologies can be realized sooner. These batteries have significant weight and power density advantages over legacy technologies that are currently in use.

Priority Name: Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence

Authorized Amount: $5 million

Account: Aerospace Technology Dev/Demo

Legal Name of Requesting Entity: Missouri State University/QinetiQ North America

Address of Requesting Entity: 901 S National Ave, Springfield, MO 65804

Description of Request: This funding will be used toward a revolutionary approach to the realization of truly load bearing antenna arrays. In addition to load bearing antennas, the DF hardware will be structurally integrated such that weight is minimized. DF algorithms have been developed and modifications for the severe conditions in Afghanistan will be used as a baseline. The use of taxpayer funds is justified because this new, affordable, antenna platform will significantly increase the DF capabilities of the Zephyr platform. This will enable rapid deployment and affordable assets in theater, adding significantly to the nation's assets.

Priority Name: Self-Decontaminating Polymer System for Chemical and Biological Weapons Systems

Authorized Amount: $3.5 million

Account: Chemical And Biological Defense Program

Legal Name of Requesting Entity: Missouri State University/Lumimove d/b/a Crosslink

Address of Requesting Entity: 524 N Boonville, Springfield, MO 65806

Description of Request: This funding will be used to continue development of an on-demand, self-generating and self-renewing polymer-based decontamination system that produces, in real time, activated hydrogen peroxide for the destruction of chemical and biological warfare agents on fabrics for collective and individual protection applications. Hydrogen peroxide is known to be an effective broad spectrum decontamination agent for both chemical and biological warfare agents. The system will interface with state-of-the art chemical and biological stand-off sensors currently deployed in theater and will react to signals generated by such sensors to initiate the production of the activated hydrogen peroxide. Such a system will reduce the logistic burden associated with maintaining product stores in theater and the continuous monitoring of the product due to loss of effectiveness.

EARMARK DECLARATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. BIGGERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: U.S. Representative JUDY BIGGERT

Bill Number: H.R. 3326

Account: RDTE,A

Legal Name of Requesting Entity: Argonne National Laboratory

Address of Requesting Entity: 9700 South Cass Avenue, Argonne, IL 60439

Description of Remarks: Provide an earmark of $5,000,000 for Argonne National Lab, which is collaborating with the Commonwealth of Kentucky in an industrial consortium to advance battery materials and manufacturing. The main objective is to make breakthroughs in new battery materials and electro-chemistry critically needed to move forward to practical, competitive transportation solutions and for efficient storage of electricity generated from distributed renewable energy sources.

SOUTHERN SEA OTTER RECOVERY AND RESEARCH ACT

SPEECH OF

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2009

Mrs. CAPPS. Mr. Speaker, I rise today to express my support for H.R. 556, the Southern Sea Otter Recovery and Research Act.

I want to thank my neighbor, SAM FARR, for introducing this legislation, which I have cosponsored. We both represent districts that are home to the southern sea otter, and so this topic is of great concern to me and my constituents.

Sea otters on the California coast are dying. A recent study by the U.S. Geological Survey found that otter populations are down 3.8 percent from last year, the fastest decline since the 1990s.

We need to act, and we need to act now.

Scientists believe that these elevated mortality rates are linked to water pollution, but continued research is needed to clearly understand the pathways of diseases and to learn how to protect the sea otter. And we need to take concrete action to recover the population.

H.R. 556 requires the Fish and Wildlife Service, in conjunction with the U.S. Geological Survey, to carry out just such a research and recovery program.

This program requires monitoring, analysis, and assessment of population health and mortality, and directs the agencies to find ways to reduce or eliminate those factors that might be causing the decline in sea otter populations.

The health of Central California's marine ecosystem and economy depends in large part on the health of the sea otter.

Sea otters are keystone species and economic drivers. By foraging on sea urchins they help to maintain a lively kelp forest environment. Kelp forests, in turn, influence oceanographic patterns, ensure a healthy habitat for many commercially important fish species, and provide countless recreational opportunities. As a symbol of California, sea otters also bring in droves of tourists who want to nature watch and purchase merchandise.

This bill is not just about preserving one species, but about preserving an ecosystem, an economy, and a way of life. In these uncertain times, we must fight to preserve all that we can. The science is clear; the sea otters need our help. And, quite frankly, we need theirs.

I urge all of my colleagues to vote in support of H.R. 556.

EARMARK DECLARATION

HON. ANH "JOSEPH" CAO

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. CAO. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3266—the Defense Appropriations Act, 2010:

As requested by me, Rep. ANH "JOSEPH" CAO, H.R. 3266—the Defense Appropriations Act, 2010, for Space and Naval Warfare Systems Center Atlantic Office in New Orleans. This is in the "OP,N" account in the amount of $7,500,000.—This funding would sustain critical joint Navy/university information systems research and technology transfer, in partnership with the University of New Orleans and local IT companies recovering from the aftermath of Hurricane Katrina. Funding will update the current operations environment at the SSC/ITC, which is now becoming obsolete and needs to be refreshed with a more up-to-date computer environment. This is a good use of taxpayer dollars because, due to the aging equipment, major failure of one or several components is imminent, putting the Data Center at risk for a catastrophic failure, including loss or damage of millions of dollars in IT equipment.

EARMARK DECLARATION

HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. SCALISE. Madam Speaker, pursuant to the Republican Leadership standards on Congressionally-directed project funding, I am submitting the following information regarding project funding I requested for Southeast Louisiana as part of the Fiscal Year 2010 Defense Appropriations bill.

Requesting Member: Congressman STEVE SCALISE

Bill Number: Fiscal Year 2010 Defense Appropriations Bill

Account: Information Technology Development

Legal Name of Requesting Entity: Space & Naval Warfare Systems Command (SPAWAR)

Address of Requesting Entity: 2251 Lakeshore Drive, New Orleans, LA 70145

Description of Request: I have secured $2,500,000 for Space & Naval Warfare Systems Command (SPAWAR). It will fund a 3D modeling simulation which will allow NASA and DOD to model their manufacturing and testing complexes, facilities, and processes prior to deployment. Modeling prior to development reduces initial costs and minimizes ongoing production. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: Fiscal Year 2010 Defense Appropriations Bill

Account: Enterprise Information Technology

Legal Name of Requesting Entity: Space & Naval Warfare Systems Command (SPAWAR)

Address of Requesting Entity: 2251 Lakeshore Drive, New Orleans, LA 70145

Description of Request: I have secured $7,500,000 for Space & Naval Warfare Systems Command (SPAWAR). The funds will be used for sustaining critical joint Navy/University information systems research and technology transfer in partnership with the University of New Orleans and local small businesses and industry. Funding will update the current operations environment at the Space and Naval Warfare Systems Center. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman STEVE SCALISE

Bill Number: Fiscal Year 2010 Defense Appropriations Bill

Account: Special Operating Forces Underwater Systems

Legal Name of Requesting Entity: Space & Naval Warfare Systems Command (SPAWAR)

Address of Requesting Entity: Naval Special Warfare, San Diego, CA 92135

Description of Request: I have secured $1,000,000 for Space & Naval Warfare Systems Command (SPAWAR). It will fund a new generation submersible, capable of conducting insertion & extraction of Special Operation Forces personnel and/or their payloads. Technology services would be headquartered in Mandeville, Louisiana. I certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. BIGGERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: U.S. Representative JUDY BIGGERT

Bill Number: H.R. 3326

Account: OM, AF

Legal Name of Requesting Entity: Chemring Scot Inc.

Address of Requesting Entity: 2525 Curtiss Street, Downers Grove, IL 60515

Description of Remarks: Provide an earmark of $2,000,000 for Chemring Scot Inc. for the procurement of Joint Aircrew Combined System Testers (JCAST). The JCAST is a self-contained, portable tester, eliminating the need for multiple pieces of equipment to test aircrew flight equipment.

EARMARK DECLARATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. SHUSTER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I am submitting this statement.

Requesting Member: Congressman BILL SHUSTER (PA–9)

Bill Number: H.R. 3326—Department of Defense Appropriations Act, FY 2010

DEFENSE APPROPRIATIONS PROJECTS

Project Name: Cadmium Emissions Reduction—Letterkenny Army Depot

Account: RDTE, A

Legal Name of Requesting Entity: Mountain Research, LLC

Address of Requesting Entity: 825 25th Street, Altoona, PA 16601

Description of Request/Justification of Federal Funding: $1,000,000 for Cadmium Emissions Reduction—Letterkenny Army Depot

This project is a valuable use of taxpayer funds because this work will help Letterkenny Army Depot conduct environmental management activities in an environmentally and fiscally sound, sustainable manner.

Letterkenny's unique mission, which includes manufacturing, depot level maintenance, and demilitarization, presents significant challenges to maintaining operations while achieving aggressive sustainability targets and goals. Specifically, this project will assist in addressing federal and state regulatory issues associated with the reduction of cadmium levels in waste water affluent outflows. This technology implementation will also serve as a demonstration site to facilitate horizontal technology transfer to surrounding Pennsylvania military installations, other Army depots, and installations across the Department of Defense.

Project Name: Defense Support for Civil Authorities for Key Resource Protection

Account: RDTE, A

Legal Name of Requesting Entity: L. Robert Kimball & Associates

Address of Requesting Entity: 615 West Highland Avenue, Ebensburg, PA 15931

Description of Request/Justification of Federal Funding: $1,000,000 for Defense Support for Civil Authorities for Key Resource Protection

The Defense Support for Civil Authorities (DSCA) for Key Resource Protection—South Central, PA project is part of efforts led by U.S. Army ARDEC at Picatinny, New Jersey combing and harmonizing a number of Homeland Defense and Homeland Security programs under the umbrella of Project National Shield (PNS). The National Infrastructure Protection Plan (NIPP) mandates a coordinated approach to Critical Infrastructure and Key Resources (CIKR) protection roles and responsibilities for federal, state, local, tribal, and private sector security partners. The ability to sense, detect and respond to threats to CIKR will require regional communication and information sharing capabilities. The fundamental geospatial data needed to manage CIKR risk and establish the framework for assessing consequences, vulnerability, and threat information is available in jurisdictions across the country. Not available, however, are Enterprise Geographic Information Systems (EGIS) that span political jurisdictions, regions or states and can produce the comprehensive, systematic, and rational assessment of national or sector risk.

South Central Pennsylvania houses a major freight transportation hub (CSX railway) and Army weapons depot (Letterkenny) within miles of each other. This proposal will establish EGIS in South Central PA to advance NIPP objectives. Response-specific intelligence will provide emergency responders and homeland defense personnel with essential situational awareness information required to protect critical infrastructure.

This project is a valuable use of taxpayer funds because it meets a critical Army need to improve Homeland Defense and Civil Support missions while also providing enhanced capabilities to local constituencies in the communications and networking side of emergency response. Specifically, the program represents the actual full deployment of a critical network that will allow local Emergency Management personnel and first responders to communicate as well as provide for a tie in to the Army's Emergency Operations Center at Picatinny Arsenal.

Project Name: Nurse Education Center of Excellent for Remote and Medically Underserved Populations

Account: RDTE, A

Legal Name of Requesting Entity: Saint Francis University

Address of Requesting Entity: 117 Evergreen Drive, Loretto, PA 15940

Description of Request/Justification of Federal Funding:

$2,000,000 for Nurse Education Center of Excellence for Remote and Medically Underserved Populations (CERMUSA)

This project will allow CERMUSA to collaborate with clinical partners and other key Army stakeholders to develop and implement a multi-pronged strategy to address the core issues impacting the military's ability to maintain the supply of active duty registered nurses.

This project is a valuable use of taxpayer funds because these strategies will serve to address the shortages of registered nurses as well as nurse educators and will, as a final outcome, function as a core strategy for recruitment and retention.

Currently, the Army has approximately 59,000 enlisted personnel serving as medics in a variety of theatres, including Iraq and Afghanistan. These medics are promising nursing students because of their affinity for treating and managing injured warriors. Despite the formal training supplied by the Army and the vast life support skills they acquire, they possess no diploma or certification to practice healthcare in civilian institutions. Many medics pursue a career in healthcare once leaving active duty. On the sheer basis of volume alone,

this group of active duty personnel presents a very clear opportunity upon which to build a source of bachelors prepared registered nurses to meet the ongoing recruitment needs of the Army. In addition, this group has already had some preparation and has demonstrated affinity for the type of work which Army nurses are prepared to address. In light of this opportunity, an online Bachelor of Science curriculum will be developed with the intent of allowing progression of the Army medic toward degree completion. The ultimate goal of this project will be qualification for, and entry into, the Army Nurse Corps. Following development of the initial program, additional educational tracks could be developed. Areas for consideration would include a nurse practitioner program with a concentration in neurology/mental health or a Clinical Nurse Specialist program with an emphasis in TBI/PTSD. Both options would result in the preparation of advanced practice nurses who would help meet the needs of returning warriors.

Project Name: Rural Health Center of Excellence for Remote and Medically Underserved Populations

Account: RDTE, A

Legal Name of Requesting Entity: Saint Francis University

Address of Requesting Entity: 117 Evergreen Drive, Loretto, PA 15940

Description of Request/Justification of Federal Funding:

$2,000,000 for Rural Health Center of Excellence for Remote and Medically Underserved Populations (CERMUSA)

CERMUSA performs applied military research in telehealth, distance learning, and telerehabilitation to benefit individuals, healthcare facilities, and educational entities in rural and remote regions. This research is carried out at minimal cost via strategic partnerships with military, healthcare, business, and other governmental areas. All of CERMUSA's research efforts are conducted using commercial off-the-shelf (COTS) technologies, making these projects both sustainable and replicable in a cost-effective manner. CERMUSA disseminates the results of this research via publication, presentation, and live demonstrations of technology solutions in action. CERMUSA, under the direction of the U.S. Army, serves as a technology test bed readily available to the Armed Forces for test and evaluation of both military-spec and commercially available hardware and software.

This project is a valuable use of taxpayer dollars because, as an asset of the United States Army Medical Research and Materiel Command, CERMUSA provides direct service to DOD by performing constant analysis of current trends in computing and communications. CERMUSA's main area of operations, central Pennsylvania, strongly approximates many of the same communications and technology difficulties experienced by America's Armed Services throughout the world, including difficult terrain, extreme weather conditions, and a lack of reliable communications architectures. By overcoming these difficulties with readily-available commodity technologies, often combined in unique or novel ways, CERMUSA provides viable alternatives to often costly (and proprietary) military-spec hardware and software.

PROJECT NAME: VOICE RECOGNITION AND CROSS PLATFORM SPEECH INTERFACE SYSTEM

Account: RDTE, A

Legal Name of Requesting Entity: Szanca Solutions, Inc.

Address of Requesting Entity: 100 East Pitt Street, Bedford, PA 15522

Description of Request/Justification of Federal Funding:

$2,500,000 for Voice Recognition and Cross Platform Speech Interface System

It is my understanding that this project will provide voice activation to legacy command and control systems to improve the ease of use, accuracy, and timeliness of the systems. The project will continue the work done to bring speech controlled operations and in addition provide a cross-platform solution that can be integrated to a wide variety of military systems. Doing so will dramatically increase the functionality and useful life of legacy systems while decreasing training costs and increasing operational speed.

This project is a valuable use of taxpayer funds because many of the Army's current command and control systems require a series of complicated keyboard entries to operate, making the systems slower to operate and prone to errors in stressful environments. This can result in delays providing commanders with critical information and in executing mission critical fire missions. This program will focus on solutions to those issues, allow quicker access to tactical information, and increase the speed in which targets can be fired.

PROJECT NAME: ALC LOGISTICS INTEGRATION ENVIRONMENT

Account: RDTE, AF

Legal Name of Requesting Entity: IS2 Technologies, Inc.

Address of Requesting Entity: 3018 Pleasant Valley Blvd., Altoona, PA 16602

Description of Request/Justification of Federal Funding:

$1,000,000 for ALC Logistics Integration Environment

It is my understanding that this project will develop a Logistics Integration Environment using COTS software that facilitates pulling together teams of people to optimize battlefield readiness and improve the availability of aircraft and associated subsystems.

This project is a valuable use of taxpayer funds because the Air Force Logistics Centers lack an integrated data environment for service, repair, and overall logistics.

Development and deployment of the Logistics Information Environment would:

Develop and implement a collaborative logistics management solution that would provide a single source of data for the maintainers, supply and battlefield environments

Provide optimized predictive logistics modeling for critical supportability factors such as spare parts, maintenance schedules, and survivability under fire

Capture aircraft performance information that may be used to drive further improvements in survivability

Allow for real-time collaboration across the R&D, acquisition, logistics, and warfighter communities

Reduce costs by reducing the time required to research and collect the engineering and logistics data necessary to support unplanned/unscheduled depot-level maintenance requirements

Benefits to our warfighting capability would be:

Mission readiness: Improve the readiness of rapidly deployed aircraft

Cost Avoidance: Minimize the cost and complexity of the aircraft logistics footprint

Innovation: Allow for accelerated innovation to aircraft and subsystems, continuously improving their operational performance and survivability

Additional benefits would include composite data that can be used to formalize and distribute Interactive Electric Technical Manuals (IETM) and dynamic work cards for maintenance planning and instructions.

EXPRESSING SUPPORT FOR FREEDOM IN HONDURAS

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. MACK. Madam Speaker, I rise today to support freedom and democracy in Honduras.

On June 28th, the Honduran people spoke clearly and broke the chains of tyranny. In following both the letter and the spirit of their constitution, the Honduran government and their supreme court issued an arrest order, removed Mr. Manuel Zelaya as president, and then exiled him and the threat he posed from the country.

We have heard several conflicting stories on what happened, how it happened, and who did what.

This past weekend I led a congressional delegation to Honduras to get a first hand account of what had happened. I met with the United States Ambassador to Honduras, Hugo Llorens. I also met with President Roberto Micheletti, the members of the Supreme Court of Honduras, members of the Honduran Congress, civil society groups, Honduran and American businessmen, human rights groups, and the United States military.

After meeting with these men and women, I stand here today and affirm to you that what happened in Honduras was not a coup. But more importantly Madam Speaker, the people of Honduras have said this was not a coup. The Supreme Court of Honduras has said this was not a coup. The Honduran Congress has said this was not a coup. The Attorney General of Honduras has said this is not a coup.

However, let's look at who actually has called this a coup. It is the thugocrats of Latin America: the caudillos who answer to the Venezuelan regime.

Regrettably, President Obama and Secretary of State Hillary Clinton also joined this rush to judgment in calling it a coup.

Madam Speaker, I would like to share with you what I heard while in Honduras. From the President of the Supreme Court we heard the following: ''The military in Honduras does not give us orders. We, the Supreme Court of Honduras, give the military orders.''

From members of the Honduran Congress: ''We voted, Congressman Mack. We voted so that Mr. Zelaya was no longer the President of Honduras. Why is America not recognizing our vote?''

When I met with President Micheletti, we read the Honduran Constitution. If my colleagues have not read Article 239 of the Honduran Constitution, I urge them to do so. Article 239 could not be clearer. It is as if the people in Honduras in 1982, the year they passed their Constitution, saw the threat that

Mr. Zelaya posed coming over the horizon and made sure that the people of Honduras were protected.

President Micheletti also urged that the United States treat the people of Honduras and their decisions with respect. Honduras has been a great ally of ours, and there is growing indignation toward the Obama Administration's recklessness in siding with thugs and dictators like Fidel Castro, Venezuela's Hugo Chavez, and Mr. Zelaya.

Madam Speaker, make no mistake: former President Zelaya violated the Constitution. He broke the law. And when I asked Ambassador's Lloren's team what should be done about Mr. Zelaya and the fact that he violated not only the Constitution of Honduras, but countless laws, their answer was something similar to this: ". . . everyone breaks the law. Because everyone broke the law, Mr. Zelaya's violations should be forgotten and forgiven. And in order to get a political solution, we should support reinstating him."

I cannot tell you how discomforting it was to hear this.

The Administration recently pulled the visa of a Supreme Court Justice and the visas of other high-ranking Honduran officials solely because it did not agree with what they did. Then, to add insult to injury, Ambassador Lloren's team tells me that Mr. Zelaya should be returned because everyone breaks laws? That is not responsible. More importantly, that is not how you promote freedom in Latin America.

Madam Speaker, the Honduran people, in their fight for freedom from the tyranny of Manuel Zelaya, have earned our support and deserve to have the United States stand with them as they seek freedom and democracy for their country. I look forward to returning to Tegucigalpa on January 27, 2010, the date that the new president of Honduras will be sworn in and see the streets of Tegucigalpa filled with joy as they celebrate their renewed freedom and prosperity.

PERSONAL EXPLANATION

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. COURTNEY. Madam Speaker, on Monday, July 27, 2009, I was returning from a congressional delegation to Iraq and Israel and regrettably missed three recorded votes. Had I been present, I would have voted as follows:

On rollcall No. 647, on the motion to suspend the rules and agree to H. Res. 593, Recognizing and celebrating the 50th anniversary of the entry of Hawaii into the Union as the 50th State, I would have voted "yea";

On rollcall No. 648, on the motion to suspend the rules and agree to H.R. 1376, the Waco Mammoth National Monument Establishment Act of 2009, I would have voted "yea";

On rollcall No. 649, on the motion to suspend the rules and agree to H.R. 1121, the Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009, I would have voted "yea."

EARMARK DECLARATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mrs. BIGGERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: U.S. Representative JUDY BIGGERT

Bill Number: H.R. 3326

Account: RDTE, DW

Legal Name of Requesting Entity: Advanced Diamond Technologies, Inc.

Address of Requesting Entity: 429 B Weber Road No. 286, Romeoville, IL 60446

Description of Remarks: Provide an earmark of $2,500,000 for the development of wearable diamond-based MEMS biosensors for real-time detection of weaponized pathogens in Romeoville, Will County, IL.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 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. 3326, the Defense Appropriations Act for fiscal year 2010.

For the priority titled "Army National Guard UH–60 Rewiring Program" which received $10 million in H.R. 3326, Army Utility Helicopter Mods account, the legal name and address of the receiving entity is InterConnect Wiring, 5024 West Vickery Blvd, Fort Worth, TX 76107. The UH–60 rewiring program is a vital recapitalization of critical aviation assets within the Army National Guard. Replacing Kapton insulation used in aircraft wiring harnesses during modification, work order and retrofit is a key component. After many years of use, Kapton insulation becomes old and brittle and can lead to wet or dry arcing. Arcing can lead to intermittent or catastrophic failures. The only solution for this potential problem is to replace the wiring harnesses with new wiring harnesses. The rewiring of aging UH–60 aircraft will ensure a single, standardized aircraft configuration, reduce extensive maintenance time requirements needed to isolate electrical malfunctions, and enhance operational safety due to the age of the wire within these aircraft.

For the priority titled "Nautilus: Multi-Mission Unmanned Surface Vessel" which received $2.5 million in H.R. 3326, Navy Force Protection Applied Research account, the legal name and address of the receiving entity is Elbit Systems of America, 4700 Marine Creek Parkway, Fort Worth, TX 76179. This priority makes the 77 ft Sea Lion stealthy, semi-submersible craft into an unmanned surface combat craft with multiple sensors and weapons, operated from a Remote Control Station. The mission modules will have full range of flexibility to include E/O IR, LASER Designation/Range Finder, data links and satellite communications, electronic warfare package, stabilized remotely controlled gun, short/medium range missiles, disposable UAVs and non-lethal weapons. Nautilus represents a major step in the introduction of large scale, fully weaponized unmanned surface vehicles into the US Navy. Investment in this priority will enable achieving operational capabilities comparable with those of much larger and complex platforms, but without the risk to personnel/naval assets and at a much lower operational cost.

For the priority titled "Remote Aiming and Sighting Optical Retrofit (RASOR)" which received $3.8 million in H.R. 3326, Marine Corps Ground Combat/Supporting Arms Systems account, the legal name and address of the receiving entity is L-3 Electro-Optical Systems Division, 3414 Herrman Drive, Garland, TX 75041. RASOR will significantly extend the service life of the currently fielded AN/PVS-14 NVD, while accelerating the fielding of next generation mission essential imaging technology. It also provides a very affordable path for image fusion technology mandated by combat developers that will enable future improvements in tactics, techniques, and procedures. At the same time, RASOR will allow the Marine to maintain positive control (both hands on the weapon) and fully operate the weapon in a stand-off fashion with increased safety, mobility, and agility, while reducing the combat load. By presenting and fusing the imagery from each sensor, the user will be able to see around corners without being exposed to enemy fire and remotely view weapon sight imagery. Situational awareness will be dramatically improved as well as the ability to detect, recognize, identify, and accurately engage targets. Overall, RASOR will significantly increase the user's survivability and mission effectiveness.

For the priority titled "Recovery, Recycle, and Reuse (R3) of DOE Metals for DoD Applications" which received $2.4 million in H.R. 3326, Army Weapons and Munitions Advanced Technology account, the legal name and address of the receiving entity is e-PEAK INC, 311 Diamond Oaks Drive, Weatherford, TX 76087. R3 provides an efficient, low cost method of obtaining lightweight specialty metals that are used in advanced armors, vehicles, and weapon systems. It provides technologies that allow for the safe, secure, and environmentally sound recovery and reuse of more than one million tons of discarded metals currently stockpiled at DOE facilities.

For the priority titled "Vision Integrating Strategies in Ophthalmology and Neurochemistry (VISION)" which received $4 million in H.R. 3326, Army Research, Development, Test And Evaluation account, the legal name and address of the receiving entity is University of North Texas Health Science Center, 3500 Camp Bowie Blvd, Fort Worth, TX 76107. The research performed by the VISION team will target the various causes and effects of visual damage resulting from both ocular injuries and eye exposure to the elements during combat operations. This research will be used to develop compounds and novel therapeutic strategies to more quickly return an injured warfighter to his unit. More significantly, the goal is to have the Services be able to equip warfighters and combat medical personnel with therapy solutions that can be (1) administered preventatively, (2) self-administered or (3) easily deployed and administered in the field. This

will enable the effective delivery of therapies that take advantage of the narrow time window that eye injuries have for most effective treatment once damage has occurred. In addition, the development of effective treatments for these conditions could save the U.S. government hundreds of millions of dollars annually in preservation of combat readiness, improvement of the visual performance of reenlisting soldiers and in reduction of long-term health care related costs.

For the priority titled ''Flashlight Soldier-to-Soldier Combat Identification System (FSCIS)'' which received $4.5 million in H.R. 3326, SOCOM Special Operations Technology Development, the legal name and address of the receiving entity is ATR Electronics, 109 Ridgemont Ave, San Antonio, TX 78209. Friendly Fire (FF) is a serious problem for the U.S. military and its coalition partners. FF incidents occur frequently and cause unnecessary death and injury, and it weakens the resolve of some coalition partners. Per capita, U.S. FF casualties increased 300 percent during the 2003 Iraq invasion phase compared to 1991 Desert Storm. Efforts to reduce FF casualties through doctrine, training, and Blue Force Tracking have not succeeded. The Flashlight Soldier-to-Soldier Combat Identification System (FSCIS) RDT&E priority develops 13-prototype M4 rifle mounted/body worn radio communication devices that immediately identify friendly soldiers and equipment at the point of engagement. Follow-on Flashlight antennas can be mounted on vehicle platforms (tanks, etc.) and aircraft to create a single-system Combat ID capability that can be integrated into advanced communications systems. Congress provided $2M in FY 2008 and $5.6M in FY 2009 RDT&E funding. USSOCOM is the FSCIS sponsor.

For the priority titled ''Field Deployable Hologram Production System'' which received $4.5 million in H.R. 3326, Army Military Engineering Advanced Technology, the legal name and address of the receiving entity is Zebra Imaging, 9801 Metric Boulevard, Suite 200 Austin, TX 78759. The Field Deployable Hologram Production System is needed by DOD to reduce the time now required to provide 3D imagery to deployed combat forces in Iraq and Afghanistan for intelligence and operation planning.

For the priority titled ''Mobile, Oxygen, Ventilation, and External (MOVES)'' which received $3.4 million in H.R. 3326, Navy Medical Development account, the legal name and address of the receiving entity is SVTronics, 3465 Technology Drive, Plano, TX 75074. MOVES will provide critical life-saving capabilities to combat casualties in the field, and significantly reduce logistical costs and hazards. The MOVES anesthetic module will also eliminate the waste, work hazards, and need for additional training associated with anesthetic delivery technology currently used in field hospitals.

For the priority titled ''Mobile Firing Range'' which received $1.5 million in H.R. 3326, Army Training Devices, Nonsystem account, the legal name and address of the receiving entity is Texas Army National Guard, PO Box 5218, Austin, TX 78763. Currently there is no opportunity to fire weapons for training or qualification without traveling to a certified range on a military installation. The TXANG Guard currently does not have access to any indoor ranges that can be used to fire the M16/M4 which is the current armament for 90 percent of the soldiers within the Texas Army National Guard. The Mobile Firing Range will allow soldiers to train with their assigned weapons at home station. The value added is soldiers can train more than once a year during their annual qualification. The ability to have mobile ranges allows them to be collocated as needed to support deploying unit needs. This system is a training and force multiplier due to the negation of travel and lodging, and staging needed when conducting this training on a military facility.

For the priority titled ''Intelligent Energy Control Systems'' which received $3 million in H.R. 3326, Army Electronics And Electronic Devices account, the legal name and address of the receiving entity is Williams Pyro, 200 Greenleaf Street, Fort Worth, TX 76707. This priority fully supports the Army Science and Technology Master Plan which requires focus on Logistic technologies that reduce logistics demand and technologies that reduce demand for consumables such as fuel and enhance the nation's assurance of sufficient energy for Army missions. Additionally, this is a follow on Priority to a Phase II award for the Small Business Innovative Research.

For the priority titled ''NSW Protective Combat Uniform'' which received $2.5 million in H.R. 3326, Special Operations Forces Operational Enhancements account, the legal name and address of the receiving entity is Naval Special Warfare Development Group, 1636 Regulus Ave, Virginia Beach, VA 23461. This is an unfunded priority for the community. The use of the Protective Combat Uniform will reduce the detectability of SEALs by enemy forces. The textiles used in the PCU ensemble address signature reduction against visual and near-infrared sensors.

For the priority titled ''Women In Military Service For America Memorial Foundation'' which received $2 million in H.R. 3326, Administration And Servicewide Activities account, the legal name and address of the receiving entity is Women In Military Service For America Memorial Foundation, 200 N Glebe Rd Ste 400, Arlington, VA 22203. The purpose of this funding is to bridge the difference between operating and maintenance expenses and the funds raised by the Women's Memorial Foundation to pay those expenses so that the Memorial and the Foundation can continue in operation. Without this funding, it will be impossible for the Foundation to stay in operation and keep the Women's Memorial open as one of the Mall's major Memorials. The Foundation is the only place in the country solely dedicated to researching and making available to DoD and Veterans Affairs officials, other government agencies, various organizations, and other interested persons, information about the history and achievements of military women. It is a source of strong, positive female role models for young boys and girls. About 200,000 people from around the world visit the Memorial each year and some 2.0 million have visited it to date. The Memorial has been designated as a ''Safe Haven'' in the event of a catastrophe in the District of Columbia or Northern Virginia as well as a site potentially being used as a command post by Homeland Security in the event of a disaster in this same area. The Memorial and the Foundation with its unique archive and collection of artifacts is one of the Nation's treasures and must be kept in operation.

For the priority titled ''Portable Sensor for Toxic Gas Detection'' which received $2.6 million in H.R. 3326, Army Missile Technology account, the legal name and address of the receiving entity is General Atomics, 3550 General Atomics Ct., San Diego, CA 92121. The Portable Sensor for Toxic Gas Detection priority will save lives and tax dollars by delivering to the soldier on the battlefield a single, hand-held detector that can sense any combination of several toxic chemical weapon vapors in less than harmful concentrations. Currently, a separate team is dedicated to sensing and reporting deadly concentrations of chemical weapons on the battlefield. This was an acceptable model in battles past. The asymmetric tactics of today's enemy demand a more prevalent and protective sensor capability for our men and women in the urban warfare environment. This priority will deliver that needed capability required today and in the future.

EARMARK DECLARATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326, the Department of Defense Appropriations Act, 2010:

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: 35 0603513N Shipboard System Component Development

Legal Name of Requesting Entity: Eaton Corporation

Address of Requesting Entity: 1000 Cherrington Parkway; Moon Twp., 15009

Amount: $600,000

Description of Request: Funding will be used to develop a new 100 amp breaker that will complete a family of current limiting AQB circuit breakers used in electrical distribution systems onboard Navy combatant vessels. The new breaker will save size and weight, will eliminate the need for current limiting fuses, and will enhance both the survivability of the electrical system and the survivability of the ship's mission. The Navy presently uses current limiting electronic trip AQB circuit breakers in its electrical distribution systems at the 250 amp, 400 amp and 800 amp frame sizes. Missing from this family is a 100 amp frame size breaker. The new 100 amp AQB current limiting breaker will eliminate the need to use current limiting fuses and fuse bases. This will save about 30% space and weight. Circuit breakers can be re-closed after clearing a fault condition in the electrical system instead of the present situation wherein fuse units must be physically replaced. This enhances the survivability of the electrical system, which therefore enhances the survivability of the ship's mission. There are also logistic support savings. The funding will be used to militarize and shock harden an existing COTS commercial circuit breaker and to perform Navy QPL qualification testing.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported. The High-Shock 100 Amp Current Limiting Circuit Breaker appropriation is of particular interest to my district and importance.

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010 D

Account: 50 0603734A Military Engineering Advanced Technology

Legal Name of Requesting Entity: PPG

Address of Requesting Entity: 4325 Rosanna Drive; Allison Park, PA 15101

Amount: $2,000,000

Description of Request: The objective of this program is to leverage nanotechnology to develop low cost multifunctional materials to be used to effectively treat and purify water for potable supply or return of wastewater. Water conservation and the demand for clean drinking water have and will continue to increase globally and many parts of the world are under stress in the ability to supply potable water to the masses. Water transportation is a significant logistical burden in the deployment of forces in the global war on terror.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported. Nanotechnology for Potable Water and Waste Treatment appropriation is of particular interest to my district and importance.

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: 16 0603123N Force Protection Advanced Technology

Legal Name of Requesting Entity: Curtiss-Wright

Address of Requesting Entity: 291 Westec Drive; Mt. Pleasant, PA 15666

Amount: $3,600,000

Description of Request: The Navy has unique requirements for high power density, low weight, low distortion and noise, high efficiency, high reliability, and reduced maintenance on its next generation electric drive ships. The service has been funding development of various propulsion motors for years, and has recognized the value of concurrently supporting development of the required motor drive to maximize system effectiveness. This project would support development of an advanced motor drive technology that is projected to improve system power density by a factor of 3 to 5 and reduce weight by a factor of 3 over commercially available drive systems; and reduce system losses approximately 2–3%. High Power Density Motor Drive technology is based on proven power conversion techniques that have been used for several decades in icebreaker and cruise ship propulsion systems. Integration with complimentary Navy motor development efforts will open up considerable advantage on the design of a complete Navy ''system'', optimized for high demands of propulsion. This combination of motor drive with ongoing motor technology development will support all Navy requirements and enable usage of solid-state power electronic motor drives throughout the Navy combatant fleet. Requested FY10 funding would support design completion, manufacture and subscale proof of concept demonstrations of a ship-worthy propulsion motor drive system.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The High Power Density Motor Drive appropriation is of particular interest to my district and importance.

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: 35 0603513N Shipboard System Component Development

Legal Name of Requesting Entity: Converteam Inc.

Address of Requesting Entity: 610 Epsilon Drive; Pittsburgh, PA 15238

Amount: $2,000,000

Description of Request: The Integrated Power System Converter (IPSC) forms the heart of the Navy initiated Integrated Power System (IPS) concept, and this development will provide significant advantages in size, weight and cost reduction across all IPS equipment. In addition, this system will significantly simplify the insertion of advanced weapons. The IPSC consists of power electronics configured to control the performance of ship propulsion motors, ship service distribution and high power weapons or sensors. Additional funding is required in 2010 to construct and test a relevant scale prototype, thereby increasing the Technology Readiness Level that is required for insertion into a Navy Acquisition program.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The Integrated Power System Converter (IPSC) appropriation is of particular interest to my district and importance.

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 3326, the Department of Defense Appropriations Act, 2010

Account: 172 0708045A End Item Industrial Preparedness Activities

Legal Name of Requesting Entity: National Center for Defense Manufacturing and Machining (NCDMM)

Address of Requesting Entity: 1600 Technology Way; LaTrobe, PA 15650

Amount: $2,000,000

Description of Request: NCDMM was established in 2003 to address the DoD need for manufacturing expertise to reduce overall defense program costs (initial development and sustainability costs). NCDMM identifies specific defense manufacturing operations for improvement and implements more modern technology, resulting in reduced costs, shorter lead times and/or enhanced quality of manufactured components. While working with government facilities and large defense companies, outsourcing opportunities arise which are directed to the NCDMM Manufacturing Consortium, consisting primarily of local shops in Western Pennsylvania. Funding will cover four primary core activities including: 1) support of the Manufacturing Consortium and the VOICe program, which receives no other funding; 2) supplement training programs, which benefit local shops and the U.S. industrial base in general; 3) provide for overhead and management of the organization; and 4) remaining funding will be directed to the NCDMM annual Project Call that enables NCDMM to find new opportunities and engage with new DoD customers.

I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The National Center for Defense Manufacturing and Machining appropriation is of particular interest to my district and importance to my constituents.

EARMARK DECLARATION

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2009

Mr. McCARTHY of California. Madam Speaker, pursuant to the Republican Leadership guidelines on earmarks, I am submitting the following information regarding earmarks I requested that were included as part of H.R. 3326, the Department of Defense Appropriations Act, 2010.

Requesting Member: Congressman KEVIN MCCARTHY

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy (Marine Corps)

Legal Name of Requesting Entity: California Polytechnic State University

Address of Requesting Entity: 1 Grand Avenue, San Luis Obispo, CA 93407

Description of Request: $3.5 million was included for the California Central Coast Research Partnership to continue existing projects and undertake new projects in specific research focus areas in conjunction with Office of Naval Research priorities, including power & energy; operational environments; maritime domain awareness; information analysis and communication; Naval warrior performance and protection; survivability and self-defense; and platform mobility. This project is expected to support research for the Department of Defense, while supporting Cal Poly's science and engineering faculty and students.

Requesting Member: Congressman KEVIN MCCARTHY

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy

Legal Name of Requesting Entity: Electronic Warfare Associates, Inc

Address of Requesting Entity: 400 West Reeves Street; Ridgecrest, California 93555

Description of Request: $2 million is included for the Navy Advanced Threat Simulator (NATS) to develop an advanced threat simulator to support development and testing of new electronic warfare systems that will operate against the latest threat surface-to-air missile systems currently being deployed in potentially hostile areas of the world. This project is expected to result in a more robust self-defense capability for our Naval aviators, upgrade China Lake's testing and training ranges, and continue to support local jobs in Ridgecrest.

Requesting Member: Congressman KEVIN MCCARTHY

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy

Legal Name of Requesting Entity: Advatech Pacific, Incorporated

Address of Requesting Entity: 2015 Park Avenue, Suite 8, Redlands, California 92373

Description of Request: $2 million is included for the Flow Path Analysis Tool (FPAT), to continue development of a state-of-the-art ramjet/scramjet analysis tool for military (Army, Navy, and Air Force) and NASA applications. FPAT is expected to save millions of dollars by evaluating feasibility, predicting performance, and eliminating non-viable or too costly design concepts without having to actually build them (or scale models of them) for testing.

Requesting Member: Congressman KEVIN MCCARTHY

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Navy

Legal Name of Requesting Entity: AAI Corporation

Address of Requesting Entity: 124 Industry Lane, Hunt Valley, Maryland 21030.

Description of Request: $2 million is included for the Next Generation Electronic Warfare Simulator (NGEWS), to provide simulation support for the EA–18G's advanced Electronics Surveillance Measure capability. The F/A–18 Advanced Weapons Lab at China Lake, California is expected to use this capability to more efficiently complete their mission of testing the EA–18G and save money by optimizing lab testing rather than flight testing.

Requesting Member: Congressman KEVIN MCCARTHY

Bill Number: H.R. 3326

Account: Research, Development, Test and Evaluation, Air Force

Legal Name of Requesting Entity: Aerojet-General Corporation

Address of Requesting Entity: PO Box 13222, Sacramento, CA 95813–6000

Description of Request: $1.5 million is included for Test Stand 2–A technical improvements to be used for technical improvements to test stand connections or interfaces at the Air Force Research Laboratory's Propulsion Directorate at Edwards Air Force Base, allowing testing of next generation launch technologies while lowering the cost of putting payloads into orbit. This test stand is a national asset, and these modifications will help to ensure thorough testing of the next generation of re-usable launch vehicles that leverage advanced domestic propulsion technology.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8149–S8214

Measures Introduced: Nine bills and three resolutions were introduced, as follows: S. 1521–1529, S.J. Res. 19, S. Res. 225, and S. Con. Res. 37. **Page S8196**

Measures Reported:

S. Res. 81, supporting the goals and ideals of World Water Day, with an amendment and with an amended preamble. **Page S8192**

Measures Passed:

Hawaii as the 50th State 50th Anniversary: Senate agreed to S. Res. 225, recognizing and celebrating the 50th anniversary of the entry of Hawaii into the Union as the 50th State. **Pages S8210–11**

Miami Dade College Land Conveyance Act: Committee on the Judiciary was discharged from further consideration of H.R. 838, to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and the bill was then passed, clearing the measure for the President. **Page S8211**

Washington Metropolitan Area Transit Regulation Compact: Senate passed S.J. Res. 19, granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact. **Pages S8211–14**

Measures Considered:

Energy and Water Appropriations Act: Senate continued consideration of H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, taking action on the following amendment proposed thereto: **Pages S8157–83, S8213–14**

Adopted:

Voinovich/Carper Amendment No. 1841 (to Amendment No. 1813), to clarify the authority of the Nuclear Regulatory Commission regarding the acquisition and lease of certain additional office space. **Pages S8169–75**

Rejected:

By 25 yeas to 72 nays (Vote No. 243), McCain Amendment No. 1814 (to Amendment No. 1813), to prohibit the use of funds to carry out any project or site-specific location identified in the committee report unless the project is specifically authorized or to carry out an unauthorized appropriation. **Pages S8177–81**

Pending:

Dorgan Amendment No. 1813, in the nature of a substitute. **Page S8157**

Reid Amendment No. 1846 (to Amendment No. 1813), to modify provisions relating to the Department of the Interior. **Pages S8176–77**

Alexander Amendment No. 1862 (to Amendment No. 1813), to limit disbursement of additional funds under the Troubled Asset Relief Program to certain automobile manufacturers, to impose fiduciary duties on the Secretary of the Treasury with respect to shareholders of such automobile manufacturers, to require the issuance of shares of common stock to eligible taxpayers which represent the common stock to eligible taxpayers which represent the common stock holdings of the United States Government in such automobile manufacturers. **Pages S8181–83**

A motion was entered to close further debate on Dorgan Amendment No. 1813 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 30, 2009. **Page S8213**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 30, 2009. **Page S8213**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, July 29, 2009. **Page S8214**

Nominations Received: Senate received the following nominations:

Suedeen G. Kelly, of New Mexico, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2014.

Mary Jo Wills, of the District of Columbia, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles.

Kelvin James Cochran, of Louisiana, to be Administrator of the United States Fire Administration, Federal Emergency Management Agency, Department of Homeland Security.

David S. Ferriero, of North Carolina, to be Archivist of the United States.

Routine lists in the Army. **Page S8214**

Messages from the House: **Page S8191**

Measures Referred: **Page S8191**

Executive Communications: **Pages S8191–92**

Executive Reports of Committees: **Pages S8192–96**

Additional Cosponsors: **Pages S8197–98**

Statements on Introduced Bills/Resolutions: **Pages S8198–S8204**

Additional Statements: **Pages S8190–91**

Amendments Submitted: **Pages S8204–09**

Notices of Hearings/Meetings: **Page S8209**

Authorities for Committees to Meet: **Pages S8209–10**

Privileges of the Floor: **Page S8210**

Text of H.R. 2647 as Previously Passed:

Text of S. 1390 as Previously Passed:

Record Votes: One record vote was taken today. (Total—243) **Page S8181**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:33 p.m., until 9:30 a.m. on Wednesday, July 29, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8214.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies approved for full committee consideration an original bill making appropriations for the Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year 2010.

FINANCIAL REGULATORY MODERNIZATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine regulatory modernization, focusing on insurance, after receiving testimony from Baird Webel, Specialist in Financial Economics, Congressional Research Service, Library of Congress; Travis B. Plunkett, Consumer Federation of America, Washington, D.C.; Hal S. Scott, Harvard Law School, Cambridge, Massachusetts, on behalf of the Committee on Capital Markets Regulation; and Martin F. Grace, Georgia State University Center for Risk Management and Insurance Research, Atlanta.

NATIONAL HURRICANE INITIATIVE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 1485, to improve hurricane preparedness by establishing the National Hurricane Research Initiative, and S. 601, to establish the Weather Mitigation Research Office, after receiving testimony from Kelvin K. Droegemeier, Member, National Science Board, National Science Foundation; Richard W. Spinrad, Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce; Gordon L. Wells, University of Texas Center for Space Research, Austin; Leslie Chapman-Henderson, Federal Alliance for Safe Homes, Tallahassee, Florida; and Franklin W. Nutter, Reinsurance Association of America, Washington, D.C.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Anthony Marion Babauta, of Virginia, to be Assistant Secretary, who was introduced by Representative Bordallo, and Jonathan B. Jarvis, of California, to be Director, National Park Service, who was introduced by Senator Cantwell, both of the Department of the Interior, James J. Markowsky, of Massachusetts, to be Assistant Secretary for Fossil Energy, and Warren F. Miller, Jr., of New Mexico, to be Assistant Secretary for Nuclear Energy, and to be Director of the Office of the Civilian Radioactive Waste Management, both of the Department of Energy, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Michael H. Posner, of New York, to be Assistant Secretary for Democracy, Human Rights, and Labor, who was introduced by Representative McGovern, Kerri-Ann Jones, of Maine, to be Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Ertharin Cousin, of Illinois, for the rank of Ambassador during her tenure of service as a Representative to the United Nations Agencies for Food and Agriculture, who was introduced by Senator Durbin, David Killion, of the District of Columbia, for the rank of Ambassador during his tenure of service as the Permanent Representative to the United Nations Educational, Scientific, and Cultural

Organization, who was introduced by Representatives Berman and Ros-Lehtinen, Karen Kornbluh, of New York, to be Representative to the Organization for Economic Cooperation and Development, with the rank of Ambassador, and Glyn T. Davies, of the District of Columbia, to be Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and to be Representative to the International Atomic Energy Agency, with the rank of Ambassador, all of the Department of State, after nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Arturo A. Valenzuela, of the District of Columbia, to be Assistant Secretary for Western Hemisphere Affairs, Thomas Alfred Shannon, Jr., of Virginia, to be Ambassador to the Federative Republic of Brazil, Patricia A. Butenis, of Virginia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives, 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, Earl Michael Irving, of California, to be Ambassador to the Kingdom of Swaziland, Pamela Jo Howell Slutz, of Texas, to be Ambassador to the Republic of Burundi, Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Guinea, Jerry P. Lanier, of North Carolina, to be Ambassador to the Republic of Uganda, Alfonso E. Lenhardt, of New York, to be Ambassador to the United Republic of Tanzania, 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, Miguel Humberto Diaz, of Minnesota, to be Ambassador to the Holy See, Fay Hartog-Levin, of Illinois, to be Ambassador to the Kingdom of the Netherlands, Stephen J. Rapp, of Iowa, to be Ambassador at Large for War Crimes Issues, and Donald Henry Gips, of Colorado, to be Ambassador to the Republic of South Africa, all of the Department of State.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of William Carlton Eacho III, of Maryland, to be Ambassador to the Republic of Austria, who was introduced by Senator Warner, Matthew Winthrop Barzun, of Kentucky, to be Ambassador to Sweden, who was introduced by Senator Kerry, Bruce J. Oreck, of Colorado, to be Ambassador to the Republic of Finland, who was introduced by Senator Udall (CO), James B. Foley, of New York, to be Ambassador to the Republic of Croatia, Philip D. Murphy, of New Jersey, to be Ambassador to the Federal Republic of Germany, who was introduced by former Senator Tom Daschle, Judith Gail Garber, of Virginia, to be Ambassador to the Republic of Latvia, Douglas W. Kmiec, of California, to be Ambassador to the Republic of Malta, and John R. Bass, of New York, to be Ambassador to Georgia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing 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, after the nominee, who was introduced by Senator McCaskill, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Sonia Sotomayor, of New York, to be an Associate Justice of the Supreme Court of the United States, A. Thomas McLellan, of Pennsylvania, to be Deputy Director, National Drug Control Policy, Alejandro N. Mayorkas, of California, to be Director, United States Citizenship and Immigration Services, Department of Homeland Security, and Christopher H. Schroeder, of North Carolina, to be Assistant Attorney General, and Cranston J. Mitchell, of Virginia, to be a Commissioner, United States Parole Commission, both of the Department of Justice.

CLOSING GUANTANAMO BAY

Committee on the Judiciary: Subcommittee on Terrorism and Homeland Security concluded a hearing to examine closing Guantanamo Bay, after receiving testimony from David Kris, Assistant Attorney General, National Security Division, Department of Justice; Jeh Charles Johnson, General Counsel, Department of Defense; David H. Laufman, Kelley Drye & Warren LLP, and Michael J. Edney, Gibson, Dunn & Crutcher LLP, both of Washington, D.C.; and Deborah N. Pearlstein, Princeton University Woodrow Wilson School of Public and International Affairs, Princeton, New Jersey.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 3356–3369; and 7 resolutions, H. Con. Res. 170; and H. Res. 682–684, 686–688 were introduced. **Page H8959**

Additional Cosponsors: **Pages H8960–61**

Report Filed: A report was filed today as follows:

H. Res. 685, providing for consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010 (H. Rept. 111–233). **Page H8932**

Recess: The House recessed at 11:10 a.m. and reconvened at noon. **Page H8879**

Suspensions: The House agreed to suspend the rules and pass the following measures:

WIPA and PABSS Reauthorization Act of 2009: H.R. 3325, to amend title XI of the Social Security Act to reauthorize for 1 year the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program; **Pages H8911–12**

Veterans Business Center Act of 2009: H.R. 1803, amended, to amend the Small Business Act to establish a Veterans Business Center program; and **Pages H8912–15**

Educating Entrepreneurs through Today's Technology Act: H.R. 1807, amended, to provide distance learning to potential and existing entrepreneurs. **Pages H8915–16**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, July 27th:

Disabled Veterans Home Improvement and Structural Alteration Grant Increase Act of 2009: H.R. 1293, to amend title 38, United States Code, to provide for an increase in the amount payable by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services, by a ⅔ yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 650; **Page H8933**

Southern Sea Otter Recovery and Research Act: H.R. 556, amended, to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter, by a ⅔ yea-and-nay vote of 316 yeas to 107 nays, Roll No. 651; **Pages H8933–34**

Marine Turtle Conservation Reauthorization Act of 2009: H.R. 509, amended, to reauthorize the Marine Turtle Conservation Act of 2004, by a ⅔ recorded vote of 354 ayes to 72 noes, Roll No. 652; **Pages H8934–35**

Agreed to amend the title so as to read: "To reauthorize the Marine Turtle Conservation Act of 2004, and for other purposes.". **Page H8935**

Congratulating the Louisiana State University baseball team for winning the 2009 National Collegiate Athletic Association Division I College World Series: H. Res. 616, to congratulate the Louisiana State University baseball team for winning the 2009 National Collegiate Athletic Association Division I College World Series, by a ⅔ recorded vote of 426 ayes with none voting "no" and 1 voting "present", Roll No. 653; **Page H8935**

Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009: H.R. 1035, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall; and **Page H8935**

Recognizing the service, sacrifice, honor, and professionalism of the Noncommissioned Officers of the United States Army: H.J. Res. 44, to recognize the service, sacrifice, honor, and professionalism of the Noncommissioned Officers of the United States Army. **Pages H8935–36**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958: S. 1513, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958; **Pages H8916–18**

Coast Guard Acquisition Reform Act of 2009: H.R. 1665, amended, to structure Coast Guard acquisition processes and policies; **Pages H8916–26**

Expressing the sense of the House of Representatives that the general aviation industry should be recognized for its contributions to the United States: H. Res. 508, to express the sense of the House of Representatives that the general aviation industry should be recognized for its contributions to the United States; **Pages H8926–28**

Clean Coastal Environment and Public Health Act of 2009: H.R. 2093, amended, to amend the Federal Water Pollution Control Act relating to beach monitoring; **Pages H8928–32**

William Orton Law Library Improvement and Modernization Act: H.R. 2728, amended, to provide financial support for the operation of the law library of the Library of Congress; **Pages H8936–37**

Providing 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: H.R. 1752, amended, 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; **Pages H8937–38**

Absentee Ballot Track, Receive, and Confirm Act: H.R. 2510, to amend the Help America Vote Act of 2002 to reimburse States for the costs incurred in establishing a program to track and confirm the receipt of voted absentee ballots in elections for Federal office and make information on the receipt of such ballots available by means of online access; **Pages H8938–40**

Commending the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding: H. Res. 535, amended, to commend the Congress of Leaders of World and Traditional Religions for calling upon all nations to live in peace and mutual understanding; **Pages H8940–41**

Recognizing the "Day of the African Child" on June 16, 2009: H. Res. 550, to recognize the "Day of the African Child" on June 16, 2009, devoted to the theme of child survival and to emphasize the importance of reducing maternal, newborn, and child deaths in Africa; **Pages H8941–43**

Recognizing the 20th anniversary of the fall of the Berlin Wall: H. Res. 496, amended, to recognize the 20th anniversary of the fall of the Berlin Wall; **Pages H8943–44**

Condemning the July 17, 2009, terrorist bombings in Indonesia and expressing condolences to the people of Indonesia and the various other countries suffering casualties in the attacks: H. Res. 675, to condemn the July 17, 2009, terrorist bombings in Indonesia and to express condolences to the people of Indonesia and the various other countries suffering casualties in the attacks; and **Pages H8944–46**

Recognizing the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan: H. Con. Res. 159, to recognize the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan. **Pages H8946–48**

Senate Message: Message received from the Senate today appears on page H8948.

Senate Referrals: S. 1390 was held at the desk. **Page H8948**

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H8933, H8933–34, H8934–35, H8935. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 9:12 p.m.

Committee Meetings

DAIRY INDUSTRY'S ECONOMIC CONDITIONS

Committee on Agriculture: Subcommittee on Livestock, Dairy and Poultry continued hearings to review economic conditions facing the dairy industry, part three. Testimony was heard from public witnesses.

MEAT AND POULTRY IMPORTS MEET PUBLIC STANDARDS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Protecting the Public Health in a Global Economy Ensuring that Meat and Poultry Imports Meet U.S. Standards. Testimony was heard from public witnesses.

MILITARY EDUCATION/OFFICER DEVELOPMENT

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on Investing in Our Military Leaders: The Role of Professional Military Education in Officer Development. Testimony was heard from the following officials of the Department of Defense: LTG John M. Paxton, Jr., USMC, Director of Operations, Joint Chiefs of Staff; LTG. William B. Caldwell IV, USA, Commanding General, Combined Arms Center, Deputy Commanding General, Training and Doctrine Command, U.S. Army; Dan Sitterly, Director, Force Development, Deputy Chief of Staff, Manpower and Personnel, USAF; Scott Lutterloh, Director, Total Force Requirements Division, U.S. Navy; and BG Melvin G. Spiese, USMC, Commanding General, Training and Education Command, U.S. Marine Corps.

CHEMICAL-BIOLOGICAL-NUCLEAR EXPLOSION MANAGEMENT

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities

held a hearing on chemical, biological, radiological, nuclear, and high-yield explosives consequence management. Testimony was heard from the following officials of the Department of Defense: Paul N. Stockton, Assistant Secretary, Homeland Security and Americas' Security Affairs; and GEN Victor E. Renuart Jr., USAF, Commander, NORAD/United States Northern Command; David Heyman, Assistant Secretary, Policy, Department of Homeland Security; and Davi M. Agostino, Director, Defense Capabilities and Management, GAO.

CORPORATE AND FINANCIAL INSTITUTION COMPENSATION FAIRNESS ACT OF 2009

Committee on Financial Services: Continued markup of H.R. 3269, Corporate and Financial Institution Compensation Fairness Act of 2009.

U.S.-RUSSIAN RELATIONS

Committee on Foreign Affairs: Subcommittee on Europe held a hearing on the Reset Button Has Been Pushed: Kicking Off a New Era in U.S.-Russian Relations. Testimony was heard from Philip H. Gordon, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and Celeste A. Wallander, Deputy Assistant Secretary, Policy for Russia, Ukraine and Eurasia, Office of the Under Secretary, Policy, Department of Defense.

PERSONAL MEDICAL DEBT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on Medical Debt: Is Our Healthcare System Bankrupting Americans? Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime approved for full Committee action the following bills: H.R. 2811, to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injuries animal; and H.R. 3327, Ramos-Compean Justice Act of 2009.

GLOBAL WILDLIFE CONSERVATION, COORDINATION, AND ENHANCEMENT ACT OF 2009

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held a hearing on H.R. 3086, Global Wildlife Conservation, Coordination, and Enhancement Act of 2009. Testimony was heard from Rowan Gould, Acting Director, U.S. Fish and Wildlife Service, Department of the Interior; Steven L. Monfort, Acting Director, National Zoological Park, Smithsonian Institution; and public witnesses.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Committee on Rules: Granted, by a record vote of 7 to 2, a structured rule providing one hour of general debate on H.R. 3326, Department of Defense Appropriations Act, 2010 equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read through page 147, line 4. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.

The rule makes in order (1) the amendments printed in part A of the report of the Committee on Rules, which may be offered only in the order printed in the Rules Committee report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; (2) not to exceed eight of the amendments printed in part B of the Rules Committee report if offered by Representative Flake of Arizona or his designee, which may be offered only in the order printed in the report, shall be considered as read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent; (3) an en bloc amendment, if offered by Rep. Flake of Arizona or his designee, consisting of all of the amendments printed in part B of the report, which shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (4) not to exceed two of the amendments printed in part C of the Rules Committee report if offered by Representative Campbell of California or his designee, which may be offered only in the order printed in the report, shall be considered as read, and shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI.

The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The rule provides one motion to recommit with or without instructions.

The rule provides that after disposition of the amendments specified in the first section of the rule, the chairand ranking minority member of the Committee on Appropriations or their designees each

may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee and that the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII). Finally, the rule provides that during consideration of the bill, the Chair may reduce to two minutes the minimum time for electronic voting. Testimony was heard from Representatives Murtha, Blumenauer, Bordallo, Young of Florida, Sessions, Franks of Arizona and Collman of Colorado.

KINGSTON COAL ASH SLIDE

Committee on Transportation and Infrastructure: Subcommittee on Water Resources, and Environment held a hearing on The Tennessee Valley Authority's Kingston Ash Slide: Evaluation of Potential Causes and Updates on Cleanup Efforts. Testimony was heard from Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; the following officials of the TVA: Tom Kilgore, President and Chief Executive Officer; and Richard Moore, Inspector General; and public witnesses.

BRIEFING—DOD QUARTERLY UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive briefing on Department of Defense Quarterly Update. The Committee was briefed by departmental witnesses.

BRIEFING—INFORMATION SHARING

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Community Management met in executive session to receive briefing on Information Sharing in the Intelligence Community. The Subcommittee was briefed by the following officials of the Office of the Director of National Intelligence: Peter Lavoy, Deputy Director, Analysis; Priscilla Guthrie, Chief Information Officer, Office of the Director; and Gina Genton, DDNI/Policy, Deputy Director.

NEW ENERGY TECHNOLOGIES

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "New Energy Technologies: What's Around the Corner?" Testimony was heard from public witnesses.

Joint Meetings

TRENDS IN FORECLOSURES

Joint Economic Committee: Committee concluded a hearing to examine current trends in foreclosures and what can be done to prevent them, focusing on trends in the loan and borrower characteristics of nonprime mortgages originated from 2000 through 2007 and their performance, after receiving testimony from William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; Susan M. Wachter, University of Pennsylvania, Philadelphia; Keith S. Ernst, Center for Responsible Lending, Durham, North Carolina; and Joseph R. Mason, Louisiana State University, Baton Rouge.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D783)*

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. Signed on July 27, 2009. (Public Law 111–41)

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 29, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, business meeting to mark up proposed budget estimates for fiscal year 2010 for Transportation, Housing and Urban Development, 2:30 p.m., SD–138.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine protecting shareholders and enhancing public confidence by improving corporate governance, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Christopher P. Bertram, of the District of Columbia, to be Assistant Secretary for Budget and Programs, and Chief Financial Officer, Daniel R. Elliott III, of Ohio, to be a Member of the Surface Transportation Board, Susan L. Kurland, of Illinois, to be Assistant Secretary for Aviation and International Affairs, and Christopher A. Hart, of Colorado, to be a Member of the National Transportation Safety Board, all of the Department of Transportation, and Patricia D. Cahill, of Missouri, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, 2:30 p.m., SR–253.

Committee on Environment and Public Works: business meeting to consider the nomination of Samuel D. Hamilton, of Mississippi, to be Director of the United States Fish and Wildlife Service, Department of the Interior, Time to be announced, Room to be announced.

Full Committee, to hold hearings to examine the nomination of John R. Fernandez, of Indiana, to be Assistant Secretary of Commerce for Economic Development, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine Pakistan's internally displaced persons (IDP) crisis, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the nomination of Aaron S. Williams, of Virginia, to be Director of the Peace Corps, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: business meeting to consider pending calendar business, 10 a.m., SD–342.

Full Committee, to hold hearings to examine the nominations of Rafael Borras, of Maryland, to be Under Secretary of Homeland Security for Management, Ernest W. Dubester, of Virginia, to be a Member, and Julia Akins Clark, of Maryland, to be General Counsel, both of the Federal Labor Relations Authority, 3 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine certain nominations, 10 a.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine veteran's disability compensation, 9:15 a.m., SR–418.

Special Committee on Aging: to hold hearings to examine medical research and education, 2 p.m., SD–562.

House

Committee on Agriculture, to mark up the following bills: H.R. 511, To authorize theSecretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village; H.R. 940, To provide for the conveyance of National Forest System land in the State of Louisiana; H.R. 1002, Pisgah National Forest Boundary Adjustment Act of 2009; and H.R. 3175, To direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, 11 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on Psychological Stress in the Military: What Steps are Leaders Taking? 2 p.m., 210 HVC–210.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity, hearing entitled ''Academic Perspectives on the Future of Public Housing,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on New Challenges for International Peacekeeping Operations, 10 a.m., 2172 Rayburn.

Subcommittee on Africa, and Global Health, hearing on Sudan: U.S. Policy and Implementation of the Comprehensive Peace Agreement, 3:30 p.m., 2200 Rayburn.

Subcommittee on Asia, the Pacific and the Global Environment, hearing on Ushering in Change: A New Era for U.S. Regional Policy in the Pacific, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled ''Beyond Readiness: AnExamination of the Current Status and Future Outlook of the National Response to Pandemic Influenza,'' 2 p.m., 311 Cannon.

Committee on House Administration, hearing on Management of the Worklife Services Center at the Library of Congress, 11 a.m., 1320 Longworth.

Committee on the Judiciary, to mark up the following: H. Res. 636, Directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the transfer or release of detainees held at Naval Station, Guantanamo Bay, Cuba. Into the United States; a resolution Authorizing the House General Counsel to seek immunity for certain witnesses in connection with the Porteous Impeachment inquiry; H.R. 3245, Fairness in Cocaine Sentencing Act of 2009; H.R. 847, James Zadroga 9/11 Health and Compensation Act of 2009; H.R. 3290, September 11 Family Humanitarian Relief and Patriotism Act of 2009; H.J. Res. 26, Proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously; H.R. 1478, Carmelo Rodriguez Military Medical Accountability Act of 2009; H.R. 984, State Secretary Protection Act of 2009; H.R. 3327, Ramos-Compean Justice Act of 2009; and H.R. 2811, to amend title 18, United States Code, to include constrictor snakes of the species gerera as an injurious animal, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 1916, Migratory Bird Habitat Investment and Enhancement Act; H.R. 481, North Country National Scenic Trail Route Adjustment Act of 2009; H.R. 1641, Cascadia Marine Trail Study Act; H.R. 905, Thunder Bay National Sanctuary and Underwater Preserve Boundary Modification Act; H.R. 1771, Chesapeake Bay Science Education and Ecosystem Enhancement Act of 2009; and H.R. 1053, Chesapeake Bay Accountability and Recovery Act of 2009, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing entitled ''Inadvertent File Sharing Over Peer-to-Peer Networks: How it Endangers Citizens and Jeopardizes National Security,'' 10 a.m., 2154 Rayburn.

Subcommittee on Domestic Policy, hearing entitled ''Examining the Impact of Leafy Greens Marketing Agreements,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, 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 combine cycle power generation systems; and H.R. 3247, To establish a social and behavioral sciences research program at the Department of Energy, and for other purposes, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Oversight of the Small Business Administration and its Programs,'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on NextGen: Area Navigation (RNAV)/Required Navigation Performance (RNP), 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing on Meeting the Needs of Injured Veterans in the Military Paralympic Program, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Peru Update, 12 p.m., 304 HVC.

Subcommittee on Oversight and Investigations, executive, briefing on Peru Update, 10 a.m., 304 HVC.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterterrorism, executive, briefing on Iran Update, 4 p.m., 304 MVC.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Climate for Innovation: Technology and Intellectual Property in Global Climate Solutions,'' 9:30 a.m., 210 Cannon.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 29

Senate Chamber

Program for Wednesday: Senate will continue consideration H.R. 3183, Energy and Water Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 29

House Chamber

Program for Wednesday: Consideration of H.R. 3326—Department of Defense Appropriations Act, 2010 (Subject to a Rule).

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