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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord of our pilgrim years, the day returns and brings us the round of its concerns and duties.

As our Senators serve You and country, make them aware that their attitudes, words, and actions influence the structure of events and human relationships around our Nation and world. Help these representatives of freedom to master themselves that they may be the servants of others. In these times of strain, keep them from magnifying the slights and stings that are a part of the legislative process. Give them pure hearts and a passion to serve the American people with integrity and honor.

Lord, today, we commit to You all that we have and are to realize Your best for this Nation and world.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 30, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND 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. Madam President, following leader remarks, there will be a period of morning business for an hour. Senators will be permitted to speak for 10 minutes each. Under an agreement reached last night, we are going to turn to the consideration of H.R. 3357, the highway trust fund legislation, among others things. Rollcall votes are expected to occur throughout the day.

The Senate will recess from 2 p.m. to 3 p.m. to allow for a Members-only briefing with Secretary Clinton and Secretary Gates, who both just returned from overseas—the Secretary of State and the Secretary of Defense.

I have not had an opportunity to speak to the Republican leader today, but we will probably have the four votes after the briefing we will have with the two Secretaries. We will stack them, and we should be able to complete all the debate at that time. The legislation has not yet arrived from the House, but I think it will be here in the next half hour or so.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam 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.

HEALTH CARE WEEK VIII, DAY IV

Mr. MCCONNELL. Madam President, the American people are making their voices heard in the debate over health care. One of the things they are demanding is that we do something to lower costs. This is why the proponents of a government takeover never fail to mention lowering costs as one of their primary goals. Yet, more and more, Americans are beginning to ask themselves a very simple question: How can more government lead to lower costs?

They look at Medicare, a government-run health care program that's nearly bankrupt, and they don't understand how an even bigger, more complicated government-run health plan won't end up in the same condition—and they certainly don't understand why the administration would propose cutting hundreds of billions of dollars from Medicare to help pay for this massive new government-run plan.

Yet, this is precisely what some are proposing: that we use Medicare as a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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piggy bank to pay a significant portion of the administration's plan for health care reform. Well, in my view, it's a terrible idea, and on the 44th anniversary of this vital program that roughly 40 million Americans rely on each day, I think it is important to explain why.

Here is how one of the proposed cuts would work. Right now, if a senior citizen on Medicare needs surgery, his or her hospital stay will likely be covered by Medicare. And because health care costs go up each year, Medicare provides for annual increases that ensure that hospitals and other providers are able to keep pace with inflation.

What the administration and some Democrats in Congress are now proposing is that we reduce or even eliminate this annual increase—thus, cutting the amount of money we spend on Medicare, a drastic measure that could have a serious impact on our hospitals and the communities and patients they serve.

It would be one thing if these cuts were being proposed as a way of strengthening Medicare. The simple fact is that Medicare faces significant challenges that must be addressed. When Medicare Part A—the program that pays for hospital stays—was enacted, 44 years ago today, it was projected that in 1990 this program would spend $9.1 billion on hospital services and related administration. As it turned out, spending in 1990 totaled almost $67 billion—or more than seven times the original prediction. These exploding costs have taken a toll on the program's bottom line. Today, Medicare is already spending more than it is taking in, and it is expected to be insolvent in just 8 years. Unfortunately, the administration plans to use Medicare cuts in order to fund yet another new government program.

America's seniors don't want politicians in Washington tampering with Medicare to pay for health care reform. They want us to fix it. I get letters almost every day from some of the nearly 700,000 Kentuckians who have Medicare. They are counting on it in the years ahead, and they are worried about its future. In my view, we have a serious obligation to make sure it's there for them. Unfortunately, the administration's proposal takes the wrong approach.

Just yesterday, the Joint Economic Committee completed a study on the administration's proposed cuts to Medicare. It found that if these cuts were used to restore Medicare rather than to fund a government takeover of health care, the Medicare trust fund's 75-year unfunded liability would be reduced by 15 percent, or more than $2 trillion, and that it would delay the trust fund's bankruptcy by 2 years. In short, while any savings from a reformed Medicare would strengthen it for a longer period of time were they put back into the current program, this just highlights how important overall reform is to ensuring that Medicare continues to serve our seniors.

This is why I have argued for weeks that any savings from Medicare should be put back into the program. And this is why I have also repeatedly urged the administration and my colleagues in the Senate to move forward on the bipartisan Conrad-Gregg proposal, which would provide a clear pathway for fixing the problems in Medicare and other important entitlement programs. Conrad-Gregg would force us to get debt and spending under control. It is the best way to reform Medicare. It deserves the support of every Member of Congress.

Doctors and hospitals across the country are worried about what these proposed cuts in Medicare would mean for them and their patients. Earlier this year, the Kentucky Hospital Association warned that the kinds of cuts being considered in Washington would seriously impact the services hospitals currently provide to seniors in my State. I would encourage my colleagues to talk to seniors, doctors, and medical professionals in their own States and see what they're saying. My guess is that it's a lot different than what some of the lobbyists and interest groups here in Washington are saying.

Some in Congress seem to be in such a rush to pass just any reform, rather than the right reform, that they are looking everywhere for the money to pay for it—even if it means sticking it to seniors with cuts to Medicare. If there was ever a program that needed to be put on a sounder financial footing it is medicare. And yet throughout the debate over health care, we don't seem to be focusing our attention on this vital issue. Instead, the same people who are unwilling to make the hard choices that are needed to fix Medicare now want us to trust them to create a new government program that will inevitably suffer from these same problems. It just doesn't add up, and Americans are beginning to realize it.

So on this anniversary, here is my message: Using massive cuts to Medicare as a way to pay for more government-run health care isn't the kind of change Americans are looking for. Americans want savings from Medicare to be used to strengthen Medicare, not to create a system that would increase long-term health care costs, force Americans off the insurance they have and like, and lead to a government takeover of health care that has the same fiscal problems that Medicare has.

Forty-four years ago today, President Johnson signed Medicare into law, saying that our Nation would never "refuse the hand of justice to those who have given a lifetime of service and wisdom and labor" to their Nation. Those of us in Congress have a responsibility to fulfill that vow. And the best way to do so is to work together on reforms that address the real problems in our health care system, problems like the ones we see with Medicare.

I have been encouraged, as lawmakers on both sides, and even the President, have acknowledged that the reform proposals we have seen so far are not where they need to be. Strengthening Medicare to make sure it meets the needs of seniors today and in the years to come would be a very good place to start.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

SOTOMAYOR NOMINATION

Mr. ALEXANDER. Madam President, I have a statement to make about the President's nomination of Judge Sonia Sotomayor to be Associate Justice of the U.S. Supreme Court.

Even though Judge Sotomayor's political and judicial philosophy may be different from mine, especially regarding second amendment rights, I will vote to confirm her because she is well qualified by experience, temperament, character, and intellect to serve as an Associate Justice of the U.S. Supreme Court.

In 2005, I said on this floor that it was wrong for then-Senator Obama and half the Democratic Senators to vote against John Roberts—a superbly qualified nominee—solely because they disagreed with what Senator Obama described as Roberts' "overarching political philosophy" and "his work in the White House and the Solicitor General's Office" that "consistently sided" with "the strong in opposition to the weak." Today, it would be equally wrong for me to vote against Judge Sotomayor solely because she is not "on my side" on some issues.

Courts were never intended to be political bodies composed of judges "on your side" who would reliably tilt your way in controversial cases. Courts are supposed to do just the opposite: decide difficult cases with impartiality.

The oath Judge Sotomayor has taken twice and will take again when she is sworn in as Associate Justice of the Supreme Court says it best:

> . . . I will administer justice without respect to persons, and do equal right to the poor and to the rich and . . . I will faithfully and impartially discharge and perform all the duties incumbent upon me . . . under the Constitution and laws of the United States.

During her confirmation hearings, Judge Sotomayor expressly rejected then-Senator Obama's view that in a certain percentage of judicial decisions, "the critical ingredient is supplied by what is in a judge's heart . . . and [in] the depth and breadth of one's empathy." In answer to a question from Senator KYL, she said in her confirmation hearing:

> I can only explain what I think judges should do, which is judges can't rely on what's in their heart. They don't determine the law. Congress makes the laws. The job of a judge is to apply the law. And so it's not the heart that compels conclusions in cases. It's the law. The judge applies the law to the facts before that judge.

Giving broad Senate approval to obviously well-qualified nominees helps

to increase the prestige of the Supreme Court and to confirm its impartiality. For that reason, until the last few years, Republican and Democratic Senators, after rigorous inquiries into the fitness of nominees, usually have given those well-qualified nominees an overwhelming vote of approval. For example, no Justice on the Supreme Court that John Roberts joined in 2005 had received more than nine negative votes. Four were confirmed unanimously. All but three Republican Senators voted for Justice Ginsburg, a former general counsel of the American Civil Liberties Union. Every single Democratic Senator voted to confirm Justice Scalia.

In truly extraordinary cases, Senators, of course, reserve the prerogative, as I do, to vote no or even to vote to deny an up-or-down vote.

During the 8 years I was Governor of Tennessee, I appointed about 50 judges. In doing so, I looked for the same qualities Justice Roberts and Judge Sotomayor have demonstrated: intelligence, good character, restraint, respect for law, and respect for those who came before the court. I did not ask one applicant how he or she would rule on abortion or immigration or taxation. I appointed the first female circuit judge in our State and the first African-American court chancellor and the first African-American State supreme court justice. I appointed both Democrats and Republicans. That process served our State well and helped to build respect for the independence and fairness of our judiciary.

In the same way, it is my hope that my vote now will not only help to confirm a well-qualified nominee but will help to return the Senate to the practice only recently lost of inquiring diligently into qualifications of a nominee and then accepting that elections have consequences, one of which is to confer upon the President of the United States the constitutional right to nominate Justices of the Supreme Court.

Madam President, I ask unanimous consent to have printed in the RECORD my floor remarks in support of Judge John Roberts on September 27, 2005.

There being no objection, the material was ordered to be printed in the RECORD, as follows;

FLOOR REMARKS OF U.S. SENATOR LAMAR ALEXANDER IN SUPPORT OF JUDGE JOHN ROBERTS, SEPTEMBER 27, 2005

My constituents have been asking me: who will President Bush nominate for the second Supreme Court vacancy? And the question reminds me of the kicker from California who went to Alabama to play for Coach Bear Bryant. Day after day in practice, the kicker kept punting it more than 70 yards. Day after day, Bryant never said a word. Finally, the young man went to Bryant. Coach, I came all the way here from California to be coached by you and you never say a word to me. ''Son,'' Bryant said, ''When you start kicking it less than 70 yards, I will remind you of what you were doing when you kicked it 70 yards.''

My only respectful suggestion to President Bush is that he try to remember what he was thinking when he appointed John Roberts, and to do it again. For anyone who has been trained in the law, as I have, and who knows something about the profession, it has been a pleasure to watch Judge Roberts' nomination and his confirmation process. It is difficult to overstate how good Judge Roberts seems to be. He has the resume of most talented law students' dreams: editor of the Harvard Law Review and clerk to Judge Henry Friendly. I was a law clerk to Judge John Minor Wisdom in New Orleans who regarded Henry Friendly as one of the two or three best appellate judges of the last century. Judge Roberts learned from Judge Friendly. Then he was law clerk to the last Chief Justice. Add to that his work in the Solicitor General's office where only the best of the best are invited to work. Then add his success as an advocate before the Supreme Court both in private and in public practice. Then still further add his demeanor, his modesty both in philosophy and in person—something that is not always so evident in a person of superior intelligence and great accomplishment. And his kindnesses to individuals with whom he has worked. His performance before the Senate Judiciary Committee demonstrated all of those qualities: restraint, good humor, intelligence, and a command of the body of law that a Supreme Court justice must consider. The televised episodes could be the basis for a law school course or any civics class.

Judge Roberts brings, as he repeatedly said, no agenda to the Supreme Court. He understands that he did not write the Constitution, and it's not his job to rewrite it but to interpret it. That he does not make laws, but is obligated to apply them. He understands the federal system.

For a devotee of the law, watching the John Roberts hearings was like watching Michael Jordan play basketball at the University of North Carolina in the early 1980s or Chet Atkins as a session guitarist in the 1950s in Nashville. One doesn't have to be a great student of the law to recognize there is unusual talent here.

So then if Judge Roberts' professional qualifications and temperament are so universally acclaimed why do we now hear so much talk of changing the rules and voting only for those justices who we can be assured are ''on our side.'' That would be the wrong direction for our country. In the first place, history teaches us that those who try to predict how Supreme Court nominees will decide cases are almost always wrong. Felix Frankfurter surprised Franklin Roosevelt. Hugo Black surprised the South. David Souter surprised almost everybody.

In the second place, courts were never intended to be set up as political bodies that could be relied upon to always tilt one way or another in controversial matters. Courts are supposed to do just the opposite: to hear the facts and impartially apply the law and the Constitution in controversial matters. Who will have confidence in a system of justice that is deliberately rigged to be on one side or the other despite what the facts and the law are?

Finally, failing to give overwhelming approval to an obviously well-qualified nominee like Judge Roberts just because he is ''not on your side'' reduces the prestige of the Court. It jeopardizes its independence. It makes it less effective as it seeks to perform its indispensable role in our constitutional republic.

For these three reasons Republican and Democratic senators, after rigorous hearings and discussions, have traditionally given well-qualified nominees for Supreme Court justice an overwhelming vote of approval. I'm not talking about the ancient past, I'm speaking of justices who are on the Court today, none of whom are better qualified than Judge Roberts.

Justice Breyer—Confirmed by a vote of 87–9 in a Congress composed of 57 Democrats and 43 Republicans.

Justice Ginsburg—Confirmed by a vote of 96–3 in that same Congress.

Justice Souter—Confirmed by a vote of 90–9 in a Congress composed of 55 Democrats and 45 Republicans.

Justice Kennedy—Confirmed by a vote of 97–0 in a Congress composed of 55 Democrats and 45 Republicans.

Justice Scalia—Confirmed by a vote of 98–0 in a Congress composed of 47 Democrats and 53 Republicans.

Justice O'Connor—Confirmed by a vote of 99–0 in a Congress composed of 46 Democrats and 53 Republicans.

Justice Stevens—Confirmed by a vote of 98–0 in a Congress composed of 61 Democrats and 37 Republicans.

The only close vote on this Court was for the nomination of Justice Thomas following questions of alleged misconduct by the nominee. Thomas was confirmed by a vote of 52–48. However, even in that vote, 11 Democrats crossed the aisle to support the nominee.

If almost all Republican senators can vote for Justice Ginsburg, a former General Counsel for the American Civil Liberties Union, and a nominee who declined to answer numerous questions so as not to jeopardize the independence of the court on cases that might come before her, and if every single Democratic U.S. senator could vote for Justice Scalia—then why can't virtually every senator in this chamber vote to confirm Judge Roberts?

I was governor for eight years in Tennessee. I appointed about fifty judges. I looked for the same qualities Judge Roberts has demonstrated: intelligence, good character, restraint, respect for the law, and respect for those who came before the court. I did not ask one applicant how he or she would rule on abortion or immigration or taxation. I appointed the first woman circuit judge, as well as men. I appointed Tennessee's first African American chancellor and the first African American state Supreme Court justice. I appointed Republicans and Democrats. That process served our state well and helped build respect for the independence and fairness of our judiciary. I would hope we would try to do the same as we consider this nomination for the United States Supreme Court.

It is unlikely in our lifetimes, that we will see a nominee for the Supreme Court whose professional accomplishments, demeanor and intelligence is superior to that of John Roberts. If that is so, then I would hope that my colleagues on both sides of the aisle will do what they did with all but one member of the current Supreme Court, and with most of the previous justices in our history, and vote to confirm him by an overwhelming majority.

Mr. ALEXANDER. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam 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.

Ms. KLOBUCHAR. Madam President, I ask to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE REFORM

Ms. KLOBUCHAR. Madam President, health care reform is a very personal matter for me and a personal matter for so many people in my State. I first got interested in this issue, as I think many of us did, after something happened to me when my daughter was born. When she was born, she was very sick. She could not swallow. Back then, insurance companies had a rule that new moms and their babies were kicked out after 24 hours. After she had been in intensive care, I was kicked out of the hospital after 24 hours. As my husband wheeled me out in a wheelchair, I remember thinking: This wouldn't have happened to the wife of the head of the insurance company, but it happened to me.

I went to the legislature, along with a lot of other mothers, and said we have to change this to at least guarantee new moms and their babies a 48-hour hospital stay. Minnesota was one of the first States in the country to adopt that rule, which later, under President Bill Clinton, became national policy.

I remember going to the legislature and standing there at the conference committee, and some of the insurance companies were there trying to make sure the implementation of this 48-hour rule was delayed. I decided to take all the pregnant women I knew to the conference committee. We outnumbered the lobbyists two to one. So when the legislators said, When should this new bill take effect which guarantees new moms and babies 48 hours, all the pregnant moms said, ''Now.'' And that is what happened. That is my experience, and that is how I got involved in this issue.

As I have traveled our State, I have heard from Minnesotans about the importance of doing something about health care. They want cost-effective health care. We have one of the best health care systems in the country. The President has lauded Minnesota. We know it is good. We have something like 93 percent coverage, and it tends to be run a lot more efficiently.

But still there are people in my State, as there are all over the country, who are saying: We can't have the status quo because we know our premiums are going up and up. Maybe we can afford it this year, but we are not going to be able to afford it next year; or, if I lose my job, I am not going to have health care tomorrow.

That is what the people in my State are saying. I heard from Dawn in Staples, MN, who is struggling to afford the prescription drugs necessary to treat her multiple sclerosis, and John in Oakdale, MN, who has insurance for his wife and three sons but ends up paying thousands of dollars in deductibles and coinsurance if one of his boys gets sick.

Meanwhile, a new study by the White House Council of Economic Advisers found that small businesses pay up to more than 18 percent—18 percent more—to provide health insurance for their employees, often forcing these businesses to lay off employees or cut back on their coverage.

I was up in Two Harbors, MN, about a month ago visiting a little backpack company that has done amazing things. They are actually making some of the backpacks now for our troops in Iraq and Afghanistan. They said that their health care premiums now are something like $20,000 for a family of four—small businesses paying that much, for one family, for health care insurance. It cannot go on.

I was down in southern Minnesota in the southeastern corner of our State and met with one of the clinic heads there, someone who heads up one of the hospitals in Wisconsin and Minnesota. He said they had three emergency appendectomies in just a 2-week time period and they should not have happened at that point, they should have been caught earlier. When they talked with the three people who showed up for the emergency appendectomies, they said: Why are you here? Two said: We are in small businesses, and we thought if we came in too early—we thought we could just get over this because we were afraid what it would do to the premiums. The third person who had the emergency appendectomy said: I just don't have the money to pay for this.

That is what we are hearing all over our State, in a State that tends to have one of the best health care systems in the country.

The American people know inaction is not an option. If we do not act, costs will continue to skyrocket and 14,000 Americans will continue to lose health insurance every single day. That is the status quo. We must not waiver in our efforts to enact a uniquely American solution to our Nation's health care problems. We must keep what works and fix what is broken. We must also level the playing field between consumers and insurance companies, preserve choice, expand access, and provide safeguards so that people do not lose their coverage if they lose or change their jobs, have preexisting medical conditions, or simply grow older.

As we prepare to take up landmark health reform legislation, many in Washington are looking to Minnesota as a national leader. In Minnesota, we have developed a health care system that rewards quality, not quantity. It promotes coordinated, integrated care, and it focuses on prevention and disease management and controls costs. That is why we tend to have healthier people in our State. That is why we tend to have more people covered. That is why we tend to have more quality health care, because we focus on the system as a whole.

Congressional Budget Office Director Doug Elmendorf recently testified before the Senate Budget Committee that to truly contain health care spending, Congress must change the way Medicare pays providers in an effort to encourage cost-effectiveness in health care.

I couldn't agree more. Shifting to a value-based system is critical to controlling health care costs. Because you know what—and people would be shocked by this—when you look at States that have some of the highest quality, they tend to have some of the lowest costs, and States that have the highest costs tend to have the lowest quality care. That is messed up.

Most health care is purchased on a fee-for-service basis, so more tests and more surgeries—if not done appropriately, with the patient in mind—can mean more money; quantity, not quality, pays. According to researchers at Dartmouth Medical School, nearly $700 billion per year is spent on unnecessary or ineffective health care. That is 30 percent of total health care spending.

To rein in costs we need to have all health care providers aiming for high-quality, cost-effective results, as they do in Minnesota. That is why I have introduced legislation, along with Senator MARTINEZ, that would create a value index as part of a formula used to determine Medicare's fee schedule. This indexing will help reduce unnecessary procedures because those who produce more volume will need to also improve care or the increased volume will negatively impact fees.

To correct myself, that legislation was actually introduced with Senator GREGG, and Senator MARTINEZ and I have introduced a bill to focus on Medicare fraud.

Linking rewards to the outcomes for the entire payment area creates the incentive for physicians and hospitals to work together to improve quality and efficiency. In too many places patients must struggle against a fragmented delivery system where providers duplicate services and sometimes work at cross-purposes.

We must also look at other areas where we can help reduce inefficient health care spending because, in the end, this is about focusing on quality care and getting that care to the patients who need it. It is focusing on the patients instead of all the insurance providers and all the other people who feed off the system. It is focusing on what works best for the patients. Recent studies show if all the hospitals in the country followed the protocol the Mayo Clinic uses in the last 4 years of a chronically ill patient's life—lives where the quality index is incredibly high—I think most people in this country and their families would love to have that kind of health care. If we used the model the Mayo Clinic uses, we would save $50 billion every 5 years in Medicare spending. That money can be used to bring more people into the system. That money can be used to make health care more affordable for the people of this country.

That is what we are talking about when we talk about health care reform. The bill we have on Medicare costs and

Medicare fraud—the bill I have with Senator MARTINEZ—would require direct depositing of all payments to providers under Medicare and Medicaid so they are not ripping off the system or scamming the system; that it is going to the people who need it. The bill has been endorsed by the AARP, the National Association of District Attorneys, and the Credit Union National Association. Representative PATRICK MURPHY is carrying the legislation in the House.

It is no small task, but we must reform America's health system. I strongly believe in reaching this goal to reform, making sure we don't have the status quo, where it is becoming harder and harder and harder for people in this country to afford health care. We need a system that depends on rewarding and controlling costs, that rewards quality and stopping fraud and making the system work for the people of this country.

For the sake of our fiscal health and for the sake of the millions of Americans struggling to afford the care they need, enacting effective health care reform in this country is essential. We know it is not easy and it will not happen overnight. It is 17 percent of this economy. But we also know that doing nothing and saying no to everything and calling things names, when we are effectively trying to find a solution, is the wrong way to go.

I hope my colleagues in the Senate will start working on this bill constructively so we can get something done for the people of this country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, I see the Senator from Nevada is on the floor, and I would like to ask, before I seek recognition here—I would be happy to yield the floor to the Senator, with the understanding that I would follow him, if the Senator from Nevada would give me an indication of how long he might be speaking.

Mr. ENSIGN. At the most, 10 minutes.

Mr. DURBIN. Madam President, I ask unanimous consent, following the morning business statement of the Senator from Nevada, that I be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Nevada.

HEALTH CARE REFORM

Mr. ENSIGN. Madam President, I thank the assistant leader from the Democratic side, the Senator from Illinois, for that courtesy.

I rise today to talk about health care reform. It is critical in our system that we address the issue of cost. We have the finest quality health care system in the world, but it is too expensive for too many Americans, and because of that, many Americans are uninsured. Not only are too many Americans uninsured, for a lot of folks who have insurance, especially those who receive insurance through their employer, they probably haven't received the kind of raises they would have otherwise received simply because employers are paying more and more for their employees' health insurance and there isn't money left over to provide higher wages.

It is critical for many reasons that we address the cost issue. We spend about $2 trillion a year in the United States on health care. Some people say we need to spend more, but I disagree with that. I actually think we spend plenty of money in the United States on health care, we just don't spend it in the right ways. We need to eliminate waste and the bureaucratic spending of our health care dollars and get that money to the patients.

There are five different committees between the House and the Senate that are working on health care reform proposals—three in the House, two in the Senate. Let me quickly address the HELP Committee bill, which is one of the committees in the Senate that has passed a bill. The HELP bill was passed on a straight party line vote. I think the reasons for that, which I will point out, are the flaws that are in that bill.

First of all, the bill is not paid for. Second of all, it is too expensive and it doesn't cover enough people, especially for the money it spends. Two hundred times in the bill the Secretary of Health and Human Services is given new powers to establish programs, parameters, appropriate moneys, and otherwise dictates the course of one-sixth of our economy—200 different times. The HELP bill is around 600 pages. If each one of those times where it detailed or gave powers to the Secretary of Health and Human Services—if that was actually written in bill form at that point, the bill would probably have been about 5,000 pages. That is how incredibly complex our health care system is and how even more complex some people are trying to make it.

This bill creates 50 new offices, bureaus, commissions, programs, and bureaucracies, with 87 new government programs created in the Community Transformation Grants Program alone. The Democrats rejected by party-line vote, an amendment that would have prevented the bill from spending funds on sidewalks, parks, bike paths, and street lights. We all like those kinds of things. I actually ride bikes. I like to see bike paths and things such as that. But certainly there is not a place for that in the health care reform bill that we are trying to work out before the Senate and the House of Representatives.

Furthermore, the final cost of the bill has not been released. I serve on the Finance Committee, and there is a group of bipartisan Senators trying to work together to come up with an agreement. They have not been able to do that, and the big reason for that is they are trying to finalize the details. The details are extraordinarily challenging because of how complex our health care system is today.

That is why we need to take our time and get it right. You don't mess with one-sixth of the economy of the United States and get it wrong. There are no do-overs when it comes to health care reform. If we mess it up, we literally can mess up our country. We can mess up the economy of our country and potentially threaten the very existence of our system of government because we can bankrupt our country.

We all know Medicare and Medicaid are threatening to bankrupt our system of government as it stands today. All that the HELP Committee bill and the other that have been introduced bills do so far, is accelerate how fast Medicare and Medicaid can bring economic collapse to the United States.

I am working on other proposals. There are examples out there where things are being done right in the health care system. I have told this story to my colleagues many times. Safeway is a company that saw their health care costs skyrocketing year after year. With 200,000 employees, they were spending about $1 billion a year on health care expenses, with costs increasing every year. When a company is only making $200 million to $300 million a year, and their costs are going up 20 percent a year, you can see the writing on the wall. They were going to bankrupt their company with health care costs alone.

Safeway set out on a new course and focused on four areas. They incentivized their employees through lower premiums, if they didn't smoke or they would quit smoking, they provided smoke cessation products. They focused on the area of obesity with weight management. If employees were in the proper body mass index or if they lost weight, they would give them a lower health care premium. They also focused on cholesterol and hypertension. They didn't penalize employees for having high cholesterol, but they rewarded them for keeping their cholesterol under control and they rewarded them for keeping their blood pressure under control.

Rewarding healthy choices actually works. Safeway is a very good example. What happened to Safeway in the last 4 years, compared to the rest of the United States, is that Safeway has been able to lower their health care costs by 40 percent.

Unfortunately, the Congressional Budget Office, which is the official scorekeeper around here and determines how much money is going to be saved, does not have a model that works with something like the Safeway program. CBO's economic models don't work that way. The bean counters around here, unfortunately, don't know how to put that in application for the rest of the country. That is unfortunate because I believe, if we used some of the same modeling Safeway did for the rest of the country, we could save

huge amounts of money in our health care system.

We don't have to save 40 percent, such as Safeway did. Maybe we could save 10 percent. Actually, if we don't save anything, and just freeze the rate of growth, we would be so far ahead in money that we would have plenty left over to cover the uninsured. As I said, unfortunately, the Congressional Budget Office doesn't say a model like Safeway's will save money. It is ludicrous, though, to believe that having people quit smoking and rewarding them for proper weight management wouldn't save money. I think we need to change the economic models we have around here.

Not only would that save money, but it would also lead to higher quality lives. Obesity is an epidemic in the United States. Type II diabetes is rampant. Most Type II diabetics can actually reverse, or at least control their diabetes through diet and exercise. We need to encourage healthier behaviors in the United States. Instead of just having a sick care system, let's actually create a true health care system in the United States.

Another thing we need to do, I believe very strongly—and this is a role for the government—we need to provide transparency on cost and quality so individuals can shop. In the bay area, a colonoscopy can cost anywhere from $800 to $8,000. Well, if the government were to provide cost and quality measurement information across the United States, people could set up plans and they could see what the various costs are. Let's say that between the $800 and the $8,0000, they might decide to pay $1,200. And then if they want the more expensive one, they have to pay the difference. If they want the less expensive one, they can get the difference. That will cause people to comparison shop and they will have the information based on cost and quality of outcomes to be able to make smart medical decisions.

The one thing we don't want to do is put a bureaucrat between the doctor and the patient making those sorts of decisions. There is a precious relationship between a doctor and a patient, and we don't want the government making those kinds of decisions. I don't want to see a government-run plan that says, you know what, we are going to have rationing. That is how so many other countries around the world control their costs. They actually ration care, or there is delayed care. We have better outcomes in the United States on cancer, on cardiovascular disease, and in so many other areas than Canada, Great Britain, and other places that have government-run health care plans.

I think it is critical we get together as Republicans and Democrats—as Americans—and come up with a health care system that is lower in cost and even better in quality than we have today. The bills before some of the committees out there are not going to achieve that.

I have done several telephone townhall meetings in the last couple of weeks. We have called almost 200 thousand Nevadans now and talked to many of them. They answered questions. We have gotten their feedback. The one thing that seems not quite unanimous, but from the calls we are receiving it is overwhelming, is that is people do not want a government plan. They do not want a government bureaucrat rationing their health care.

Whatever plan we come up with should not include a government-run health care plan. I feel strongly about that. I think as more and more of the American people find out what the effects of a government-run plan will be, we will see a lot more opposition coming from them.

I appreciate the Senator from Illinois allowing me to go first. Let's get together as Americans and do the right thing on health care. Let's join as Republicans, Democrats, and Independents across this country and have a health care system that has lower costs and better quality.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

ORDER OF PROCEDURE—H.R. 3357

Mr. DURBIN. Madam President, on behalf of the majority leader and under the authority of the order of July 29 and after consulting with the Republican leader, I now ask that after the conclusion of my remarks, the Senate proceed to H.R. 3357 under the provisions of the July 29 order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam 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. DURBIN. Madam President, the Senator from Nevada has just expressed his views on health care, and I would perhaps like to give a little different view on where we are and where we should go. We are wrapping up this end-of-July session. We will be taking a recess for a few weeks. It is one of the few chances during the year for us to be back home, get a little time with our families before school starts. We are all looking forward to it, as everyone does each year. But we have had important work we have done this year, and more important work is to follow.

This year we hope to take up before the end of the year, and pass, health care reform for America. The House of Representatives is moving a bill, a matter that will be considered in September by the House. We are counting on the Finance Committee to work with us to develop a bill for consideration on the floor of the Senate about the same period of time.

These bills and the concepts they contain are going to be there throughout the month of August for everyone to take a close look at and review. This is not going to be done in haste because it is too important. It is going to be there, and the critics will have a chance to look at it, people will be able to come up with suggestions—constructive suggestions, I hope—that will lead us to the passage of health care reform in this country.

I listened earlier to my colleague and friend from Nevada, Senator ENSIGN, talk about government-run health care. In my hometown of Springfield, IL, a doctor wrote a letter to the editor warning us about government-run health care. I would like to put it in perspective.

There are about 300 million people living in our great Nation. Of those 300 million people, 45 million of them are currently covered by Medicare. Medicare, for seniors and disabled people in America, is a government-run health care plan. For many of these people it is the first health insurance plan they have ever been covered by.

A realtor in southern Illinois came up to me, a woman 63 years old. She said: Senator I want you to meet somebody who has never had health insurance protection one day of her life. I never could afford it. I was a realtor. I didn't have enough money. Knock on wood, lucky for me, I have been pretty healthy. I didn't need it. I was able to pay my medical bills. But, she said, thank God in 2 years I will be under Medicare so the savings I put aside for my retirement are not going to be wiped out by one illness or one surgery. I will have Medicare.

She will join the ranks of 45 million people on a government health insurance plan called Medicare that we have had for 45 years in America and is wildly popular. Not one single critic on the other side of the aisle who stands up and shakes their fist and rails against government health care has said eliminate Medicare. Of course they would not. That is not a position the American people are going to support.

Some people are a little confused though. One of my colleagues went back home over the weekend and somebody said: Senator, listen; whatever you do, don't let the government start meddling in my Medicare plan.

He said: Pardon me, ma'am, but the government runs your Medicare plan.

She didn't understand that. Some people don't, but that is a fact.

So there are 45 million people under Medicare. There are another 65 million Americans, maybe as high as 70 million, who are covered by Medicaid. Medicaid is the health insurance plan for the poorest people in America. We said: If you are poor in America, you are still going to get health care, and we are going to provide it, working with the States. So more than one-

third of the people who live in America today are covered by government health insurance.

I have never heard a person on the other side of the aisle say eliminate Medicaid. They don't. They understand we are a caring, compassionate country, and we are going to provide this health insurance coverage, as we have for decades, as we should.

Here we have one-third of America currently under a government health plan, and on the other side of the aisle people are waving their fists saying: Whatever you do, don't have a government health plan.

It does not work. It is inconsistent. Many people say: I like my health insurance right now. I don't want to change. I don't want to go into Medicare or Medicaid. I like what I have. Would you please leave people alone.

The answer is yes. In fact, we guarantee it. We are going to put in any legislation considered by the House and Senate the protection of you, as an individual, to keep the health insurance you have, if that is what you want. What we are trying to create are voluntary choices and opportunities. These are critically important because, let's face it, the cost of health care is going out of sight. We know it. We sense it.

Some people say: Senator, easy for you to say, you have that famous Senator health care plan.

We have heard all about that one. Let me set the record straight. Members of Congress, if they choose—and I have chosen on behalf of my family—can sign up for the Federal Employees Health Benefits Plan. It is not a special program for Senators or Congressmen. We sign up for the same program that covers Federal employees across the United States, 8 million Federal employees and their families. It is a great program. That is why I signed up for it for my wife and myself.

Open enrollment is once every year. How about that. We get to go shopping once every year for the best health insurance for our families.

What do we choose from? In my case, in Illinois, nine different private health insurance plans. We pick the one best for our families. If we want a lot of coverage, they take more out of our paychecks; less coverage, less out of our paychecks. But it is a voluntary choice, and I think that is what the bottom line should be for Americans.

We are trying to move toward that model, create pools of people similar to Federal employees so they can bargain with the private insurance companies, have good coverage at a reasonable cost. We want to build into this as well health insurance reform. What good is it to have a health insurance plan that says they offer coverage for everything except our sickness? That happens. People who may have turned in a claim last year for an aching back can find this year it is a preexisting condition; it is not covered.

People who, 2 or 3 years ago, may have survived prostate cancer or breast cancer may find no coverage for cancer illness in the future. That is unacceptable. That is not really health insurance. Health insurance isn't worth much if it is not going to cover your illness.

So we say as part of health care reform they can no longer exclude people for preexisting conditions. They can no longer exclude people who live in certain parts of the country over those who live in other parts of the country. They cannot discriminate based on age or geography except within certain limitations. This gets health insurance to where it ought to be, not a game where the health insurance companies try to pick and choose the healthiest people in America and push everybody else over the cliff.

We want everybody under the tent. We want folks to understand if they buy health insurance in America, it really will protect them.

I was interviewed this morning on WMAY, a station in my hometown. Jim Leach asked me a question: Senator, if you don't allow insurance companies to discriminate against people with previous conditions, won't all our premiums go up?

The honest answer is, if everybody has health insurance in America, premiums can go down. We are not just paying for our care, we are paying for the care of the uninsured. Uninsured people in America are not going to die on the street, thank God. They are going to show up in an emergency room and they are going to be cared for. When they can't pay their bills, that hospital, that doctor, will pass their medical charges through the system on to those of us who are paying for health insurance.

So if we bring everybody in with health insurance protection, this cost transfer is not going to happen. It is going to reduce the upward push for health insurance premiums in our country.

Second, if we don't have basic rules about health insurance as to what they will cover, hold on tight. We found out in Illinois not too long ago there were actually health insurance companies—I remember this, as a person working in the Illinois General Assembly—there were actually health insurance companies that were selling maternity coverage to new mothers and their children but excluding the newborn baby for the first 30 days of life. Do you know why? Because if you have a premature infant or an infant with a real problem, those first 30 days of medical care can be very expensive. So they just wrote it out of the policy.

We said no way. As a matter of policy in Illinois, if they want to sell health insurance to cover a family or maternity benefits or cover children, they do it from the moment that child is born. We put it in the law.

We can argue that is going to raise the cost of insurance. Maybe it did. But if health insurance is not there when we need it, frankly, it is not worth the cost. That is why we are doing this health care reform.

There is one other aspect I want to mention, and that is small business. I guess small businesspeople know better than any other group what is happening because these businesses are struggling to survive in a recession. The men and women who own these businesses in good conscience are trying to provide for their employees. Yesterday we had a gentleman from Aberdeen, MD, who came to speak at a press conference. He owns a moving and storage company. His last name is Derbyshire. Mr. Derbyshire inherited this business from his father. He brought his son Garrett with him in the hopes his son would carry it on, I am sure. He always felt a special kinship and connection with his employees. He wants them to do good work and he wants them to be loyal and he wants them to know they are appreciated. So Mr. Derbyshire pays, as an employer, 85 percent of each individual employee's health care premiums—85 percent, and 75 percent of the family's. That is pretty good. I give him an A+ for caring and trying. But he told us he can't keep up with it. Health insurance premiums are going up so fast he doesn't know how long he can do it.

I heard the same thing again. I heard it from the man who owns Starbucks—which, incidentally, offers health insurance to its employees—who told us not that long ago: We want Congress to do this. We think it is the right thing to do, even for part-time employees. But if the costs keep going up we will not be able to continue.

That is the reality small businesses face. When we take a look at what they are facing, last year, only 49 percent of small businesses, three to nine workers, offered health insurance; 78 percent of businesses with 10 to 24 workers offered some type of health insurance. In contrast, 99 percent of businesses with more than 200 employees offer health insurance. It shows if you are operating close to the margin in a small business, and a little added expense pushes you over the edge, one of the first casualties is health insurance protection. It means, incidentally, the employees have no protection. It also means the openers of the business have to go out on the private market.

What happens when they go out on the private market? For small businesses, their choices are limited. The overhead costs, administrative costs are dramatically higher than they are for the larger companies, and many of them cannot afford to do it.

What we are trying to do is offer, through health care reform, a way for every person working, for a business, large and small, to have health insurance. Look at the uninsured people in America and we are going to find that most of them are not the poorest people in our country. They have Medicaid. Of course, they are not the luckiest people in the world like myself and other families who already

have health insurance. They are smack dab in the middle. They are the people working for small businesses, and their children and they are the ones who are uninsured.

If we are going to fill the gaps in America and provide for coverage, that is the way we have to go. What are our goals? Our goals are simply stated. We want to have health care reform which helps the middle class in America. We want to make sure at the end of the day we have stable costs so people know what they can anticipate, so the costs will not run them out of health insurance coverage even if they lose a job. We want to provide a helping hand, for example, to lower income people so they can buy health insurance, giving them a tax break and giving them an incentive. We want to provide incentives and opportunities for businesses so they have the right to shop for the right health insurance coverage. We want to make sure they have stable coverage so these health insurance companies cannot waive the magic wand and all of a sudden they are not covered by health insurance anymore.

Stable costs, stable coverage, and make sure at the end of the day we have quality care available for all Americans.

One element we should be rewarding that the current system does not reward is preventive care.

There are a lot of things we can do to reduce the cost of health care in America and improve the health of individuals and families. We need to create incentives for that to happen. There are ways to do that.

Steve Burd is the CEO of Safeway and of Dominick's. He has a plan for his management employees where they can voluntarily sign up. They go through a health screening, they identify any risk that person might have: being overweight or diabetic or high blood pressure, high cholesterol, things of that nature, smoking. Then they create a little profile and say: What we would like you to do is move toward more fitness, better diet, monitoring your diabetes, monitoring your cholesterol and your blood pressure.

As they show improvement, they earn cash incentives. In other words, they pay them extra money if they get healthier. What has happened to the health insurance costs at Safeway in the last 3 years? It has been flat. It has not increased. Across the board in other companies across America on average it is has gone up 38 percent. So they are on to something.

By incentivizing employees to get healthier, they not only have better lives but better health outcomes and lower costs for their company. Why is that not a national model? Why are we not doing that across the board saying we are going to move toward a healthier country so we have fewer health care costs?

Second, we have to eliminate the incentives for piling on medical bills. Ever had a member of your family go to the hospital for a day or two or a week, then a month later they send you the bill? Were you amazed at how thick it was? You turn it page after page and say: My goodness, thank goodness I have health insurance—if you do.

But if you do not, you look at the bottom line and say: I do not know how I am going to pay for these things. We reward doctors and hospitals for piling on every single line on the page. Every single line is a profitmaker, instead of saying the real goal is wellness and making certain people get well from diseases and illnesses. So we need to create a new incentive in the way we have health care in America, to take the best and brightest women and men who serve as our medical professionals working at these hospitals and give them the incentive for the best outcome.

Senator KLOBUCHAR from Minnesota was here a few moments ago, and she talked about the Mayo Clinic for which I have the highest regard and highest respect. This is a clinic which gets some of the best results in medicine in America at the lowest cost. How do they do it? What is so miraculous or magic up there in Rochester, MN?

Well, they pay their physicians a salary. The physician does not make an extra buck if he orders an extra test. The physician, instead, looks at that patient and says: I think we need three specialists in this room right now, and let's see if we can work out a plan for wellness. They come together and they work it out. It is not a matter of how many lines there are on a page and final billing. It is a matter of that person going home well, and it works. They have reduced cost, and it happens across America. We have seen it many places such as the Cleveland Clinic, and so many other places have been noted as examples of centers of excellence. That is what I want to see in my State of Illinois. That is what every State and every Senator should be working for.

I will close by saying, let's not fall into the trap of this health care reform debate and let the buzzwords and the words that infuriate people stop us from a meaningful, honest debate. This has to be patient-centered health care not government-centered health care.

We are not talking about rationing. We are talking about a rational health care system that is geared toward wellness and disease prevention. We have to make certain that at the end of the day we allow people to choose their own doctors and their own hospitals and their own health insurance plans and to keep the health insurance plan they have if they want to.

We have to help small business provide the kind of health insurance coverage they want to have for themselves as owners and for their employees as well. At the end of the day, we can improve this system. It is the biggest single issue challenge Congress has faced in at least 40 years, maybe in a much longer period of time, because it affects every single person in this country.

We can do it. With the President's leadership and his commitment, we can get this right.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

HIGHWAY TRUST FUND RESTORATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3357, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3357) to restore sums to the Highway Trust Fund, and for other purposes.

AMENDMENT NO. 1907, AS MODIFIED

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I call up my amendment and ask that it be modified with the changes at the desk.

The PRESIDING OFFICER. The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1907, as modified.

The amendment, as modified, is as follows:

(Purpose: To temporarily protect the solvency of the Highway Trust Fund)

Strike section 1 and insert the following:

SECTION 1. TEMPORARY PROTECTION OF HIGHWAY TRUST FUND SOLVENCY.

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Pub. Law 111–5), from the amounts appropriated or made available and remaining unobligated under such Act, the Director of the Office of Management and Budget shall transfer $7,000,000,000 to the Highway Trust Fund. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so transferred within the jurisdiction of such committee. The amounts so transferred shall remain available without fiscal year limitation.

Mr. VITTER. Mr. President, I urge all colleagues to come together, as the American people surely want us to do, and adopt this amendment. I truly believe this amendment is the responsible way to address the shortfall in the highway trust fund.

This amendment funds the highway trust fund shortfall by using money from the already-passed stimulus bill. That is important because otherwise we are racking up yet more deficit and more debt on top of the mountains of

debt we have already accumulated to pass on to our children and grandchildren. This is important so that, yes, needed highway work can be done, particularly needed work in the midst of a recession, but it can be done without racking up yet more debt to weigh down the economy and burden our children and grandchildren.

I wish to make two central points about this idea and why this amendment is necessary. First, the level of debt we are accumulating is truly staggering. It is beyond our ability to get our hands around. This year alone, the deficit has surpassed $1 trillion. This year's deficit spending has gone beyond $1 trillion. By the way, we are not finished this year. It continues to grow. This year, we have racked up over $1.8 trillion of new debt because there is the $1 trillion in the normal year's spending plus the huge stimulus bill of $800 billion. In terms of racking up new debt to put on the backs of our children and grandchildren, there is $1.8 trillion of new debt this year. That is way beyond anything we have experienced in our lifetime. Just the trillion dollars of deficit spending rivals the sort of numbers we used to talk about not so long ago for the entire Federal budget.

But, unfortunately, it gets worse. It gets significantly worse because this Congress, over my objection, passed President Obama's budget, and that budget takes those mountains of debt I just described—at already sky-high historic levels—and what does it do? Does it work it down? No. It doubles that level of debt in 5 years. It more than triples that level of debt in 10 years. That is the path we are on, and that is the legacy we are handing to our children and grandchildren. That is simply completely irresponsible. To have this mountain of debt already accumulated this year, at historically high levels—$1.8 trillion accumulated this year alone, and it is growing—and then to have a budget plan that doubles that in 5 years and triples it in 10 years is inexcusable. In that 5-year period, this President will have racked up more debt than every predecessor President before him combined. We need to get off that path, and the American people know it.

The American people understand, through their common sense, that this is a recipe for disaster. All of us as parents want to hand our kids a better world, a world of more opportunity, a better future than even we had handed to us from our parents. Yet we are on a path to do exactly the opposite and hand our kids an enormous burden, hand them a tomorrow full of clouds and uncertainty, particularly dominated by this threat—central fundamental economic threat—of deficit and debt. We cannot accept that. Yet here we are on the floor with the other side proposing to fund the highway trust fund with—guess what—more debt, more borrowing, more borrowing by the government from whoever buys our debt, including wonderful allies around the world like the Communist Chinese Government.

We need to get off this path, and this is one important step in doing that, saying: Yes, we will continue vital highway programs, but we will do it by taking from the already-appropriated stimulus funds. That is appropriate money that is already appropriated through the process. We will not do it by borrowing yet more money.

The other side has fancy arguments about: Well, this is really taking back a loan we sent the general fund 8 years ago. Let's make no mistake about it, that money is long gone. This is racking up more debt, purely and simply. For that very reason—because it is racking up more debt, because it increases outlays in this fiscal year—it has a budget point of order against it, which I will raise before our final vote. So if you need any further proof that the underlying bill requires borrowing yet more money, racking up yet more debt, it is nailed down by the fact that there is a budget point of order against the underlying bill, which I will raise.

The second critical reason we should adopt the Vitter amendment and fund highway projects from stimulus money and not rack up yet more debt goes to the nature of the stimulus and the attempt which has been very slow and very faltering of using those stimulus dollars to help revive the economy. Of course, that was the whole argument behind the stimulus: We are in a severe recession. We need to do something. We need to get spending and economic activity out the door. We need to hold down unemployment. That was the whole argument. From the very beginning, I did not think that would be the result. That is why I voted against the stimulus, both because of the nature of the spending—it is a lot of big government programs, not a lot of true shovel-ready infrastructure spending—and because of the timing of the spending. I thought from the very beginning that relatively few dollars would go out the door immediately and a lot of the stimulus money would not be spent for years. Well, unfortunately, all of that is coming true. Again, if you look at the nature of the spending in the stimulus and the timing of it, it leaves a lot to be desired.

I think all of us in this body, and Americans across the country, favored infrastructure spending as the centerpiece of the stimulus. Yes, let's do real, concrete, shovel-ready projects. Let's build roads and highways and bridges as the best example of a true, concrete, shovel-ready infrastructure project. I certainly strongly supported that element of spending as a way—not the only way but as a way—to help revive our economy.

Unfortunately, that type of project was never a major part of the stimulus bill as passed. In fact, if you take all of the roads and highways and bridges, all of that construction in the entire stimulus, how much of the bill do you think it is? Fifty percent? Certainly not. Thirty percent? Keep going down. Twenty percent? No. Ten percent? Try 3.5 percent. Mr. President, 3.5 percent of the entire stimulus focused on what the American people thought really could be spent to help stimulate the economy: shovel-ready infrastructure projects on roads and highways and bridges.

My amendment is a way to increase that part of the stimulus that goes to that project to increase highway funding through the stimulus, which I think there was a very broad consensus to do from the beginning, but it never got done in the stimulus.

The second big problem with the stimulus is the timing of that money. It has gone out the door very slowly. Of the entire $800 billion stimulus bill, which was supposed to be immediate relief for the economy—let's start turning the corner on this recession immediately passing that bill—today, months later, a half a year later, 10 percent has gone out the door. Only 10 percent has been spent. That is ludicrous.

Of that tiny slice that was roads and highways and bridges—the 3.5 percent—guess how much of that money has gotten spent. Mr. President, 1 percent of that. Not 1 percent of the whole bill, not almost a third of the 3.5 percent. I mean 1 percent of the 3.5 percent; in other words .035 percent of the entire bill—a meaningless amount. So let's increase the amount of money we take from the stimulus pot and immediately get it out the door for vital highway projects.

Because of those factors in the stimulus—the nature of the spending, which was never focused on real, shovel-ready infrastructure; only 3.5 percent going to roads and highways and bridges; and the timing of the money, which has been amazingly slow; only 10 percent of the stimulus spent right now and only 1 percent on roads and highways and bridges—what has been the effect on the economy? Well, of course, the effect has been slim to none.

This chart I have in the Chamber says it all. This graph is what the proponents of the stimulus bill say would happen to unemployment over time: We pass the stimulus, and it is going to help revive the economy. It is going to make sure unemployment peaks at less than 8 percent and then comes down. Well, unfortunately, the reality has been very different, because compared to this prediction by the proponents of the stimulus, this is the reality, as I show you on this chart. This is what unemployment has been doing in the last several months—going up and up and up, well beyond the peak that was predicted, reaching almost 10 percent today.

Again, this is the second fundamental reason we need to adopt the Vitter amendment, because the stimulus, as it was put together, is not

weighted nearly enough toward real infrastructure such as roads and highways and bridges, and it is not weighted nearly enough on spending now versus years from now. This Vitter amendment will help change that for the better. It will reweight the stimulus, at least at the margin, to more roads and highways and bridges and more spending now because we need it now in the midst of this recession now.

So again I urge all of my colleagues to come around and embrace and support this Vitter amendment. Doesn't it make sense to say we need to start now in terms of rejecting this path of more and more and more debt? Because the underlying bill, make no mistake about it, is funded by more borrowing, more debt. That is why a budget point of order lies against the underlying bill. I will raise that budget point of order before the end of our debate.

Secondly, doesn't it make sense to say: Look, the stimulus idea was about exactly this sort of spending? Americans across the country favor stimulus spending that is really focused on roads and highways and bridges and real infrastructure, things that are truly shovel ready. They do not favor big government waste programs and they do not favor spending 3 years from now because that is going to have no impact to get us out of this recession right now.

This amendment, again, will fine-tune the stimulus in the positive direction, toward spending on roads and highways and bridges, and virtually all of us support more of that spending, including the distinguished chairman of the Environment and Public Works Committee. She had an amendment on the stimulus to do just that, which was opposed and defeated by the other side.

This amendment will also fine-tune the stimulus to get more money out the door now. Don't we need that? Only 10 percent of the $800 billion has been spent. Don't we need to front-load it a lot more than that to have any sort of significant positive impact on this recession?

Again, tragically, the unemployment figures say it all. The prediction: Peak at 8 percent, come down from there. The reality: We continue to go up and up and up—perilously close right now—toward 10 percent.

Again, I urge all of my colleagues, Democrats and Republicans, to join together, to work together, as the American people want us to do, around a basic commonsense idea. Let's stop the debt. Let's stop racking up yet more debt, putting it on the backs of our children and grandchildren. Let's front-load the stimulus and do shovel-ready infrastructure now rather than big government projects 3 years from now.

With that, Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, could the Presiding Officer let us know how much time remains on the Vitter amendment and general debate?

The PRESIDING OFFICER. The Senator from California has 30 minutes remaining. The Senator from Louisiana has yielded back his time. There is 20 minutes of debate on the bill itself.

Mrs. BOXER. Mr. President, thank you very much.

Mr. President, of all the times to stop job creation in its tracks, I will tell you, this is not the time to do it. The Republican response to the bill that has come over from the House—the bill that would restore the funding, make sure there is funding in the highway trust fund to get us through September 30, and also make sure we can handle unemployment insurance and also ensure that our families can get mortgages, those who qualify—the answer from our Republican friends, and they have a right to do it, is to take that funding from the unobligated stimulus package.

Now, here is the thing. We know we are starting to finally get those dollars for our economic recovery out the door. We know that. Yes, they are not flying out the door because the administration wants to make sure these are worthy projects. But I will tell you right now, the Republicans are putting at risk the very program they say they embrace: the highway program. The fact is, we still have $10 billion for highway-related jobs that would be subjected to the Vitter amendment. So, irony of ironies, they say they are extending the highway trust fund, but that amendment puts these funds at risk, puts these jobs at risk.

The stimulus is designed to create those jobs. The funding is getting out the door. I have gone to my State and seen it at work. Yes, we know employment is lagging. So what do you do when employment is lagging? You do not go to a program that is designed to put people to work.

I think it is important to note that the House bill is not only deficit neutral, it actually reduces the deficit. According to CBO, not only does it do it in 2010 but over the next 5- to 10-year period. That is because of the way they are funding the trust fund and the way they are funding the housing priority.

What the Republicans are doing is they are taking a deficit reduction measure that keeps the highway trust fund solvent through the end of September, that makes sure people can continue to get unemployment insurance, that makes sure people can get mortgages—those who qualify—and they are saying that, instead of reducing the deficit, let's slash the stimulus program, take funding away from our States, away from our counties, our cities, and our businesses back home when it is not necessary.

Mr. DURBIN. If the Senator will yield further, I am trying to see whether there is net job creation from the Senator's amendment or if we would lose ground with it. If our goal is to create more jobs in America—I listened to the Senator's explanation, and I would like to ask the Senator from California this: Even if we just take the money out of one pocket and move it to another pocket, how does that create new jobs in America?

Mrs. BOXER. Clearly, it is not even moving funds, it is slashing funds from the stimulus program, which has one purpose, and that purpose is to create jobs.

Mr. VITTER. Will the Senator yield?

Mrs. BOXER. We have heard from our Republicans friends over and over again, who voted against the stimulus—although I have to say some of them are standing in front of projects built with stimulus dollars, but we will forget that for now—we are hearing from them that the stimulus isn't working fast enough. What do they want to do today but cut the funding?

What I have suggested—and I want to get my friend's reaction to this—to my friends on the other side—because I agree we ought to extend the highway trust fund for 18 months; I don't like the way they are paying for it—is to wait until the end of the stimulus program, and if there is funding at that time that hasn't been obligated, that has been left on the table, take those funds and add them to the highway trust fund.

Mr. DURBIN. If the Senator will further yield, I ask the Senator from California this: Since the Senator from Louisiana didn't support the President's recovery and reinvestment program, and most of those on his side of the aisle did not, those of us who voted for it did it with the understanding it would do a number of things. It provides tax relief for families, and it provides a helping hand to those who are unemployed, so they can afford health care insurance if they have lost their job, for example. It does provide infrastructure programs and projects. It is my understanding we are a little over 4 months into this 2-year stimulus program—not quite 5 months into it—and the Senator from Louisiana wants to basically declare it a failure, never having voted for it. I ask the Senator from California, when the Senator from Louisiana talks about the number of dollars committed, the number of projects we have agreed to, it was my understanding that, as of a couple weeks ago, we had obligated over $200 billion out of the $787 billion, meaning we promised we will pay, once the projects are underway and the jobs are actually created, and that number is going to continue to grow as we obligate it. Is it not also true that we want to make certain, whether we are spending money for projects under the highway trust fund or the stimulus bill, that we don't waste taxpayer dollars; we want to look carefully at each project to make sure it serves a public purpose and make certain Americans are going to work at a decent wage, and when it is over, we not only get through the recession, but we have a legacy of projects that will serve our economy and our Nation.

If the Senator from Louisiana has his way, he is going to take the money out that we are currently investing into creating jobs in America and move it into the highway trust fund. I am wondering if the Senator could respond. Does it make any sense for us to take a different approach on the stimulus and not be careful that the money we spend is actually spent well?

Mr. VITTER. Will the Senator yield?

Mrs. BOXER. I will yield to the Senator from Louisiana on his time, but I will keep my time right now. It is very important we thread this needle in the right way. We want those jobs out there, and we want them out there as fast as they can get there.

Out of the $27 billion for highway projects, there is $10 billion remaining. I can assure both my friends that it is very important to be careful in the way you do it. If you do it too quickly, you know what will happen on the floor of the Senate. We will have our friends on the other side saying: '' they rushed.'' We want to be careful, but we don't want to, at this point, as we see this recovery starting to take hold—we all believe and hope it is true—we know employment is the lagging indicator. This is not the time to throw a dagger into the heart of job creation. That is what the Senator's amendment will do.

Mr. DURBIN. I ask the Senator from California, if I have the appropriate amendment before us, does the Senator from Louisiana go beyond the highway trust fund in the money that is transferred? Does he apply some of the money from the stimulus to unemployment and to mortgage insurance or is that a separate amendment? I know his amendments were filed late last night, and I am not sure.

Mrs. BOXER. I believe the Senator's amendment—and he can explain it—deals with the trust fund, and others will have similar amendments for UI and mortgage insurance.

Mr. DURBIN. I ask the Senator—and this is a legitimate inquiry, as I don't know the answer—on the stimulus projects we are funding, what is the requirement for a local match for those projects, as opposed to requirements for projects under the highway trust fund?

Mrs. BOXER. My understanding is it is 100 percent because it is the stimulus. We are trying to do that because our States are suffering—yours is and mine. We saw our Republican Governor talk about how heavy our hearts are back there, and we decided to help our State. This is very different. It is 100 percent offset.

Mr. DURBIN. The stimulus is 100 percent Federal, which means projects go forward even if States are struggling with the budget. If the money goes into the highway trust fund for projects, most of that required a State or local match, right?

Mrs. BOXER. That is correct; 20, 30 percent.

Mr. DURBIN. Most States, including Illinois, California, and others, would have a more difficult time moving projects forward through the highway trust fund rather than the stimulus, which is 100 percent Federal dollars.

Actually, the Senator from Louisiana is cutting down the opportunity, reducing the opportunity for infrastructure projects by requiring this match through the highway trust fund; isn't that correct?

Mrs. BOXER. I say to the assistant majority leader, he is absolutely correct. I understand the need to extend the trust funds to 18 months. On that part, Senator VITTER and I are in agreement. But the way he funds it is hurtful to the American people, to the American workers, to our businesses, and to our contractors. Even though we know a lot of us want to see these funds get out there quicker, they are on the verge—Vice President BIDEN has said we have committed more than a fourth of the Recovery Act total funds. We are on track to meet the deadline set when the act was passed in February, spending 70 percent by the end of September of 2010. He points out that the purpose of the stimulus was the jolt for immediate help but then a long-term economic recovery.

This kind of amendment—and the others we will see—which says to the American people: Gee, it is 4 months and we want to forget about this whole notion—doesn't make sense. The timing of this is way off. If at the end of the 2-year period, within which the stimulus is supposed to act, there is money left over, I will be the first one saying: Let's either reduce the deficit with it or let's put it into the highway trust fund. I do believe infrastructure should have gotten more funds from the stimulus, but that is another point.

Mr. DURBIN. My last question to the Senator from California—and I join her in opposition to this amendment—is this: If the net result of the Vitter amendment is not to increase jobs in America but actually will reduce jobs in America, it seems like it is the opposite of what we ought to be doing in the middle of a recession, with so many Americans losing work. We want to create good-paying jobs here at home, and the Vitter amendment, by increasing the need for a State and local match, for example, is going to decrease the likelihood of creating jobs. The stimulus money—100 percent Federal money that is for shovel-ready projects—will move more quickly into the economy and into paychecks and will help us rebound from this recession we are in.

I say to the Senator from California, I thank her for her opposition to this amendment. I hope our colleagues on both sides will realize that even if you didn't vote for the stimulus, voting for the Vitter amendment is going to take money away from projects in your States that will create good-paying jobs.

Mrs. BOXER. Before my friend leaves, I think I can put some specifics out to him. We already know there are $10 billion worth of highway projects that have not been obligated. That is at risk right away. We know there are Superfund cleanups that are long overdue. We have funds for that. We have $5.5 billion in construction-related activity that deals with cleaning up underground leaking storage tanks and the specialized, good-paying jobs that those activities create. We have $300 million to restore our Nation's wildlife refuges. We have $100 million in a great program Republicans and Democrats have been lauding in my committee—the Economic Development Administration—where you leverage those funds from business. That would be at risk. We have $5 billion available for flood control. It is ironic that my friend from Louisiana—I have been working with him and Senator LANDRIEU to do everything in our power to stop flooding. We have problems in our State, and Lord knows and the world knows about the problem in Senator VITTER's State; $5 billion was available for flood control, for water supply and harbor maintenance, all of which are focused on job creation, and the irony of ironies is that those funds could well be cut under the Vitter amendment.

Mr. DURBIN. So the Senator's amendment would effectively cut funds used in the stimulus for flood control?

Mrs. BOXER. Any funds not obligated out of the $5 billion available. As we know, Vice President BIDEN says, on average, 25 percent of the funds have been obligated. That means a good portion of the $5 billion for flood control would, in fact, be at risk.

I thank my friend for coming over and helping me explain to our colleagues and the American people why we oppose this amendment, even though it may be well intentioned. At the end of the day, it hurts our people and their chance to get good jobs.

I yield the floor and reserve my time.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. VITTER. Madam President, let me briefly address some of the issues and misconceptions that have come up by focusing on four key points.

First, I believe the Senator from Illinois said: Why would we want to take anything out of the stimulus and stop job creation? I have a news flash: There is no job creation. Unemployment is going up. Again, unfortunately and tragically, the unemployment numbers say it all. This was the projection from the proponents of the stimulus about unemployment peaking at 8 percent and then coming down. Tragically, this is the reality. Joblessness goes up and up, toward 8 percent. So there is no job creation right now.

No. 2, the Senator from Illinois said: Why would we want to move money from one pocket into another pocket? That doesn't do anything. Well, it does a lot if the pocket we are removing money from is stuff that would not be spent until after 2011, and we move it

to a pocket focused on real, concrete roads, highways, and bridges—spending that can be done now. That is a big change in terms of the type of spending we are talking about. It is a big change in terms of the timing of the spending.

The biggest reason for the stimulus having no significant impact on unemployment is the type and the timing of the spending. On the timing side, only 10 percent of the entire $800 billion stimulus has been spent to date. On the type of spending, only 3.5 percent of the whole bill was ever for roads, highways, and bridges. Only 1 percent of that—1 percent of the 3.5 percent—has been spent yet. So, yes, we are moving money from one pocket to another so as not to run up more debt. In the process, we are having a lot more immediate, positive impact on employment. That is very important.

Point No. 3: In direct response to the Senator from California, if she would like to wall off any stimulus money—the money for roads, highways and bridges and the money for flood control—and say the President cannot use that money in this transfer, I would be very open and supportive of such a second-degree amendment.

I did not do that simply to give the administration maximum flexibility in terms of working out those details. However, again, if the Senator from California would like to propose a second-degree amendment to wall off true highway funding or flood control funding, or whatever, I would be happy to support that.

Fourth and finally, I couldn't believe my ears, but I think the Senator from California said the underlying bill involves deficit reduction. Let's get real. I know Washington is a fairy tale world. I know things are turned upside down so often, like Alice in Wonderland, but the underlying bill involves racking up more debt, more deficit. That is the whole motivating factor of my amendment. The underlying bill does nothing but borrow more. Don't take my word for it; look at the fact that there is a budget point of order against the underlying bill which I will point out and raise for consideration by the Senate.

So the underlying bill clearly involves more debt. How could it not? We are taking money from the general fund to fill in the highway trust fund. Guess what. We are deficit spending in the general fund. We are already, through the general fund, racking up a deficit. So if we take money from there, we have to backfill that if we spend the same amount with more borrowing, more deficit, more debt.

Again, if we care about turning the corner on deficit and debt, this is the responsible amendment to support and the responsible approach to take. The underlying bill racks up more debt; the Vitter amendment avoids that.

Again, there is a budget point of order against this underlying bill about which, with the cooperation of the Senator from California, I believe she needs to make some introductory comments, but I will make that budget point of order now.

I yield the floor to the Senator from California.

Mrs. BOXER. Madam President, how much time remains on the Vitter amendment on either side?

The ACTING PRESIDENT pro tempore. The Republican side has 9½ minutes for Senator VITTER; 15 minutes for Senator BOXER.

Mrs. BOXER. And on the general debate?

The ACTING PRESIDENT pro tempore. Twenty minutes on the general debate.

Mrs. BOXER. Madam President, I am going to put a couple of items in the RECORD and make sure Senator VITTER can offer his budget point of order. I asked if Senator DURBIN would be willing to take 10 minutes on our side on the general debate. I don't think I have to ask unanimous consent, but why don't I do that. I ask unanimous consent that after I conclude and after Senator VITTER makes his point of order, then we get to Senator DURBIN for his 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, on the issue of the Congressional Budget Office score that scores the House bill as deficit reduction, I find it intriguing that my friend who supports the CBO when they say we are spending money—for example, on the health bill, they say: Oh, look. CBO says it costs money, but he derides it when CBO says this particular bill is a deficit reducer.

I ask unanimous consent to have printed in the RECORD the CBO score that shows, in fact, the bill sent over from the House reduces the deficit.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 3357: TO RESTORE SUMS TO THE HIGHWAY TRUST FUND AND FOR OTHER PURPOSES

	Changes in direct spending (in millions of dollars)			
	2009	2010	2009–2014	2009–2019
Section 1—Appropriate $7 billion to the Highway Trust Fund:				
Budget Authority	0	0	0	0
Estimated Outlays	1,000	−1,000	0	0
Section 4—Increase Loan Limit to $400 Billion for the GNMA Mortgage-backed Securities Loan Guarantee Program Account:				
Estimated Budget Authority	−40	0	−40	−40
Estimated Outlays	−40	0	−40	−40
Total, H.R. 3357:				
Estimated Budget Authority	−40	0	−40	−40
Estimated Outlays	960	−1,000	−40	−40

NOTES:

Section 2 would have no estimated budgetary impact relative to CBO's baseline. The costs of providing benefits under the unemployment compensation program are assumed in the baseline, consistent with section 257 of the Deficit Control Act of 1985, which states that "funding for entitlement authority is assumed to be adequate to make all payments required."

Section 3 also would not have a budget impact. Allowing FHA to guarantee additional loans has no cost or savings because under the Federal Credit Reform, CBO's estimate of the subsidy cost of new FHA guarantees is zero.

Source: Congressional Budget Office.

Mrs. BOXER. Madam President, notwithstanding the order of July 29, I ask that it be in order for Senator VITTER to make a budget point of order against H.R. 3357 at this time, and that a motion to waive the applicable point of order be considered made, with the vote on waiving the point of order occurring at a time to be determined.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VITTER. Madam President, I will make that point of order. The underlying bill is such a great deficit reduction that it would involve more borrowing and more debt and more mandatory spending. It would specifically increase mandatory spending and exceed the committee's section 302(a) allocation. Therefore, I raise a point of order against the bill pursuant to section 302(f) of the Congressional Budget Act of 1974.

The ACTING PRESIDENT pro tempore. Under the previous order, the waiver is considered made.

Mr. DURBIN. Madam President, I seek recognition pursuant to the unanimous consent agreement of the Senator from California, 10 minutes remaining on our side on the general debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, the Senator from Louisiana suggests the stimulus bill the President enacted is not creating jobs because we still have unemployment. The fact is, it is creating jobs and we are still in a recession. Were we not working with the stimulus bill to put money back in the economy to create American jobs, it would be worse. We all know that.

When the President came to office, he encountered an economy that was losing on average 700,000 jobs a month. Our growth rate had hit a negative 6.3 percent. Foreclosures were at record levels, and residential investment had

fallen. Banks were in crisis and freezing lending. Madam President, $10 trillion in wealth had been lost. Virtually every American with a savings or retirement account had taken a hit. That is when the President took his hand off the Bible and accepted the responsibility of office, and that is what he inherited.

He came to Congress and said: Let's put money in the economy and get Americans back to work. Let's invest in things that will pay off in the long run. Let's build the bridges, the highways, the airports. Let's make sure we make investments that not only create jobs today, but we can rely on in the future to build our economy. And we did it, with limited help from the other side of the aisle.

The Senator who is offering this amendment voted against it. The position for most Senators on the other side of the aisle was, let's do nothing; let's let the market work this out.

Do you have any idea where we would be today if the market was still working this out? I am afraid we would be in sorry shape. We would continue to see job loss and continue to see more and more unemployed Americans, which is exactly the opposite of what we want.

Now comes the Senator from Louisiana who opposed the stimulus package in the midst of this economic crisis and now says: Let's take money out of the stimulus package that is creating good-paying jobs in America. Let's take it away from the States where they get 100 percent Federal funding for their projects. Let's put it in a different fund. It isn't creating any new investment, but let's put it in a different fund that now requires a State match.

What that means is, if your State budget is struggling—we know a lot of States are—the Senator from Louisiana does you no favor. He is taking a project in your State that is important for your economic future, closes it down and says: We will be glad to give you some of that money back as long as you can come up with matching funds.

I am afraid that is not helpful. It is hurtful at a time when this economy needs all the help it can get. When it comes to the stimulus package, understand, we are a little over 4 months into this stimulus, this 2-year stimulus package.

The Senator from Louisiana says: I am prepared to declare it a failure; let's stop right now.

I am not prepared to declare it a failure. In fact, I think there is an indication that it is starting to put America back to work.

Because of the Recovery Act, on which the Senator from Louisiana wants to reduce spending—listen to this—95 percent of working families are already getting tax credits in their paychecks. Those dealing with job loss are collecting an extra $25 a week if they are out of work. That does not sound like much if you have a job, but if you are out of work, it means something.

There also is help for unemployed people to pay health insurance. I don't know if the Senator from Louisiana didn't vote for that. I don't know if he thinks that is a good idea. If I were unemployed, I would want my family to have health insurance. That is pretty basic.

There is money to help seniors and college students, many of whom have faced the idea of suspending their college education because mom and dad are struggling at home. The Senator from Louisiana may be opposed to that; I am not. I want them to stay in school. I want them to get their degrees because they will lead America.

We provided $34 billion in funds for States for Medicaid because our States are struggling to provide health care for the poor. The Senator from Louisiana may oppose that. That is his right to do. I happen to think that providing basic health care to the poor in America is evidence we are a caring and compassionate nation and will continue to be.

The money that has gone to States and local governments has avoided the layoffs of teachers and police officers and other law enforcement in Louisiana, Illinois, California, and around the Nation. The Senator from Louisiana may think that is a waste of money, we never should have done that. But for a safer America and for an America where kids can go to school and have the teachers they need, I think the money was well spent.

Beyond that, this Recovery Act in which we are involved is one that is starting to make some results. Just starting. I am not being Pollyanna-ish about this. We are still in a recession. I think we are coming out—I hope we are coming out.

In January, the month before this Recovery Act went into law, we lost 741,000 jobs. Terrible. By June, the economy was losing one-third fewer jobs. I wish we were not losing any jobs, but the fact is the stimulus is starting to work.

The Senator from Louisiana, who did not support it, who had no plan for this economy, now wants to take the money out just at the moment it is starting to work. Boy, the perfect Washington answer. Let's move in right now, 4 months into a 2-year program, and declare it a failure. That may be his approach, but I don't think it works for America.

In less than 160 days, more than 30,000 projects have been started under this bill—30,000 across the country. I went to Peoria, IL. There is a project at the airport which is critical to its economic future funded by the stimulus bill, creating good-paying local jobs right in the heartland of Illinois. More than $23 billion will be made available to fund over 6,600 shovel-ready construction projects; 3,200 are underway. If the Senator from Louisiana has his way, we will stop right there. We will start cutting back on these projects right now. That is his idea of economic recovery.

Over $369 million has been put into rural water systems. I can tell you, representing a State with a lot of small towns, such as Louisiana, they need this money to make sure their drinking water is safe for the people who live there. The Senator from Louisiana says: Enough said; let's start cutting back on that.

Madam President, $2 billion has been moved out to State governments and community organizations for weatherization and energy efficiency on low-income homes, and half a billion in overdue cleanup of Superfund sites. The Senator from Louisiana says: Let's cut that money; let's reduce that money. I don't think that makes sense.

We know if we did not have this Recovery Act, there would be more unemployment, more people out of work, fewer dollars being paid in taxes to the Federal Government and State governments. Our situation would be worse when it comes to the deficit. The more people who are unemployed, the fewer who are paying taxes, the more people need services. It is a recipe for a deficit that grows.

The Vitter amendment, by reducing the spending power of the stimulus funds, will make our deficit worse. That is a fact. He must acknowledge that. I hope he does.

In terms of obligating these funds, I want to make sure at the end of the day, having voted for this and supported it, that the money is well spent. I don't want a single dollar wasted. We are going to take care to make sure these projects make sense, that we have a justification for them, and they will serve America and our economy's future. That is responsible and accountable transparency.

I know the Senator from Louisiana says we are 4 months in, we have not gotten it spent, it is time to bail out. That kind of shortsightedness will not work. The idea that we would cut back on funds for flood control in the States of Louisiana and Illinois makes no sense whatsoever. The Senator from Louisiana is wanting to cut back those funds so he can transfer money into the highway trust fund.

I think we are on the path to recovery. I hope that path is a short one and we reach it soon. In the meantime, the Vitter amendment will not help. The Vitter amendment makes it worse. The situation is that the projects we are counting on to get America back to work, good-paying jobs right here at home, are in danger because of this amendment.

I urge my colleagues on both sides of the aisle, even if they didn't vote for the stimulus package, do the math—100 percent Federal money for the project in that State, as opposed to the Vitter approach which would require 20 percent or more from the State before they could go forward with any projects at a time when most States

are struggling. This is not the answer. This will not be the only part of the problem; it will be a big part of the problem.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Nevada.

AMENDMENT NO. 1905, AS MODIFIED

Mr. ENSIGN. Madam President, I call up my amendment at the desk and ask that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. The instruction line of the amendment is so modified.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 1905, as modified.

Mr. ENSIGN. 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 offset the appropriation of funds to replenish the Unemployment Trust Fund with unobligated nonveterans funds from the American Recovery and Reinvestment Act of 2009)

On page 3, after line 12, add the following:

SEC. 5. USE OF STIMULUS FUNDS TO OFFSET APPROPRIATION OF FUNDS TO REPLENISH UNEMPLOYMENT TRUST FUND.

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (other than under title X of division A of such Act) is rescinded pro rata such that the aggregate amount of such rescissions equals $7,500,000,000 in order to offset the amount appropriated to the Unemployment Trust Fund under the amendment made by section 2 of this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

Mr. ENSIGN. Madam President, in my home State of Nevada, the unemployment rate has reached 12 percent, and we are seeing unemployment continue to rise across the country. The President said the stimulus bill that was passed this year was going to keep unemployment no higher than 8.3 percent across the country. We know it is a lot higher than that everywhere now. This is not just a Nevada problem, it is a problem in every State.

American families across the country are hurting, and they are hurting badly. I am offering an amendment that will help families during these tough times. 18 States have depleted their State unemployment fund and are now borrowing from the Federal unemployment fund to cover benefits. The Federal Fund is now running dangerously low. I am offering an amendment to shore up the Federal fund and help the States that have depleted their own funds. My amendment will help in a way that is fiscally responsible. My amendment is very simple. It would say we are going to use money out of the stimulus bill to replenish the Federal unemployment funds that the States are borrowing from, and we are going to do that in a way where we don't increase the deficit. My amendment does not play any phony numbers games, unlike the bill that was sent over here from the House of Representatives. The House bill says, technically, it is not increasing the deficit. The Federal Government, however, is borrowing from future generations, and will very likely forgive the States that have borrowed money, which will therefore increase the deficit.

The U.S. Department of Labor estimates it will take about $7.5 billion to replenish the Federal fund for the rest of the Fiscal Year. Next year, it is projected to be at $30 billion. And we have already seen in the stimulus bill that this Congress is giving money away to the States. We will continue to borrow from future generations so we can forgive that debt the States have run up. States are not going to be able to pay back all they have borrowed, right? That is what we all assume. So let's show some fiscal responsibility and take the money needed to replenish the Federal unemployment fund, out of the stimulus.

The Senator from Illinois was just on the floor talking, and I listened carefully to some of the things he was saying. He was saying that if we actually borrow less—as does the Vitter amendment, for instance—it means our deficit is going to be more. Well, that just doesn't pass the commonsense test. I know what he is saying. He is saying, basically, if we take the money away from the stimulus—in other words, we borrow less now—it is not going to help the economy as much. That was the philosophy behind the stimulus package, that by borrowing money and putting that government money into the economy, we would help the economy recover. I think it is not arguable that there are a certain amount of jobs that can be created by government spending.

The reason I voted against the stimulus bill is because I thought a lot of the money was irresponsibly spent and it was going to run up the deficit. So I was looking more long term, not just short-term. The problem with continuing to borrow more and more is we have the threat of long-term economic harm. We have the threat of long-term inflation in this country, which will be devastating to this economy.

Under the President's budget that was passed here in the Congress, it is projected that our national debt will double in 5 years and triple in 10 years. Think about that. Take all of the debt that was borrowed in the history of this country, from George Washington to George W. Bush, and that debt is going to be doubled in 5 years and tripled in 10 years. That is unsustainable. We have to think about future generations.

States do need help to replenish their Federal unemployment insurance fund. They do need that help. We recognize that. But let's do this in a way where we are not borrowing more money from our children's future. That is really what this is about.

We had the former Fed Chairman, Alan Greenspan, talking to our conference at lunch a couple of weeks ago. One of the things he talked about and one of his big fears is that the United States is borrowing too much money and that can be a future threat to our economy in the form of inflation. If we get to the point where other countries decide not to loan us this money anymore—if they quit buying our Treasury bills, in other words—our economy falls off a cliff. We don't want to get to that point.

That is why we need to start taking small steps, which can lead to larger steps on being fiscally responsible in this country. We hear Senators from both sides of the aisle get up and talk all the time about being fiscally responsible. Yet every time we have a small proposal that shows fiscal responsibility around here, it is rejected: We can't do that now. We can't do that with this program. The stimulus program is off limits.

Even though a large amount of the stimulus isn't going to be spent for a long time, it was originally supposed to help our economy this year. And the Senator from Illinois just said the economy is recovering. There are signs the recession is slowing down; however, this looks as if this is going to be a completely jobless recovery. That is not what the stimulus bill was supposed to be about. It was supposed to be about creating jobs.

We had alternatives, actually, that would have created jobs, that would have helped the housing industry. The housing industry was the part of our economy that drug the rest of the economy down. So we thought we should have fixed housing before we started putting money into all these other projects and all these other government programs. That was rejected by the Democratic majority, unfortunately. I still believe we need to help the housing industry.

Senator JOHNNY ISAKSON from Georgia has a good proposal—to give a $15,000 tax credit to anyone who would buy a home. In my State of Nevada, the housing market is still devastated. We have huge foreclosure rates. We have a large amount of inventory to sell out there. The housing market is starting to turn around in some of the other States, but it still has a long way to go, and we could really help the housing market.

The bottom line is that we need to be more fiscally responsible to future generations. My amendment today is just taking a small step toward that.

My dad used to tell me all the time when I was growing up: You have to watch the small amounts of money. He used to say: If you watch the $20 bills, the large amounts of money will take care of themselves. Well, let's start watching the small amounts. I know

$7.3 billion is not a small amount of money, but around here, it is. Let's start watching at least these amounts of money so that when we are talking about the $1.8 trillion deficits, we can start taking care of that and we can start being fiscally responsible to future generations.

I urge my colleagues to support this commonsense amendment. I think the Vitter amendment is the right direction to go as well. This is something we need to do for future generations.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I rise to speak against the Ensign amendment, and I want to explain why, so I will take my time off that discussion and retain the remainder of my time on the other amendments.

Let me say that Senator ENSIGN has come to the floor and he wants to talk about fiscal responsibility. I welcome that debate. He blames the Democrats for not doing anything to help us get a handle on deficits and debt. But let's go back to recent history—not ancient history, recent history.

Bill Clinton left the White House in the year 2000, and we had a budget surplus. That was very hard to get to, but we Democrats did it with him and with the help of some of our Republicans. We had a debt practically eliminated. It was on the way down. And I remember discussions about what do we do when we have no more Treasuries to buy.

Then we had George Bush elected, and we had the Republicans supporting him. In a nanosecond, the whole table turned. We went from budget surpluses as far as the eye could see to deficits as far as the eye could see. We went from a debt that was going to be extinguished to a debt that began climbing.

As a result of these policies, there was a call for change in this country. We had more Democrats elected. We have a Democratic President, and he inherited one giant mess. The chickens came home to roost.

So our President said to the Nation: I am going to do everything I can to get out of this economic mess. Help me. Help me pass a bill that will put people to work. He said: I know it is going to be hard. I know it is going to take time, but we need to do this because of the recession. And if we don't get out of this recession, we are not going to be able to attack the problem of deficit and debt.

Anyone who knows President Obama knows that when he was a Senator, he was always conscious of our fiscal issues and distressed about the course we had been on for the last 8 years.

So here is what happens. We are 4 months into the economic recovery package. I have been to places in California, I have seen people getting those jobs—highway jobs, water infrastructure jobs, cleaning up Superfund sites, restoring our wildlife refuges. Those are just some examples of the jobs. And we know, according to Vice President BIDEN, that about 25 percent of those funds have been obligated.

Senator VITTER came down here and said nothing is working; we are not getting those jobs out there. Let's go in and cut that stimulus program—put a dagger in its heart is what they want to do, when it isn't necessary to do so.

The Congressional Budget Office, as I have said—and I have put into the Record—tells us the bill the House sent us does nothing to increase the deficit. As a matter of fact, it is a small benefit to the deficit over 10 years. They figure it is about $40 million—not much, but it doesn't produce more deficits.

So they come to the floor and they are arguing the House bill at the desk causes deficits when the Congressional Budget Office says, after they had done a study, absolutely not. They still insist it does. Fine. They do not agree with the CBO.

By the way, they do agree with the CBO when the CBO says there are costs to health care reform. Then they embrace the CBO. But now they can't because it doesn't fit their political rhetoric.

So all I can say is, if you take all these amendments—and, look, I don't think they are meant to be mean-spirited. I think they are honest in their approach. They do not like the fact that we passed the stimulus bill. They do not believe in it, even though a few of them on the other side—a few of them—have gone to see some of the projects that are putting their own people to work. A few have done that. I find that a little disingenuous, but that is their choice.

Their argument just doesn't hold up. Look, if we take the funding out of the stimulus, we put at risk $10 billion of highway-related jobs. We put at risk millions of dollars that would otherwise be paid to our construction industry. We put at risk very important construction projects at military bases, long overdue Superfund cleanups, the creation of clean energy jobs in the future, improvements to outdated rural water systems. Why would we want to do this—Why, in the middle of a recession, when we have come up with a way to handle this that does not add to our deficit?

On the highway trust fund, Democrats and Republicans in the Senate agree we ought to do an 18-month extension. On that part of the Vitter amendment, you will find me on his side, but not to take the funds out of the unspent stimulus money that is on the ground and putting people to work and will continue to do so. It has only been 4 months since the funding has started to get out the door. Have a little patience. You know, for 8 years we saw the economy turn into a bad way. For 8 years, we saw this economy turning bad. For 8 years, we saw the recession building. For 8 years, we saw the deficit building. For 8 years, we saw the debt building. It is not going to take 4 or 5 months to turn this around. And why would we put a dagger in the heart of job creation at this point, no matter how noble the effort?

I believe it is very important that we don't play games with this bill that is at the desk. For example, Senator BOND is going to offer a very good amendment. It has nothing to do with cutting the stimulus; it just corrects a real problem, and it restores funding to the trust fund. He is absolutely right on that, and I absolutely will support his amendment. But here is the thing. We have until September 30 to make that fix, when we have to reauthorize the program. This is just a financial transfer into the fund. September 30, we need to actually reauthorize the highway bill. We take care of Senator BOND. But the reason I cannot support it is, as he well knows, the House has stated—and I do not agree with their attitude, I don't agree with it but they have stated—this is it. We are giving you this quick influx of funds, and we do not want to have it come back with amendments.

We can put off the Bond amendment. We have time to deal with it. I praise Senator BOND for continuing to raise this matter before us because we do have to take care of it. Let's just get it straight. When people come down to this floor and rail against deficits and rail against the debt, just remember that little simple piece of history that is documented, that President Clinton left President George W. Bush a surplus as far as the eye could see and a debt going down. Now the other side of the aisle claims our President is not moving fast enough on all these fronts. Let me assure my colleagues our President cares a lot about the financial future of this country. He has two little kids. He knows exactly what their burden is. I do not believe that fiscal responsibility belongs to the other party because it was our party, under Bill Clinton, that got this country in the best financial shape it was in for decades. It only took a few short years to see all that go out the window.

Let's not lecture each other. If they continue to do it, I will just continue to bring up the facts. But, again, I see Senator BOND is here. I am going to repeat what I said before he got here. I complimented the good Senator because I think he is totally right on his amendment. However, I do know if it is attached to this bill what will happen because the House has told us. They will not take up the replenishment. We risk the highway trust fund running out of funds. I personally will work with the Senator from Missouri and my colleague, Senator INHOFE, to make sure the Bond amendment is part of the reauthorization which we will have to do in September. But I thank him because he perseveres. He brings it up all the time, and it is good that he does so. I support exactly what he is trying to do, but the timing, unfortunately, would undermine the replenishment of the trust fund.

I yield the floor and retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, as the ranking member of the committee, first of all, while I love the chairman dearly, she is dead wrong on all the information she just gave you. Let me go over that briefly.

First of all, on the Clinton administration. Let's keep in mind that even then-Vice President Al Gore admitted they had a recession coming at that time and that reduced the amount of money that was coming in to run the government. We all know that is basic economics. We also know during the 8 Clinton years he downgraded the military by 40 percent—not 10 percent or 15 percent. I will never forget the euphoric attitude: The Cold War is over now; we don't need a defense any longer. We cut down our end strength and our modernization program and all of a sudden 9/11 came and we were in the middle of fighting a war with a military that was downgraded by the President. Obviously, it took a lot of money to bring us out.

I would say on behalf of President Bush that was a tough situation, but he grabbed hold of it. Yes, we had to spend more money at the time, but he had to rebuild what was torn down during the Clinton years.

One word about the Vitter and Ensign amendments. They are both good amendments, and all they are doing is what I thought the chairman of our committee joined me in wanting to do back when we were considering the stimulus bill, the $789 billion bill. Only 3.5 percent of that went to roads and highways and bridges. That would really have stimulated the economy. I had an amendment cosponsored by the chairman, Chairman BOXER. We were unable to get it passed. That would have turned this into a real stimulus bill. Frankly, we would not be here today if we had been successful doing that.

Look, 67 percent of that $789 billion is unobligated today. What better use could there be than using that for construction, for getting into something where we can actually stimulate the economy? This has to be done. Our roads, our highways, our bridges are in deplorable condition. Our chairman and I agree on that. We want a robust reauthorization bill. But in the meantime, to be able to take some of the money that is in the stimulus bill that doesn't stimulate anything—we are not talking about taking away from military construction. I am the second ranking member on the Armed Services Committee. I wouldn't tolerate that. That is already in there. But the unobligated funds amount to about 67 percent or about over $400 billion of the stimulus bill.

I am going to strongly support—in fact, I recommended to both Senators Vitter and Ensign—that this is a good place to find the money we have to find in order to rebuild our system.

I have to say something about the Bond amendment because I will have to leave the floor in just a minute. I am fully supportive of the amendment. The rescission is bad for every State and bad for the highway program. This amendment corrects an accounting provision in SAFETEA that removes $8.7 billion of what was supposed to be unneeded contract authority.

I think the rescission was not intended to have the real funding impacts on the States, but the provision in the Energy Independence and Security Act of 2007 changed how the rescission was to be implemented. Now States stand to lose about $400 million of real money.

Madam President, $40 million of that $400 million comes from Oklahoma. Right now the Oklahoma secretary of transportation, Gary Ridley—and I believe he is the best secretary of transportation anywhere in the Nation—recently told me my State will be forced to cancel $40 million in projects that were supposed to begin this year. For this reason, this amendment cannot be put off. We have to pass it now; otherwise, States will have to cut planned projects in anticipation of this rescission.

Some are arguing this amendment would somehow endanger the passage of the trust fund rescue. I flatly reject this argument. The other body is still in session. Right now they are over there, and we should not bow to its whims. This is not just a Senate problem to fix. The House has a responsibility to address it too.

As I stated earlier, the House is still in session and they can take a few extra hours before their adjourning to pass a highway fix bill with the Bond rescission language in it. It is ludicrous to talk about infrastructure spending being an ingredient in creating jobs on one hand and on the other hand allowing $8.7 billion in contract authority to disappear.

I urge my colleagues to support all three of these amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 1904

Mr. BOND. Madam President, I thank the ranking member, Senator INHOFE, for his support of the amendment. I thank the Chair for her kind words, even though we disagree. We, all three of us, strongly support the need to get highway funds moving to build the infrastructure we need in our transportation. This is a critical time.

Right now our economy is struggling to recover from the worst recession in generations; hard-working Americans in my home State of Missouri and across the nation are losing their jobs; and our states are straining to fund projects that are critical to our constituents. Unfortunately, unless we act now, our economy, workers, and our States will be dealt another heavy blow.

At the end of September, millions will be cut in on-going, shovel ready highway projects. That does not have to happen. This drastic cut will halt critical transportation projects—like the repair of highways and bridges—across the Nation. In addition to halting critical infrastructure projects, this cut will cost jobs in all 50 States.

My amendment is the action we must take now to protect our struggling economy and protect jobs from this dangerous rescission. This amendment will protect our economy and workers by eliminating the $8.7 billion rescission of contract authority mandated in the last highway bill—SAFETEA LU—for September 30, 2009.

The reason for repealing this dangerous cut now is simple. We should not be giving money to States for infrastructure, jobs and economic growth with one hand and on September 30 taking money away with the other. This contradictory action just doesn't make any sense and runs counter to our own efforts to improve our Nation's infrastructure.

According to our State departments of transportation, rescinding contract authority can limit our state's ability to fund their priorities and operate their programs as efficiently as possible. There are real world consequences for our States if we continue with these rescissions. The most obvious consequence will be a halt to much needed improvements to our Nation's infrastructure.

I don't think I need to remind people of the state of our infrastructure around this country. If I do, then you simply aren't paying attention.

We are beginning to burst at the seams, our vehicle miles traveled remain at historic highs, congestion rates are up with more and more people sitting in traffic next to trucks carrying products to and from businesses across the Nation. Our deteriorating infrastructure is a real problem and it is taking an economic toll at a time when we simply cannot afford more burdens on our system. Unfortunately, the real world consequences of this dangerous cut will be hardest on workers and families. The Missouri Department of Transportation estimates that this rescission would mean about $201 million in lost projects and countless pink slips in Missouri. Missouri is not alone. The numbers for other States are startling: California, $793 million; Pennsylvania, $404 million; New York, $406 million; Maryland, $140 million. But most importantly, behind these numbers there are jobs. The American Association of State Highway and Transportation Officials estimates that for every billion dollars rescinded, our States will miss out on nearly 33,000 jobs.

If Senators were to contact their State's department of transportation they would quickly understand the full impact this rescission would have back at home. I urge my colleagues to do that before voting.

In fact, let's hear from some State DOT directors on the real effect this recession will have back at home.

Colorado Director of Transportation Russell George stated that the upcoming $8.7 billion rescission will cost the State $98.7 billion:

that could have otherwise been obligated and out the door helping to employ hard working Coloradoans and providing important infrastructure projects to the State. This real dollar cut is about 20 percent of the total federal funds Colorado receives each year.

The Department of Transportation director in Nevada, Susan Martinovich, said that the upcoming rescission of $61 million represents 25 percent of the State's annual $236 million Federal aid allocation and that she would be forced to cancel $48 million of projects that are already under construction, having a ''devastating effect'' on workers.

We have kicked the can down the road on this rescission for far too long.

Right now, with this amendment, is our last opportunity to do what is best for our economy, American workers, and our States by repealing this rescission. I know that I don't want to go back to my State having voted against so many jobs for Missouri.

Repealing this rescission will allow States to continue to move forward to meet our infrastructure needs and to create the jobs that struggling families and this economy so desperately needs.

I also have a letter of support from Americans for Transportation Mobility. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FASTERBETTERSAFER, AMERICANS FOR TRANSPORTATION MOBILITY,
Washington, DC, July 30, 2009.

TO THE MEMBERS OF THE UNITED STATES SENATE: The Americans for Transportation Mobility (ATM) coalition strongly urges you to pass H.R. 3357, which would address the looming shortfall in the Highway Trust Fund, and make highway and public transportation reauthorization a top Congressional priority during the remainder of the year. The coalition also supports the Bond amendment, which would repeal the rescission of $8.708 billion in highway contract apportionment to states scheduled to take effect on September 30, 2009.

The 2005 highway and transit reauthorization legislation, the ''Safe, Accountable, Flexible, Efficient, Transportation Equity Act: a Legacy for Users'' (SAFETEA–LU), which expires at the end of September, guaranteed at least $223 billion for federal highway program investments through fiscal year 2009. This investment level was predicated on a forecast of anticipated revenues collected for the Highway Trust Fund's Highway Account over the life of SAFETEA–LU. Unfortunately, the Highway Account is expected to run short of cash to liquidate obligations sometime in the next few weeks.

To avert the imminent crisis, Congress should provide revenue to support the Highway account expeditiously. H.R. 3357 would achieve this by transferring $7 billion from the general fund of the Treasury to the Highway Trust Fund's Highway Account. This measure would provide states and localities with needed continuity in federal reimbursements to ensure infrastructure efforts around the country do not come to a screeching halt.

While H.R. 3357 is critical to supporting ongoing infrastructure efforts, it is only a short-term solution to an imminent crisis. Continued bailouts for the Highway Trust Fund are hardly a sustainable approach to the nation's infrastructure investment needs. Congress must develop a comprehensive, long-term solution to ensure the platform of our economy is sound.

The ''user fee'' system has been in place since 1956 when Congress dedicated the gas tax to pay for construction of the Interstate Highway System. This system and the Highway Trust Fund have been a stable source of funding for decades and have offered states and localities the predictability and consistency necessary for capital investment. Additional revenue will be needed to sustain this system and fuel taxes are currently the simplest, fairest, and most effective way to fund surface transportation infrastructure investment. Capital investment requires capital, and there is no alternative for the systemic funding needed at the federal level.

The Coalition strongly urges you to pass H.R. 3357 to address the imminent shortfall in the Highway Trust Fund and support the Bond amendment to repeal the looming rescission. Congress must make highway and public transportation reauthorization the national priority it should be to ensure long-term stability in national infrastructure planning and investment.

Sincerely,
AMERICANS FOR TRANSPORTATION MOBILITY.

Mr. BOND. For the RECORD, this is composed of the American Public Transportation Association; American Road and Transportation Builders Association; Associated Equipment Distributors; Association of Equipment Manufacturers; Associated General Contractors; American Society of Civil Engineers; International Union of Operating Engineers; Laborers International Union of North America; National Asphalt Pavement Association; National Stone, Sand and Gravel Association; United Brotherhood of Carpenters and Joiners of America; and the U.S. Chamber of Commerce.

Madam President, our distinguished chairman of the committee has said if this bill is amended, it will fail because the House of Representatives may not take it. But as the ranking member pointed out, they are still in session. If we believe this is right, accept the Bond amendment, pass this bill as amended, send it to the House, give them the chance to do what is right. Our job is to make sure we get this business right before we go home on August recess.

If the House refuses to take it, they will have to go home and spend all next week explaining why they are at home instead of having passed a bill that could have had workers on highway and bridge projects working at home. They should be asked, if they go home, if they refuse to pass it: Why did you leave early? The Senate is still in session. You could have stayed there and gotten rid of the rescission that will cut jobs.

There is, I guess, going to be a Budget Act point of order raised against this bill. I will, of course, ask to waive the Budget Act point of order. I would note that if you are going to take budget points of order seriously, this whole bill could be challenged on a Budget Act point of order. I will not do that because I want to see this done.

But let's be clear: This so-called money for this bill comes in from going back and assuming interest was paid on the intergovernmental transfers. We do not do that. That is totally bogus. That is a pencil-whipping trick that I do not believe anybody would honestly score.

That is the problem with the whole bill itself, not just with my amendment. If you want to be serious about paying for this bill, and my amendment, the Vitter amendment, it is very simple: We can rescind a small amount of money, a small portion of the stimulus bill that was passed, and less than only 10 percent has been used. That money we can use to put people to work on shovel-ready projects, make sure the work goes on that otherwise would be cut off by an artificial September 30 date.

I hope my colleagues will support the waiver of the point of order on the budget amendment. Because if you do not, quite simply, to put it in terms we are using every day, if we fail to repeal the rescission, we will be taking the shovels out of hands of workers ready to go to work on shovel-ready projects. That is not something I wish to go home and explain to the people of my State. I do not think Senators and Members of the House would want to go home and explain to the people or the constituents in their areas that they represent.

I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 1904.

Mr. BOND. 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 repeal a certain provision of the SAFETEA–LU)

At the appropriate place, insert the following:

SEC. ___. RESCISSION OF UNOBLIGATED BALANCES.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1937) is repealed.

Mr. LEVIN. Madam President, I support repealing the rescission contained in the SAFETEA–LU bill that requires that on September 30, 2009, $8.7 billion of apportioned contract authority provided to States for investment in infrastructure be rescinded. This is important to Michigan and all the other States across the Nation that cannot afford to have Federal infrastructure funding cut at a time of severe funding constraints. I will work to repeal this rescission so Michigan and other States do not lose these needed Federal transportation funds.

Based on the assurances of the chairman of the Senate Environment and

Public Works Committee that this will be corrected before September 30 and the extremely time sensitive nature of the underlying bill, I will oppose the motion to waive the Budget Act with respect to the Bond amendment to this bill. H.R. 3357 restores funding to the highway trust fund to keep it solvent through September. With the House of Representatives scheduled to adjourn tomorrow any Senate amendment to H.R. 3357 would require that it be sent back to the House, likely killing this important bill. We cannot risk letting the highway trust fund run out of funds.

I will work with the chairman of the Senate Environment and Public Works Committee to repeal the SAFETEA–LU rescission as part of the bill to extend SAFETEA–LU programs for 18 months.

Ms. STABENOW. Madam President, I support rescinding section 10212 of the Safe Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users. Section 10212 will rescind apportioned contract authority for States for infrastructure investment on September 30, 2009. If section 10212 goes into effect, my State could lose up to $100 million in transportation funds this year alone. While I support the intent of amendment No. 1904, offered by my colleague, Senator BOND, to rescind section 10212 and maintain apportioned contract authority for States, I believe it is more important to follow the direction of Chairman BOXER and pass H.R. 3357 as a clean bill with no amendments. Providing funding for transportation, unemployment insurance, and housing programs included in H.R. 3357 are vital for the State of Michigan, and we must pass this bill quickly rather than delay it in a long conference process. I look forward to working with both Chairman BOXER, who is committed to resolving the problems surrounding section 10212, and with Senator BOND to address this problem in a timely manner.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before Senator BOND leaves the floor, I wanted to thank him for his leadership on this issue. I wanted to assure him and all the people who support this amendment that this amendment will pass. It will not pass today, I do not think, for one main reason. We are fearful of playing these parliamentary games with the House on the highway trust fund.

We have until September 30 to address this issue. My friend is entirely correct, we must deal with this rescission. We have to repeal it and we are going to repeal it. I will work with him to do that.

I simply wished to say that on September 30, when we are faced with our next deadline, the entire bill has to be reauthorized. So it is not only this problem but many other issues have to be addressed. Again, I wish to state this: I am not happy the House sent us this very short extension.

I and I know my colleague wanted to see the highway trust fund extended for 18 months. I think the places we differ have to do with how we pay for the extension. Senator VITTER and all my colleagues who are dealing with unemployment insurance and the rest want to cut funds out of the job-producing stimulus program. I think it is unnecessary.

I also would say to my colleagues who say we are borrowing and we are borrowing to do all this: Simply look at the CBO score which scores this as a positive. The House bill is scored as a positive because of some of the legislative changes in it. Again, I wish to be clear, I will work side by side with Senator BOND. We are going to reauthorize the highway bill. It might be for 18 months. Maybe we can get together and we can come up with a bill for 5 or 6 years. We have to find a funding source to do that. I hope we can. But we will deal with the Bond amendment. We have to deal with it. The Senator is exactly right—exactly right.

He talks about taking shovels away from workers. The only place I disagree with him is that I think you are taking shovels away from workers by cutting the stimulus. I visited my State. I see people being put to work.

As Vice President BIDEN said: We have only seen 25 percent of the stimulus money go out the door.

So I also wanted to ask unanimous consent when Senator MCCAIN comes to the floor he wanted some time to speak on the Bond amendment. So I ask Senator MCCAIN be given up to 15 minutes to speak on the Bond amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I rise in opposition to the Bond amendment No. 1904, which if enacted would add another $8.5 billion to the $1.8 trillion deficit we are accumulating this year.

As many of my colleagues will recall, when Congress considered the Safe, Accountable, Flexible, Efficient Transportation Equity Act in 2005, the so-called SAFETEA Act, we included a section that required that $8.543 billion of unobligated contract authority be rescinded on September 30, 2009.

The question, obviously, would arise: Why would we do such a thing, authorize money but then say it will be rescinded or cancelled? It was done for one simple reason; that is, because of the size of the bill it would have been subject to a point of order because it exceeded the budget.

By the way, I would remind my colleagues this was a $223 billion bloated and earmarked highway bill. So apparently it is not sufficient, in the minds of some, that we at least honor a commitment we made, which would have canceled about $8.5 billion.

Please keep in mind it was a $223 billion piece of legislation. Please keep in mind that earlier this year we passed a $787 billion stimulus bill, that only 10 percent of the money has been spent, and only 1 percent of the $787 billion stimulus has been spent on highway and infrastructure projects.

So we know there are many billions of dollars more that will be spent on highway and infrastructure projects out of the stimulus bill that has not been spent. Yet that does not seem to be enough, we need to add another $8.5 billion.

I would point out that this amendment, the same amendment, was considered in the Senate Environment and Public Works Committee on July 15 and was defeated by a vote of 14 to 5.

Well, sometime we have to stop. You keep coming to the floor time after time and saying: At some point we have to consider our children and our grandchildren and the kind of debt they are inheriting. This is another $8.5 billion which was not budgeted, which will add to the burgeoning debt America is staggering under and at a time when we know that tens of billions of dollars additional will be spent on highway and infrastructure.

It is almost sad to see this because it began with gimmickry in order that the bill on the floor at that time would not be subjected to a budget point of order, knowing there would be an attempt at some point to restore it, which is now being made.

In 2005, we were accumulating deficits but unlike anything we have experienced in the last several months and since the economy cratered back in September of last year.

I hope my colleagues will reject this amendment. It is unnecessary, unneeded, and unwanted. Frankly, it is another sign that we don't understand how serious the deficit problem is, that we are accumulating the biggest deficit since World War II as a percentage of our gross national product.

I hope my colleagues will vote against the amendment.

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. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1905

Mr. REED. Madam President, I rise in opposition to the Ensign amendment. This amendment would fund the unemployment compensation trust fund by taking unobligated money from the recovery package. It is ironic that one of the major tools we are using to maintain employment and grow it is the recovery package. In

Rhode Island, our State used about $200 million, which is a significant sum in their budget, to ensure they didn't have to lay off workers, which would have increased the demand on unemployment, and that they could maintain services. All of this is a result of the recovery package.

We are beginning to see the momentum pick up. For example, with respect to weatherization, Rhode Island initially received some funds, but then the bulk of the funds would be received based upon submission of their plan. The plan is underway. The State will see roughly $20 million over the next several months to get people to work doing weatherization. Not only does this help the environment, it also provides employment, particularly for those most hard hit, the construction industry.

To take this money now and put it in the trust fund is counterintuitive and counterproductive. On those grounds alone, we have to seriously look at this amendment.

The other issue that should be mentioned, among several, is that CBO has indicated that this approach of moving funds in the underlying bill has no effect on their baseline. It is an intergovernmental transfer that the underlying legislation is proposing.

So this issue, again, is more of a comment, perhaps, on the recovery package than trying to effectively stem unemployment and to provide funds for those who are unemployed.

The issue of unemployment is probably the most significant one we face in the country, particularly in my home State. We know joblessness is rising. It is 12.4 percent in Rhode Island. Rhode Island and 18 other States have had to borrow $12 billion to keep their State unemployment trust funds solvent. Rhode Island has borrowed more than $80 million itself to cover unemployment costs, and over the next few months, they will draw on a line of credit of about $40 million to keep paying these benefits, which are absolutely critical to families who have lost their jobs. If we don't, today, transfer these funds, as suggested in the underlying legislation, Rhode Island and many other States would be looking at a real crisis in which they would fail to be able to respond to this need for unemployment compensation.

On the merits of where the money comes from—i.e., the Recovery Act, which is the biggest tool we have that is trying to keep people working and employ more people—it doesn't make sense. And not making this transfer, as suggested by the underlying legislation, would imperil the State's ability to provide unemployment compensation in a labor market that is still very weak. We have to do more, and we also have to be more innovative in our approach to unemployment.

One of the things my State has done with its own resources is a work-share program. Rhode Island and 17 other States are using their resources to provide WorkShare, an effective program. Essentially, it allows an employer to cut back on the number of hours a worker is engaged, and that worker would qualify for what is basically a partial unemployment check,—not the full check, so it doesn't put that much of a drain on the trust fund. Part of the conditions in Rhode Island is that the employer must maintain the benefits the workers enjoy. So it is really a win-win-win. First, people do not lose their health care because they must maintain the benefits. Second, they are still employed, so there is continuity of workers on the factory floor or in the office. Third, the pressure on the State trust fund is lessened.

One of the things that is particularly appropriate to mention when it comes to this program is that it provides a big bang for the buck. Mark Zandi, an economist who is well renowned, has indicated that for every dollar of funds we put in through the unemployment system, we get $1.69 back. That makes sense. People who are getting these funds are using them right away. They are going into the economy with their other funds to buy food, to buy the necessities of life they need. This has a stimulus effect on the economy. That is another reason we have to move very aggressively.

But I would like to broaden this concept of WorkShare, which has been so effective in Rhode Island, to ensure we have a system that would provide some Federal support to those States that are engaged in work share programs. Again, it is not only a very efficient program, it is very popular with industry and business in Rhode Island.

I had the occasion to visit a Hope Global plant, and they have engaged in WorkShare. In fact, the number of companies in the State engaged in WorkShare has gone up dramatically, given the economic recession.

At this company, I listened to a woman who worked there with her husband, and they benefitted from this program. She said, point blank: Without it, we would have lost our health care and we would have lost our home.

So we can do more when it comes to flexibility and innovation with respect to unemployment. This also includes passing legislation immediately to extend unemployment insurance. Over half a million workers will exhaust their benefits by the end of September, and 1.5 million will run out of coverage by the end of the year. This is an extraordinary number of Americans, and we need to provide them the support of the unemployment system, particularly high unemployment States like Rhode Island.

Also, as I indicated before, this is a way in which we cannot only moderate the crisis of unemployment for families but also to stimulate our economy. In fact, in that sense, it complements the Recovery Act. To take away funds from the Recovery Act to place into the unemployment trust fund would blunt the overall macroeconomic stimulus that we need to get this economy moving again.

The unemployment levels today are unacceptable, particularly in my State of Rhode Island. It is the No. 1 concern. Related to unemployment, for many people in my State, is the concomitant loss of their health care. So we have to move aggressively on health care reform also. But we have to act, and we can act, and we should act. I urge my colleagues to reject the Ensign amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CHAMBLISS are printed in today's RECORD under ''Morning Business.'')

Mr. CHAMBLISS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I am expecting Senator MCCAIN on the Senate floor anytime, but I think I will begin.

The Government Accountability Office released a report yesterday that talked about the highway trust fund. What they noted is that over the last 4 years $78 billion of that trust fund has been spent on things other than highways, bridges, and roads.

Some of the things it has been spent on nobody would have any question. But here we find ourselves—the second time in a year—trying to bail out the trust fund, and we are going to get to decide whether we are going to steal it from our kids or steal it from the stimulus bill, which will actually make it much more stimulative than the money that is there.

But we find ourselves in trouble. When this trust fund was first set up, it was set up during the Eisenhower administration. It was designed to build the Interstate Highway System and help us with roads and bridges and secondary roads and bridges throughout the country. What it has morphed into is that a large percentage of it now does not go for any of that.

So we find ourselves in the midst of a recession—with last year having high gas prices which depressed the money going into the fund, and with a recession now, with decreasing revenues going into the fund—and we have all these projects that we know are priorities for us that need to be fixed.

The other thing we learned from this report is that 13,000 people in this country a year die because of bad roads, bad bridges, and bad highways.

So it would seem to me the highway trust fund moneys ought to be spent to eliminate those 13,000 deaths, and the priority ought to be about roads, bridges, and highways.

I will put into the RECORD many other items where the money is spent. Ten percent is mandated for highway beautification. Well, I think that is great—if we do not have a trust fund that is broken, and we do not have 200,000 bridges in the country that structurally have some defect, 93,000 of which are seriously structurally defective. I think it is important that we turn our attention to priorities that will support that.

We are going to have a lot of votes on this today.

I am supportive of us doing what we need to do for the trust fund. I am also supportive of making sure the priorities of the trust funds are about bridges, roads, and highways. Because of what happened in Tulsa, OK, yesterday, we have a man in ICU. Somebody hit a bridge with a car, and he was driving under the bridge in another lane, and chunks of concrete fell through his windshield and seriously injured him. Our highway department knew we had a problem with that bridge—not going under it or over it, but the foundation was suspect in terms of the concrete underlying it, and the uprights. So the dollars that went to build a bicycle path and to plant flowers along the highways and the dollars that went to put in walking paths means that guy is in the hospital today because the dollars didn't go for what they were intended.

So when we have had $78 billion over the last 4 years that didn't go for roads, highways, and bridges, and instead went for things that aren't going to enhance safety or help save 13,000 lives a year, America has to ask: What are your priorities?

I commend to my colleagues the GAO report: ''Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004–2008'' on the GAO Web site at www.GAO.gov.

Mr. President, I make the point that as they look at this, there are important things for us to consider. We know that had we passed a better stimulus bill, we would be doing twice as much now in terms of fixing the real problems in this country in terms of transportation infrastructure. But we didn't. We passed a stimulus bill that created transfer payments on 70 percent of it, and 20 percent of it may be considered to be stimulative. So the hope is that, as we go forward—and we are going to bail this out—what we really need to do is, let's have our own money. In Oklahoma, we have never gotten 100 percent back. The highest was last year. When I came to Congress, we were getting back 74 cents out of every dollar. If we can keep that money, we can get more done with it than what we get done through the trust fund now. That may be one solution to ultimately getting us out of this situation.

Mr. INHOFE. If the Senator will yield, it is a real problem we have here. I remember, up until about 5 years ago, our trust fund took care of our needs. The problem we had was not just the fact that as it goes up, the proceeds go down, but that we got involved in things that had nothing to do with transportation. It used to be bridges, transportation, and highways. It was adequate at that time, but the hitchhikers would say there is a big surplus, so let's tap into that, and now we have all these things having nothing to do with transportation.

Mr. MCCAIN. Will the Senator yield?

Mr. COBURN. Yes, but first I have one other point.

In the last 20 years, we have built 25 transportation museums rather than the money going to highways. Remember the Minneapolis bridge that collapsed? We are putting money into museums, and I wonder if we are going to build a museum about the collapse of the bridge in Minneapolis. We are putting money into museums instead of making sure the roads and bridges—especially the bridges—are safe in this country. Our priorities are messed up, and the American people know that. Hopefully, we can redirect transportation dollars to true transportation projects, not to the aesthetics that we cannot afford now, even though they may be nice, and, No. 2, are causing additional deaths on our highways.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. COBURN. Yes.

Mr. MCCAIN. Couldn't it also be traced to earmarks and porkbarrel and ''demonstration projects''? Couldn't it be traced to the fundamental fact that the 1982 highway bill included 10 demonstration projects totalling $386 million? The 1987 bill had 152 porkbarrel projects, totaling $1.4 billion. The 1991 bill had 538 locations with specific porkbarrel projects, totaling $6.1 billion. The 1998 highway bill had 1,850 earmark projects, totaling $9.3 billion, and then in 2005 had 5,634 earmark projects, totaling $21.6 billion. How can anybody who calls himself or herself a fiscal conservative stand by and allow this kind of thing to happen?

And what happens? There was $2.3 billion for landscaping enhancements along, of all places, the Ronald Reagan Freeway; $480,000 to rehabilitate a historic warehouse along the Erie Canal; $600,000 for the construction of horseriding trails in Virginia; $2.5 million for the Daniel Boone Wilderness Trail Corridor; $400,000 to rehabilitate and redesign the Erie Canal Museum; $400,000 for a jogging, bicycle, and trolley trail in Columbus, GA. How in the world can those things be justified and then expect our constituents not to rise up?

Mr. COBURN. The answer to the Senator's question is, they can't. There is no question that there are certain priorities. What has happened is, as we try to address priorities for individual States, because the States don't get their money back—and there may be a great project in there, and along comes a lousy one.

I just make the point that we have our eye off the ball. The eye needs to go back. All you have to do is go read the story that happened in Tulsa, OK, yesterday. Had we been applying money to transportation instead of nontransportation through this trust fund, that gentleman probably would not be in the hospital today. A 700-pound piece of concrete fell through his windshield, trapping him in the car. We don't just have a problem of not enough money in the trust fund, our problem is that the money that goes out doesn't go for the real things the trust fund was designed to do in the first place.

I will restate, and then I will yield back. We have to do one of two things. Until this country gets out of the financial damage it is in, first, we have to make sure the money is spent on transportation projects, real transportation projects, to save some of those 13,000 who are being lost because we are not fixing roads, bridges, and highways. Second, let's eliminate the thing and let the States keep their money, and we will figure out how to spend it at home. In Oklahoma, we have never gotten a square deal yet.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. COBURN. I am happy to.

Mr. MCCAIN. Does the Senator know how much we are spending on highway and transportation projects in the stimulus, the $787 billion stimulus bill?

Mr. COBURN. It could be around 4 or 5 percent. Senator INHOFE will know the answer to that.

Mr. INHOFE. The answer is 3.5 percent, and an additional 3.5 percent in military construction, totaling about 7 percent.

Mr. MCCAIN. Does the ranking member know how much of that has been spent in dollars?

Mr. INHOFE. Sixty-seven percent has not been obligated, so 33 percent is obligated.

Mr. MCCAIN. I thank the Senator.

Mr. COBURN. Let me add, also, that if you go to USAspending.gov and to recovery.gov, you will find that as of last week—I don't know what it is this week—only $78 billion of the whole stimulus package has actually been spent. More of it has been obligated but not actually spent. I think there is another $150 billion obligated out of that. That is one of the reasons we are not seeing the effect of the stimulus. One, it is not going to stimulate things, and it is not getting to where we need it.

Mr. INHOFE. If the Senator will yield, that is another reason the Vitter amendment and Ensign amendment are good. You are talking about money that is out there, not recoverable. Let's try to direct it where we can get something from it. I had an amendment during the stimulus bill to try to triple

the amount of money that would go into actual construction, and they would not take it up.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, as Senator COBURN has just mentioned, we released a report today examining how the highway trust fund receipts have been used for projects other than road and bridge construction and maintenance over the past 5 years. It relies heavily on the new GAO analysis that was performed at our request on how we prioritize, or fail to prioritize, our Nation's transportation spending.

Again, I remind my colleagues that the GAO concluded that, over the last 5 years alone, we spent $78 billion on projects other than road and bridge construction and maintenance. I will repeat that—$78 billion on projects other than the construction and maintenance of roads and bridges.

Where did it go? According to GAO, over $2 billion was spent on 5,547 projects for bike paths and pedestrian walkways. As one example, it identified a $878,000 project for a pedestrian and bicycle bridge for a Minnesota town of 847 people. I don't know what that works out to be, but it works out to roughly $1,000 per person. I would be interested to know how many inhabitants actually use that bridge. We all know about the ''bridge to nowhere''; perhaps this is a ''bridge for no one.'' Another $850 million went for 2,272 ''scenic beautification'' and landscaping projects around the country, and $84 million was spent on roadkill prevention, wildlife habitat connectivity, and highway runoff pollution mitigation projects. Yet another $84 million went to 398 pedestrian and bicyclist safety projects. I don't mean to diminish safety, but do we really need to spend Federal dollars for brochures like the one we cited in our report that encouraged bicyclists to ''make eye contact, smile, or wave to communicate with motorists. Courtesy and predictability are a key to safe cycling.'' Still another $28 million went to the transportation museums, and $215 million went to scenic or historic highway programs. The list goes on. I know Americans find these numbers as disturbing as I do. They should because they demonstrate that Congress is not focused on our Nation's transportation priorities.

We should not forget that 2 years ago, the I–35 West Bridge over the Mississippi River collapsed during rush hour, killing 13 and injuring 123 more of our fellow citizens. That tragedy exposed a nationwide problem of deficient bridges. According to the Department of Transportation, in 2008, of the Nation's 601,396 bridges, 151,394, or 25 percent, of our bridges were deficient. Over 71,000 of them had significant deterioration and reduced load-carrying capability, and almost 80,000 didn't meet current design standards. Yet we have been spending billions of dollars on bike paths, museums, landscaping, and roadkill-reduction programs.

Part and parcel of the problem, obviously, is the addiction to earmarks. As I mentioned before, the way the earmarks have grown, one of the standard arguments made by the earmarkers and porkbarrelers in Congress is that it has always been like this; we have always had congressional discretion because we know better than the bureaucrats where the taxpayers' money should go. Frankly, I agree that sometimes that is the case, if it competes with other programs, if it is scrutinized and authorized by the appropriate committees. But what we do is we earmark these porkbarrel projects, and many times—let's have a little straight talk, Mr. President—they are in return for campaign contributions, and we see corruption.

People are under investigation. Lobbyists' offices are being raided by the FBI. Again, I am not going to repeat what I said to the Senator from Oklahoma, but the 1982 highway bill had 10—count them—10 demonstration projects, and it was $386 million; in 1987, $1.4 billion; 1991, $6.1 billion; 1998, we get up to 1,850, totaling $9.3 billion; and 2005, 5,634 earmarked projects totaling $21.6 billion of American taxpayers' dollars. That is where we find the bypasses and the beautification projects and the trails. And all those are earmarked by specific Members of Congress. Meanwhile, we have 25 percent of our bridges that are deficient and 71,000 of them have significant deterioration and reduced load-carrying capability and 80,000 that do not meet current design standards.

What are we going to say to the taxpayers of America if, God forbid—and I pray not—there is another bridge collapse? What do we say to them? That we took their tax dollars and built a museum instead of fixing their bridges and highways to ensure their safety?

Maybe—just maybe—if we had not spent $21.6 billion on earmarked projects, maybe some of that money, just maybe some of that money might have gone to fix the design problems on the bridge over the Mississippi. Maybe not. Maybe we didn't know. I am not making a judgment here. But it seems to me that sooner or later, if you earmark as much as $21.6 billion of the taxpayers' money for museums and bypasses and brochures, sooner or later the priority projects suffer.

Again, projects originally authorized under SAFETEA–LU, the 2005 highway bill, included $3.2 billion for landscaping enhancements along the Ronald Reagan Freeway. I have often wondered how often Ronald Reagan turns over in his grave. I bet he was spinning on that one. Mr. President, $480,000 to rehabilitate a historic warehouse along the Erie Canal; $600,000 for the construction of horse riding trails in Virginia. You will notice all these projects are earmarked to a specific locality. That is what, among other things, they have in common. There is $2.5 million for the Daniel Boone Wilderness Trail Corridor; $400,000 to rehabilitate and redesign the Erie Canal Museum; $400,000 for jogging, bicycle, and trolley trails in Columbus, GA. The list goes on and on.

No one thinks our Nation should be without flowers, ferries, bike paths, and boat museums. But today we have to make some choices about priorities and how we spend limited resources.

This has to be considered in the backdrop of this year a $1.8 trillion deficit, the largest in the history of this country since World War II. There is no end in sight. It is almost overwhelming, a $1.8 trillion deficit this year. But what is worse, there is no way out. No one knows of a plan to bring us to a balanced budget without fundamental reform of Medicare and Social Security. Here before us on health care reform, we see another trillion dollars piled on that.

When are we going to decide we cannot afford taxpayers' dollars to rehabilitate and redesign museums, for trails, for beautification and landscaping enhancements when we have other priorities on transportation that have to do with the safety of our citizens?

I thank the Senator from Oklahoma for his continued advocacy for the taxpayers of America. I thank him for all the efforts he makes. I regret that neither he nor I will be elected Miss Congeniality in the Senate again this year. But I also believe the American people are beginning to wake up, and they are beginning to get angry. We saw this in the tea parties that took place all over this country. I hear it and see it in response to my Twitters. Over 1 million people now follow my Twitters and my tweets. They are very interested in this. We are going to post all these. We are going to let the American people know where their dollars have gone.

I urge my colleagues, let's, for once, catch up with the American people and start becoming fiscally conservative. One of the best ways we can be careful stewards of their tax dollars is to make sure we place as our highest priority their safety as they travel the highways and cross the bridges of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, what is the time remaining on this side?

The PRESIDING OFFICER. On the Vitter amendment, 9 minutes is remaining.

Mr. MCCAIN. If the Senator will yield, so I may make a unanimous consent request, I ask unanimous consent to have printed in the RECORD the Introduction and Conclusion of a report entitled ''Out of Gas: Congress Raids the Highway Trust Fund for Pet Projects While Bridges and Roads Crumble'' by Senator COBURN and myself.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTRODUCTION

One of the many recent government bailouts consisted of $8 billion for the bankrupt

Highway Trust Fund (HTF)—a fund set up to support, through federal gasoline and other taxes, all federal transportation programs and projects.

However, the $8 billion did not solve the problem. The Highway Trust Fund will go bankrupt (again) by the end of August 2009 unless Congress bails it out (again). This week the U.S. House of Representatives voted to spend $7 billion of taxpayers' money, just to keep the Fund temporarily afloat, and the U.S. Senate is poised to do the same. Mere months ago, Congress provided over $27 billion for highway and infrastructure projects as part of the American Recovery and Reinvestment Act of 2009.

Yet billion-dollar government bailouts are not the solution to protect our nation's infrastructure. Congress must begin by reprioritizing funds.

Flowers, bike paths, and even road-kill reduction programs, are just some of the many examples of extraneous expenditures (some of which are legally required) funded by Congress through federal transportation bills. Many of these projects are funded as earmarks, while others are born from legislators turning their private passions into public programs. Congress instead should allow states greater flexibility to allocate their highway dollars to their most pressing transportation needs. If Congress fails to reprioritize transportation spending, then crumbling bridges, congested highways, and poor road conditions will continue to deteriorate much to the detriment of all Americans.

Congress must also curb its addiction to earmarking and setting aside transportation funding for legislators' pet projects and programs. If history is any guide, though, the next highway bill will not be earmark free. Congress has increased significantly the earmarking of federal highway funding:

The 1982 highway bill included 10 demonstration projects totaling $386 million;

The 1987 highway bill included 152 demonstration projects totaling $1.4 billion;

The 1991 highway bill included 538 location-specific projects totaling $6.1 billion;

The 1998 highway bill included 1,850 earmarked projects totaling $9.3 billion; and

The 2005 highway bill included over 5,634 earmarked projects totaling $21.6 billion.

GAO RELEASES NEW REPORT

A new U.S. Government Accountability Office (GAO) report, compiled at the request of Senators Tom Coburn and John McCain, details how the U.S. Department of Transportation (DOT) has obligated $78 billion over the last five years for ''purposes other than construction and maintenance of highways and bridges.'' This $78 billion figure does not fully capture how much has been promised, or authorized, by Congress over the last five years for these ''other purposes,'' it just reflects how much has been released for spending, or obligated, so far.

The $78 billion, five-year total for obligated expenditures for non-highway, non-bridge construction or maintenance projects includes:

Over $2 billion on 5,547 projects for bike paths and pedestrian walkways and facilities;

$850 million for 2,772 ''scenic beautification'' and landscaping projects;

$488 million for behavioral research;

$313 million for safety belt performance grants;

$224 million for 366 projects to rehabilitate and operate historic transportation buildings, structures, and facilities;

$215 million for 859 projects under scenic or historic highway programs;

$121 million on 63 projects for ferryboats and ferry terminal facilities;

$110 million for occupant protection incentive grants;

$84 million for 398 projects for safety and education of pedestrians and bicyclists;

$84 million for 213 road-kill prevention, wildlife habitat connectivity, and highway runoff pollution mitigation projects;

$28 million to establish 55 transportation museums;

$19 million for 25 projects to control and remove outdoor advertising;

$18 million for motorcyclist safety grants; and

$13 million on 50 projects for youth conservation service.

While some of these expenditures may merit funding, periodic congressional review is essential to determine if all merit continued funding, if measurable outcomes are demonstrating their success, and if their goals could be accomplished with fewer dollars.

Upon review, Congress may find some of these expenditures are unnecessary luxuries and others—such as establishing new transportation museums—simply cannot be justified while the Highway Trust Fund has insufficient funds for repairing dangerous roads and bridges.

RE-EXAMINE BEFORE REFILLING

As Congress debates ''refilling'' (by deficit spending) the soon-to-be-empty Highway Trust Fund, it should first look at ways to reprioritize areas of current spending that may not reflect the realities of a decaying national transportation infrastructure. Many politicians are quick to defend spending millions in federal funds on their districts' bike paths, transportation museums, road-side flowers, and even the ''bridge to nowhere.'' Yet, Congress needs to evaluate whether such projects merit federal funding in light of our current trillion-dollar deficit, the economic downturn, and the realities of a collapsing transportation infrastructure that literally is costing American lives.

THE STATUS QUO WILL NOT WORK

Critics of the GAO report and this report will claim these examples are but a small portion of overall transportation spending and do not begin to address the long-term Trust Fund shortfall.

Yet, we cannot continue to spend $78 billion in areas other than crucial road and bridge construction and maintenance and beg Congress to steal from our nation's children and grandchildren when the Highway Trust Fund runs dry. We cannot spend hundreds of millions of tax dollars to renovate ''historic facilities'' such as gas stations and then complain that history will look poorly on a nation that let its vital interstate transportation system fall into disrepair.

We should not force states to spend approximately 10 percent of all their surface transportation program funds on ''enhancement'' projects like landscaping, bicycle safety, and transportation museums, when fixing a bridge or repairing a road would be a more practical and necessary use of these limited funds.

We have asked individuals and families across the country to examine their own budgets and start spending more responsibly. We should expect nothing less of our nation's leaders in Congress.

TOM COBURN.
JOHN MCCAIN.
U.S. Senators.

CONCLUSION

Our country is literally running on empty. Future generations of Americans will inherit a multi-trillion dollar debt because Washington politicians have long relied on reckless borrowing to finance their wish lists of pet projects and programs. There seems to be no crisis facing our nation that Washington politicians believe borrowing or bailouts cannot solve.

Now the politicians want to be trusted with yet another bailout, this time of The Highway Trust Fund. Politicians will not make tough choices, so taxpayers must begin demanding them.

The choices faced today with the Highway Trust Fund are:

What is the best way to spend Highway Trust Funds: Is it to make roadways and bridges more scenic, or more safe?

What is the best way to pay for our nation's infrastructure needs: Is it to raise taxes on gasoline, borrow more money for yet another government bailout, or reduce spending on non-essential projects that do not strengthen roads or bridges?

GAO reports our nation obligated $78 billion over five years to projects other than crucial bridge and highway maintenance and repair. Now, Congress is being asked to borrow $7 billion from general tax revenues to only temporarily refill the Highway Trust Fund.

No one is saying our nation should be without flowers and ferries or bike paths and boat museums. But today's choices must be about priorities. Should those priorities include spending millions on programs that tell bikers to smile and making states use funds for the safety of their turtles instead of the safety of their citizens?

At a minimum, states should be given the flexibility to opt out of the federal Transportation Enhancement funding requirement.

The shortfall in the Highway Trust Fund could also be addressed without further deficit spending by shifting unused funds from the American Recovery and Reinvestment Act of 2009. Transferring unspent stimulus funds to ensure the Highway Trust Fund remains solvent would be consistent with a stated purpose of the Act to improve our transportation infrastructure to support job growth.

Congress should walk the fiscally responsible path. Each chamber should implement a moratorium on all transportation-related earmarks for the remainder of the 111th Congress.

Washington politicians should be required to sit down with the new GAO report, the transportation bailout request, and our red pens. From there, crossing out extraneous transportation spending should be our first priority. Lives depend on it.

Mr. MCCAIN. I thank my colleague from Alabama.

Mr. SESSIONS. Mr. President, while Senator MCCAIN is here, we were talking about the amount of money the government has spent. We talked about how a third of the money has been obligated from this stimulus package. But I advise, according to the CBO report in June, they only expected 11 percent of the money to actually be disbursed by the end of this year, at least the money that deals with highways, mass transit, and issues of that kind. That is stunningly low because we were told something quite different.

This Vitter amendment is exactly the kind of thing we need to be doing every single day: try to challenge the conventional thinking to figure out how we can deal with a need today without increasing America's debt.

What Senator VITTER says is when we passed this $800 billion stimulus package in January, nobody had a chance to read it. We were told repeatedly—and

the President himself said more than once—it was to build infrastructure, to complete highways, roads, and bridges. That is what the money was going to be for. He said in February: They are not going to be make-work jobs but jobs doing the work Americans desperately need done, jobs rebuilding our crumbling roads and bridges, and jobs repairing our dangerously deficient dams and levees so we won't face another Katrina.

I am not sure Congress can stop another Katrina from coming, but we can perhaps be better prepared for it. But what a lot of people do not know, is that less than 4 percent of the money in that bill was directed for highways and bridges. It was a game, a political trick, because the American people believe that when you need to create jobs, you might as well build something that is permanent, that will benefit the people for years to come and that creates real jobs. In their minds, I think most people envisioned stepping up our road projects. But only, as I said, 4 percent of the entire package went for that purpose.

Now we have a lot of that money not spent. Apparently, 89 percent will not be spent by the end of this fiscal year. Some of it is not obligated at all. We have a shortage in the foundational highway trust fund bill, and we need to come up with $27 billion. So which do we do? Do we take some of the money that was in the stimulus package that we were told was to be for roads and bridges and use that money and not increase the deficit because that money is already showing up as a hit to the U.S. Treasury or does the money come from some other source that will increase the debt by $27 billion?

The only reason not to oppose this, that I can see, is some people have already spent this $27 billion in their own minds. They don't want to see it utilized for this purpose, and they are undermining our ability to do so. We have a national crisis.

Let me show this chart. It is so stunning that people don't believe it, but it is based on the budget that President Obama submitted, his 10-year budget. It was analyzed by the Congressional Budget Office, our own group here who has a good reputation. Basically, the Director is elected by a Democratic majority in the Congress, and this is what they show about our deficit.

We have to stop doing this. We cannot sustain a deficit.

In 2008, the debt was $5.8 trillion. The debt of the United States, since the founding of the American Republic, was $5.8 trillion. In 5 years, according to the CBO, by following this budget, counting this stimulus package but not even counting the trillion dollar health care proposal and other things that might get added to it, they scored that in 5 years, the debt would be $11.8 trillion—double. In 5 more years, taking it to 10 years, the debt would triple to $17.3 trillion. This is the entire debt of the United States of America since the founding of the Republic—it will triple in 10 years. It is unacceptable. We cannot sustain this.

Let me show this chart. Trillions is difficult for people to comprehend, but when you borrow money and you go into debt, you have to pay interest on it. People buy Treasury bills. That is what we do to fund the deficit.

In 2009, this fiscal year, we will make interest payments of $170 billion on the debt and the money we borrowed. The total Federal highway program, I believe, is $40 or $50 billion, isn't that right Senator INHOFE? He is the expert. So this is four times the Federal highway bill annually. We spend approximately $100 billion on education. These interest payments increase every year. According to the Congressional Budget Office, 10 years from now, we will not be spending $170 billion on interest, we will be spending $799 billion. That is the red numbers, $799 billion in interest, for which we get not 1 foot of highway paved, not $1 to the classroom, not $1 for health care, just interest because we borrowed so much money.

I also point out the numbers do not get better. Over the 10-year budget, the Obama budget, the debt goes up rapidly in the outyears. I note that President Bush was criticized for having a big deficit. The highest deficit he ever had—which was unacceptable, I have to say—was $459 billion. According to the Congressional Budget Office, there is not 1 year in the next 10 that we will have a deficit that low. The lowest year is over $600 billion. They calculate the deficit as it grows, and in the 10th year, they calculate the deficit for that 1 year to be $1.1 trillion—$1.1 trillion—on an upward spiral.

What I wish to say is there is no plan to pay this debt off. The only plan we have is to see surging debts into the future. That is why you have heard this phrase repeatedly, ''This is not sustainable.'' And it is not. But when we cannot even use our stimulus money to fix the road problem we have, we are not serious about the challenges facing this country.

The bit about interest, if the interest rates go up higher than CBO has scored based on the amount of money we have to borrow—and that could happen—we could end up with an annual interest payment of over $1 trillion.

Mr. INHOFE. Will the Senator yield?

Mr. SESSIONS. Yes, I will.

Mr. INHOFE. First of all, we made an effort—and the Senator referenced the Vitter amendment. We have 67 percent of the $789 billion that is not obligated. That means it is not there. The Senator is right; in their minds it may be obligated, but it is not obligated. We tried to have an amendment to triple the amount of money that would have gone to roads and highways and bridges back during the consideration, and we couldn't get that in. The Senator was a cosponsor of my amendment. Now we are trying to do the same thing we were unable to do then.

This is supposed to be a stimulus bill. The total amount of stimulus in this bill, in my opinion, is about 7½ percent. This is an opportunity to do something with real jobs and not have any problem in increasing our debt or deficit.

So I appreciate the fact that my colleague is coming down, and several Senators will be coming down, and drawing this to the attention of the American people as well as to our friends on the other side. There is our opportunity to save lives, to do infrastructure—one of the major reasons we are here in this Chamber today.

Mr. SESSIONS. I appreciate that comment and my colleague's leadership. He has consistently been a champion for infrastructure and roads. We face a tight budget, and I feel strongly about this. I know I am raising my voice but somehow we have to break through the fog and let the American people know that every time we face a little problem we can't just spend more money. We have to look for ways to solve the problem that doesn't increase our debt.

By the way, in case anybody has any doubts, any new spending that we initiate increases the debt because we are running a deficit. So any new spending increases the deficit for the year because it is not offset or paid for.

So I am worried about where we are heading. I do believe infrastructure will pay for itself in the long run, but there is a limit to how much we can spend on it. However, I will concede that we certainly don't need to have a savaging of our highway bill at this point in time and have hundreds of thousands of people perhaps laid off from work because we don't have the money to finish projects that need to be completed. Instead, let's take the money that is in the stimulus bill. Let's take that money and use it now to fix the shortfall in the highway trust fund. Once we do that, we will create jobs. How many, I don't know, but it will create jobs, and that is a double benefit.

We get a permanent benefit for the American infrastructure, and we create jobs for Americans now. We take the money that is sitting there and not being spent and accelerate its use in the time we need it.

I would point out to my colleague the reason this is important, and the reason the administration was able to ram through this stimulus bill—the largest single expenditure in the history of the American Republic, almost $800 billion in one fell swoop, with hundreds of pages and people having no idea what was in it—is because they said we are facing rising unemployment, and we need to get this money out in a hurry so we can put people to work. Well, only 11 percent of it is going to be obligated by the end of this year.

Unemployment is already at 9.5 percent, and most experts are predicting it will probably continue to go up to 10, maybe 11 percent. Yet we can't get this money out, and we are cutting the highway budget? When we have this

shortfall, what do people come up with? Well, they are going to pay for it by adding more debt. We have an economic slowdown, so we no longer have to worry about the deficit. We don't have to worry about the deficit, they tell us. But we do.

Our children are going to be paying interest on these trillions of dollars for the rest of their lives, and the only people who are going to get the benefit from it are the people living today. That is a selfish thing. We should use the stimulus in an effective way to create jobs—and there are even debates about how wise some of those methods are economically. But the way this package is being managed, the money is not getting out, unemployment is surging, and there doesn't seem to be any hope for the short term for unemployment to abate. So I am worried about it. I do believe we can do better.

They will say: Well, President Bush had a deficit. We inherited all this. But President Bush didn't ask for the $800 billion in stimulus money that President Obama asked for this year. That is on top of the debt, and I think anybody who is president needs to be thinking about how to reduce spending not see it spin out of control. I don't believe President Bush would have submitted a budget that shows in 10 years—in that one year, 2019—it would be $1.1 trillion. We have never seen anything like that.

There will not be a year of President Obama's Presidency, according to this—if he serves 8 years—in which this deficit will be as low as President Bush's, and they are predicting growth. No recession is projected in the next 10 years, when CBO scored what the deficits might be. So this is a fair analysis of it.

Mr. President, I want to say I am pleased Senator VITTER has proposed a way that will allow us to meet the shortfall in the highway trust fund without increasing the debt this year, and it is consistent with what the people who proposed the stimulus bill promised all along—that the stimulus money would be used for highways and bridges. It is the right thing to do. I hope we can pass this, and I think the American people should watch closely on how the votes go on this bill.

I thank the Chair, I reserve the remainder of the time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, our national debt is a national challenge and a national problem, and we can face it and face it honestly, Democrats and Republicans. We can't leave these debts to our children. That is a fact. But let's have some honesty in recounting the history of this debt.

When President Clinton left office 9 years ago, he gave to President George W. Bush a surplus not a debt, a surplus. He had not only balanced the budget, he was generating a surplus, and it was giving longer life to Social Security. President George W. Bush inherited this surplus and an accumulated national debt over the 200-year history of the United States of $5 trillion—$5 trillion. Remember that number because 8 years later, when President Bush left office, the national debt had doubled—doubled—with the support of his party.

Why did it double? It doubled because he fought a war and didn't pay for it. He accumulated debt year after year—in addition to the terrible casualties and losses of our brave fighting men and women—and left that debt to future generations. Then, in the midst of this, he cut taxes. For the first time in the history of the United States of America, a President, in the midst of war, cut taxes for the wealthiest people in our country, supported by the same party that comes now and preaches to us their sermon of fiscal integrity.

So when President Bush left office, he left President Obama a deficit and a national debt that had doubled under his watch, with Republican congressional leadership support. That is a fact. Those are facts. President Obama inherited that debt and inherited the problems that came with it and the sickest economy America had seen in 75 years. That is what he was given.

So President Obama said: We have to be serious about our debt, but we have to be honest about it too. Until we get out of this recession, until we stop this rampant unemployment where people are losing their jobs and can't fend for their families and can't pay taxes—obviously, because they do not have work—we are going to see this deficit continue to grow. To stabilize this economy, we need to put people back to work.

The President said: I know it is tough to spend money when you are in debt, but at this moment in time it is like buying a tourniquet to stop the bleeding. We have to do it, even if it takes every penny we have. And he put together a stimulus bill to get this economy back on its feet. With the exception of three then-Republican Senators, not a single one of them would support this effort to stop the recession.

When President Obama came to office, we were losing 741,000 jobs a month. Now, 4 months into our 24-month stimulus, we have cut that number by one-third, and I hope we have turned the corner. But this massive economy of ours, connected throughout the world with so many other global economies, it is pretty tough to turn this battleship and move it in the right direction. I think the President has done the right thing.

The amendment offered by the Senator from Louisiana is an amendment which says: Give up. Give up on stimulating this economy. Give up on stopping this recession. Stop building these projects that create American jobs—good-paying jobs. Stop investing in our infrastructure for future generations. Stop addressing this recession head on and pray for a good outcome.

I am sorry, but I can't buy it. The Senator from Louisiana is offering a proposal to take money out of the President's recovery and reinvestment package that was determined to stabilize this economy. He wants to take the money out of it when we are 4 months into it. He says this morning: We are not spending this money fast enough.

Incidentally, he voted against this, but now he is criticizing it saying we are not spending it fast enough. Well, I want to spend it quickly, but I want to spend it wisely, and I want accountability. At the end of the day, the taxpayers will hold us all accountable: Did you spend our tax dollars wisely? Did you spend them on projects that really do benefit our country? Did you waste it? Was there fraud? I want those questions answered in the positive frame of mind that we have done everything we can do. So it is not being spent as fast as its critics say, but I think it is being spent wisely, and we are creating jobs all across America.

Thousands of projects are on line now creating good-paying jobs. The amendments we are considering today on the Republican side of the aisle, all from Members who opposed the President's effort to stop this recession with the stimulus bill, every one of them wants to put an end to the stimulus package. With 150 days into this 2-year bill, they want to put an end to it by starting to take money out of it. They have given up on it. They have given up on a package which, incidentally, provided a tax break for 95 percent of the working families in America.

Does that help? You bet it does. These families are struggling in the recession too. They have seen their life savings devastated by the stock market in the last year. Giving them a helping hand is a sensible thing to do.

It is a bill they voted against—the President's bill—which says let's give unemployed workers $25 more per week so they can get by. Sure, it doesn't sound like a lot of money, except when you don't have a job and every penny counts. They want to criticize, as well, the President's idea of providing health insurance to unemployed workers. No, they said that was a terrible idea. They voted against it.

Think about this: You have just lost your job, you may lose your house, your child has to go to the doctor with a raging fever, and you pray to God a diagnosis isn't going to come down that will wipe out your life savings. For them it is an extravagance—the idea of providing health insurance for unemployed people. For me, it is part of America, a caring country that stands by people when they are facing the misfortunes of losing their job.

The list goes on and on, and they oppose all of it. They now come and say, we not only opposed it at the outset, we are going to start taking money out of it. We are going to pass it around, moving it in a lot of directions. Some want to put it in the highway trust

fund, some in unemployment insurance, and some want to put it in housing programs. But the net result is the same. It takes the money the President wanted to use to stimulate this economy and create good-paying jobs. We need to resist these amendments.

Mr. President, I understand Senator DEMINT wants to offer an amendment, and we are supposed to close at 2. So I don't know if he is prepared at this time, but if he is, I would be happy to yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. I thank my colleague. I would like to make a few comments. I am not going to offer an amendment at this time.

Mr. President, sometimes in this place it is hard to extract the truth from the words. I, frankly, don't understand the opposition to using money for transportation that has already been allocated to transportation.

I think we have had enough of saying we need to spend more money and borrow more money because the Bush administration spent too much and borrowed too much. This is a bipartisan problem. Hopefully, we will have a bipartisan solution.

What is being proposed today is we need more money for highways. The highway trust fund is running out of money. We need more money to pay unemployment benefits. They are running out of money. We would like more money for FHA loans. We have to decide do we want to use money that is already designated for purposes of our economy and helping people who don't have jobs or do we want to borrow more money and spend more money and add more money to our debt?

I don't think this situation is a good reason to say: Hey, we were bad in the past, so let's continue those practices. We are not suggesting with these amendments that we should stop the stimulus plan. We are saying we should use it for the same purposes it was set up for. Let's use it to build roads and bridges and create jobs. Let's use it to make sure those who are unemployed get their benefits. Let's use it to restimulate our housing market.

The PRESIDING OFFICER. The Senator will now suspend. The Senate is ready to take a recess.

Mr. DEMINT. I thank the Chair for all the time to speak, and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3 p.m.

RECESS

Thereupon, the Senate, at 2 p.m., recessed until 3 p.m., and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

HIGHWAY TRUST FUND EXTENSION—Continued

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I wish to speak about the transfer of the highway trust fund money. I do, of course, support having the money in the highway fund because so many States need to have this money and we need to assure it is there. I also support the amendments that would use the stimulus money so it would not be new money.

But I do wish to talk about the highway trust fund because I think it is important, as we are talking about this very important transportation issue for our States, that we begin the debate about whether the highway trust fund is now the appropriate vehicle for keeping our Federal highways repaired and also doing the best for every State in transportation. What concerns me is that the first reason for the highway trust fund back in President Eisenhower's day over 50 years ago has been achieved. Yet we are still continuing to have the same formulas where some States are winners and some States are losers. But every State today has the capacity to determine its own priorities and the capacity to fund those priorities, unlike 50 years ago when there were many States that had very little capacity. They had little property, they had little taxable revenue sources, and therefore there was a need for a national system of highways to assure that we had national security. That was the first reason for it—but also mobility and commerce.

Today, however, I think it is time for us to start all over. I think it is time for us to allow States to opt out of the highway trust fund.

Of course, I am speaking for the largest donor State in America. We give more back to other States than any other State. We are a State that has more highway miles than any other State; therefore, we collect more taxes. Because we are a donor State, we give the most away. If these were States that could not meet their own needs and my State of Texas was a State that had its needs covered, maybe you could argue that would be OK. But, in fact, that is not the case. In fact, Texas is facing a huge shortage in our highway funding. We now have two cities that have mass transit systems that are certainly very successful but very far behind the curve when it comes to the transportation glut on our highways. We need to have the money in Texas to start meeting our great transportation needs.

This also affects our environment, because when we have people clogged in traffic, sitting on freeways hour after hour, of course it is bad for the ability to get where you want to go, but it is also bad for the environment to have the fumes going in the air.

I think today it is time for us to start the debate. Why not let a State opt out, agree to keep in good repair the Federal highway system and allow the States to use their own taxpayer dollars for their own priorities to meet their own transportation and mobility needs? If Texas could keep all the money it raises, rather than toll roads, which are now being contemplated throughout our State, perhaps we could have a mobility plan that would include highways, rapid transit, high-speed rail, and more innovative ideas that are very costly, which we cannot afford at this time.

Obviously, today we are going to go forward with extending the trust fund and replenishing the highway trust fund because that is what people want to do because we don't have time to address the whole issue of reauthorization at this very complicated time. I wish we were not going to consider an 18 month extension in September because I think we ought to have a short-term extension, so we do have the reauthorization of the highway bill, so we can start discussing these priorities—so we can start maybe thinking outside the box. Maybe we can start all over.

The highway trust fund and the highway authorization bill is a mishmash of different projects. I don't think there is fairness in the system at all. You have donor States, you have winner States, and the winner States have all the capacity. The loser States have as much need as the winner States, and the winner States have the ability, I believe, to fund their own options.

Even though I know we are going to extend the highway bill for 18 months by the end of September, and I know we are going to replenish the highway fund today—and I wish it would be from our stimulus package so it would not be yet another deficit-inducing measure from this Congress—I think I am going to lose all the arguments I am making. But I do think it important that we bring this issue to the forefront.

There is no reason in this country today for winner States and loser States. Our States should be able to plan for themselves, make their own priorities, meet their needs, be able to be more efficient, have multimodal systems—which is what I hope for Texas—and be able to use our own tax dollars for our own needs. Were we a State that did not have needs, were we a State that was not growing, maybe we could afford to continue giving 8 cents back for every $1 we send to Washington. Maybe we could afford to leave the 8 cents in Washington.

Instead, we are getting 92 cents back for every $1 we send to Washington. That is hundreds of millions of dollars that we need for our high-growth State that has many traffic problems and congestion problems today. We will repair our highways. We would sign an agreement to repair our highways so there would be no Federal responsibility for that. But I hope this argument will be the beginning of a debate so we can instate a system that will be more in tune with today's times, 50 years after the National Highway System was created—a wonderful system that connects our country but one, now, that is finished. We have our National Highway System. We do have

connectivity among our States. Why not allow the States to go out from those Federal highway miles and lanes, to go into their States in the best way for each individual State?

I thank Senator BROWN for allowing me to speak on this issue. I hope, as we go through, we will have more of a discussion.

I do have a bill introduced that would allow States to opt out. It is something I think the time has come to address.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I ask unanimous consent to speak in time counting against the Ensign amendment. I ask unanimous consent to speak as in morning business and the time be counted against the Ensign amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I first congratulate the Presiding Officer for his first time in the Presiding Officer's chair and wish him many more of these. I know the experience will continue to enrich him and enrich the Senate. I thank the Presiding Officer of the Senate.

Mr. President, last week, more than 1,500 Ohioans woke up at dawn to wait in a line that snaked around the W.O. Walker Center, co-owned by the Cleveland Clinic and University Hospital.

Last week, President Obama also visited the Cleveland Clinic—one of our Nation's premier health care centers.

He observed firsthand how the Cleveland Clinic and cutting-edge health care centers like University Hospitals and Metro Health are providing high-quality care while reducing patients' costs.

But the more than 1,500 Ohioans who stood in line at 5 a.m. last Saturday morning were not waiting for President Obama.

They were waiting to see one of hundreds of dermatologists, nurses, urologists, cardiologists, neurologists, infectious disease specialists, dentists, and other volunteers who were providing free health care for one of Cleveland's first mass health clinics.

Need a pair of glasses? Lead optician Dr. Rob Engel checked your vision while volunteer Sharon Connor helped you select a pair on the spot.

Need prescription medicine? You were able to visit Margo and Rob Roth, who ran the clinic's pharmacy.

Worried about women's health services? Dr. Laura David, an obstetrician from University Hospitals, was ready to help.

Along with volunteers Maria Parks and her husband Lee, I helped sign-in and register a number of Ohioans.

Many of them were members of hard-working families worried that they might join the 14,000 Americans who lose health insurance each day.

Maria, Lee, and I heard one organizer call a medical volunteer a ''hero'' for stepping forward to help their neighbors.

That same volunteer responded by saying the real heroes are the fathers, mothers, sons, and daughters struggling every day in the shadow of a looming health care crisis that threatens to send their family into financial ruin.

In fact, most of the people who sought health services at the weekend clinic were from middle class families who had fallen on hard times.

Together with MetroHealth, St. Vincent's, University Hospitals, Case Western Reserve University, and the Cleveland Clinic, Medworks volunteers provided the kind of health care all Americans need, but too many don't receive.

Medworks founder Zac Ponsky turned not only to his community but to his family to contribute their time.

Zach's wife Taryn helped coordinate the many moving parts of the clinic. Kim Ponsky, Zac's sister, is a professional photographer who documented the weekend.

Meanwhile, Zac's father Jeff, brothers Lee and Todd, and sister-in-law Diana—all physicians—provided a standard of care that most of the patients that day had never received.

During a single weekend, the generous volunteers of Medworks taught us the meaning of compassion and humility.

They led by example.

Many patients received multiple services, while doctors made instant referrals to other Cleveland-area doctors for those patients not originally scheduled.

Over the course of the weekend, seven people needing advanced care, once diagnosed, were able to receive it at local hospitals.

More than 130 women had pap tests and nearly 100 women received vouchers for free mammograms at Women's Diagnostics.

Nearly 300 people either walked out of the clinic with a brand new pair of glasses or will be receiving a new pair soon.

A number of patients received vouchers for follow-up eye care at St. Vincent's Charity Hospital, an exceptional hospital in Cleveland.

Approximately 50 people were tested for HIV. But it was not just health care services that were provided. Each patient also spent time with a social worker who provided counseling and information about followup services. The Ohio Benefits Bank was on hand to offer prescreening for medical, housing, energy, tax, employment and other programs. Approximately 100 patients took advantage of that service.

All told, approximately 300 community members, 100 doctors, 175 nurses, and social workers volunteered their time and services during this Saturday/Sunday event. This includes a number of volunteers who simply showed up unannounced. It included a few patients who were so grateful for the care they then volunteered to stay after their appointments to help.

Building on effectiveness of the weekend, MedWorks is now focused on patient followup. Currently, a team of doctors is reviewing medical records to follow up with emergency cases and to help those people suffering from chronic illness.

MedWorks volunteer and chief of surgery at University Hospitals, Dr. Jeff Ponsky, said:

> We're very hopeful that this will become a regular part of our community. We'll get better at it, and we'll be a leader for the country.

We can do more for the millions of Americans who are one illness away from financial ruin. We can do more for the 14,000 Americans who lose their insurance every day. We can do more for the 45 million uninsured and the tens and tens of millions of underinsured in this country.

Today is the 44th anniversary of President Johnson's signing of Medicare. Medicare changed our Nation. It helped pull millions of seniors out of poverty; it fostered personal independence; it fueled our economy; and it helped retirees live long and healthy lives.

Just as those who worked tirelessly 44 years ago to secure health care for America's seniors, the generous MedWorks volunteers in Cleveland are doing all they can for their community.

In Washington, we are working to effect change in our health care system. That is our duty, to make this historic change, to reform the health insurance industry, to allow our Nation to move on from human tragedy—from the health care related bankruptcies, from the competitive disadvantage American businesses face from the huge costs, the burden that small businesses face in this country. We can keep working, keep fighting for the change Americans are demanding.

The Ohioans I met in Cleveland last Saturday, and every Ohioan from Lima to Zanesville, from Chillicothe to Ashtabula, every American in every town in every State in this Nation all deserve the humane justice of stable and secure health care. That means quality and affordable health care options, public and private both. It means the health care plan that was voted out of the HELP Committee on which the Presiding Officer sits. It means the plan that came out of that committee 2 weeks ago, a plan that injects competition between private insurance plans and a public option, an option that people can choose. It will make those plans work better, cut costs, and keep the insurance companies honest. That will mean people, if they are laid off—if people are laid off in Marion or

Dayton, OH, people who have lost their insurance, people in Wapakoneta, in rural Ohio, all will have a public option to compete with sometimes all too few private insurance companies in their areas.

To all the MedWorks volunteers, including Jack Ponsky and his family, including Karil Bialostosky, Joel Goldstein, and Brian Smith, I thank all of you for your commitment, your compassion, and your care for those in need.

Now it is up to us to provide the kind of health care to protect what works in our health care system and to fix what is broken in our health care system.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. 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. LIEBERMAN. Mr. President, I ask unanimous consent now that the debate time remaining with respect to amendments offered be yielded back; that after Senator THUNE offers his amendment, then debate time on that amendment extend until 3:45 p.m., divided as previously provided; that at 3:45 p.m. today, the Senate proceed to vote in relation to the amendments and motion to waive in the order listed, with 2 minutes of debate equally divided and controlled, in order prior to each vote, with the vote time after the first vote limited to 10 minutes each as follows:

Vitter amendment No. 1907, as modified; Ensign amendment No. 1905, as modified; Bond amendment No. 1904; the Thune amendment I have referred to; and the Boxer motion to waive the applicable Budget Act point of order; that with reference to amendment No. 1904, if a Budget Act point of order is raised against the amendment, then a motion to waive the applicable point of order be considered made, further that all other provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, we are going to vote on a series of Republican amendments to a bill that has come over from the House of Representatives that funds the highway trust fund until September 30, that funds unemployment insurance, and that helps us with the housing crisis and allows us to see more mortgages go to qualified families of America.

It is important to note that if we don't accept the House package, we are really playing Russian roulette with the highway trust fund. As the chairman of the Environment and Public Works Committee, who works very hard with my colleague Senator INHOFE across party lines to ensure we have a robust infrastructure program, I want to be clear: If we don't pass this House bill, then we are up against the wall. We send a very bad signal to the people who are counting the contracts that go out for the highway program and the work that follows. We have many working people who count on these jobs.

I support one of these amendments. The Bond amendment makes eminent sense. I do take issue with the timing because we have been told by our House colleagues that this is all we are going to do; if we amend this bill, then we are stuck. So it is one of those awkward and difficult moments.

Truth be told, the people out there who are working hard are not going to get all the subtleties of the moment. They want to make sure their job is there in the morning.

So even though I support one of these amendments, the Bond amendment—and I have stated and Senator BOND understands that I will be supporting him when we reauthorize this bill September 30; we will take care of this rescission—we don't have to take care of it now. What we must take care of today is the highway trust fund. It is running out of funds. We have to act. I hope we can do it across party lines.

The other thing I support is an 18-month extension of highway programs. That is, again, something I have done with my Republican colleagues. We passed out of the Environment and Public Works Committee, on a unanimous vote, an 18-month extension. Senator BAUCUS, over on Finance, was able to come up with an intergovernmental transfer that does not add to the deficit of about $27 billion to ensure that we can go forward for 18 months while we sit down across party lines and figure out the long-term answer to funding our highway and transportation needs over the next 5 years.

There is a split between the Senate approach and the House approach. The House approach, which I don't agree with, is to keep making short-term extensions as a way to force us to act in the long term. But we all know we have to figure out a funding source that will take us through the next 5 or 6 years. It is going to take time, and we need to do it right. I believe in making sure we have a pay-go system. I am not willing, as the chairman of the committee, to simply hand off a huge bill to the Finance Committee without any recommendations. So it will take us a little while. We have a difference between the House approach and the Senate approach.

But here is the point and why I believed it was important to be heard before we vote. The House has a very short-term extension. That is what they have given us. They have told us that if we don't take this, we are not going to be able to ensure that the highway trust fund is solvent. I, for one, am not willing to play games with this. It is too serious. Even though I don't agree with the House approach, we have other days left to make the case.

The other point I want to make is that the Republican approach to this is the 18-month extension, which I fully support, and the way they pay for it is by saying: We are going to take money out of the stimulus program, the economic stimulus program that has just begun to take hold in the country. The Republicans didn't vote for it, most of them—three of them did, but the others didn't—and they want to stop it. It is counterproductive, in a time of recession, to stop a jobs program right in the middle. These are jobs for highways, transportation, cleaning up Superfund sites. These are jobs that are dealing with water infrastructure, with education. Of all the times to come up here and recommend that we stop this jobs program now, this is wrong.

I am totally willing to work with my colleagues so at the end of the stimulus bill, at the end of that time, which is in about 18 months, if we have not spent some of those funds, we should take a hard look at putting those funds into the Treasury to reduce the deficit, perhaps. Perhaps we need at that point to use some of it for the highway trust fund. But today is not the day.

If I could summarize where I see things today, we have a series of Republican amendments that basically say we should stop this, we should take funds out of the stimulus package now in order to pay for unemployment insurance, in order to pay for the highway trust fund, and in order to pay to help our people with their mortgages. And it is counterproductive.

On the one hand, they are doing something to help the economy by helping our people with mortgages, by ensuring there is unemployment insurance, and ensuring there is money in the highway trust fund. On the other hand, they are stopping jobs to do it, and it is not necessary. The House bill, although I do not appreciate the fact that it is a very short-term extension of the highway trust fund, is deficit neutral. CBO has so scored it. So we do not have to do this, and we should not do this.

As I understand it, it is time now to have that series of votes. So I make a parliamentary inquiry as to what time we are having those votes.

The PRESIDING OFFICER. The time under the previous order has expired.

Mrs. BOXER. All right. Then I would yield the floor, and I hope we would be voting at this point.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding that Senator SESSIONS

is going to get one more amendment in, and then we will start the voting; is that correct?

Mr. SESSIONS. Mr. President, that would be my preference. I would be pleased to call up this amendment now. I do not know what the time agreement is at this point.

Mr. INHOFE. We are ready to vote as soon as the Senator brings it up.

AMENDMENT NO. 2223

Mr. SESSIONS. Mr. President, I ask unanimous consent to call the amendment up and to be able to speak for 2 minutes.

Mr. INHOFE. That sounds good.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have an opportunity to save $200 billion. It is time for us to do the right thing. We cannot keep spending more and more.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2223.

The amendment is as follows:

(Purpose: To restore sums to the Highway Trust Fund and for other purposes in a fiscally responsible manner)

Strike all after the enacting clause and replace:

SECTION 1. FUNDING OF THE HIGHWAY TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 (relating to determination of trust fund balances after September 30, 1998) is amended—

(1) by striking paragraph (2), and

(2) by adding at the end the following new

''(2) INCREASE IN FUND BALANCE.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated (without fiscal year limitation) to the Highway Trust Fund $7,000,000,000.''.

SEC. 2. ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS.

The item relating to ''Department of Labor—Employment and Training Administration—Advances to the Unemployment Trust Fund and Other Funds'' in title I of division F of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 754) is amended by striking ''to remain available through September 30, 2010'' and all that follows (before the heading for the following item) and inserting ''such sums as may be necessary''.

SEC. 3. FHA MORTGAGE INSURANCE COMMITMENT AUTHORITY.

The item relating to ''Federal Housing Administration—Mutual Mortgage Insurance Program Account'' in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 966) is amended by striking ''$315,000,000,000'' and inserting ''$400,000,000,000''.

SEC. 4. GNMA MORTGAGE-BACKED SECURITIES GUARANTEE COMMITMENT AUTHORITY.

The item relating to ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'' in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 967) is amended by striking ''$300,000,000,000'' and inserting ''$400,000,000,000''.

SEC. 5. USE OF STIMULUS FUNDS TO OFFSET APPROPRIATION OF FUNDS.

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is rescinded pro rata such that the aggregate amount of such rescissions equals the aggregate amount appropriated under the amendments made by this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

Mr. SESSIONS. I thank the Presiding Officer.

We cannot keep spending more and more. We have several different problems—we have housing problems; we have a problem with unemployment insurance because more people are unemployed than had been predicted; and we have a problem with a shortfall in the highway fund.

Some Senators could argue we do not need to fix every one of these because we do not have the money. But in a way we do have the money because we passed $800 billion in a stimulus package earlier this year. It was supposed to be primarily, we heard, for roads. But only 4 percent went to roads. So we can fix the shortfall in the highway trust fund by using some of the $800 billion we have already spent. We can fix the other two problems—unemployment insurance and housing—in the same fashion. Those can be fixed out of this fund.

This amendment would do that. It would reduce the other accounts across the board. Of course, we will still be in session this year and next year. If we need to adjust other things in some way, we can. Don't let anybody tell you this is going to savage some other account because we can fix those accounts.

I will just say—I know my time is short—this is $200 billion that will either go to increase spending and increase debt, or we can meet these needs—which hopefully are all necessary—out of the funds we already have out there. If we do not start making these kinds of decisions soon, we are going to have a real problem. According to the scoring of the President's own budget, the total debt of America debt has gone from $5 trillion this year, to $11 trillion 5 years from now, to $17 trillion 10 years from now.

I thank the Presiding Officer and yield the floor.

AMENDMENT NO. 1907, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there is 2 minutes, equally divided, on the Vitter amendment.

The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise and urge strong bipartisan support for the Vitter amendment. The Vitter amendment simply moves $7 billion from the stimulus—less than 1 percent of the original stimulus program—to backfill and take care of the need in the highway trust fund.

This is important to do for two reasons.

First of all, we need to stop the reckless borrowing. We are borrowing ourselves into oblivion. We are borrowing our children into poor economic times. We need to reverse that trend. The underlying bill fixes the hole in the highway trust fund simply by racking up more debt, and that is why there is a budget point of order against it. So we need to stop this never-ending upward spiral of borrowing.

No. 2, by doing this, we can focus a little bit of the stimulus on something I believe we all think it always should have been focused on: infrastructure spending and spending now versus later. This will move the $7 billion toward roadway spending now, which is effective stimulus.

The PRESIDING OFFICER. The Senator has used 1 minute.

The Senator from California.

Mrs. BOXER. Mr. President, I urge strong bipartisan support against the Vitter amendment. There is nothing about reckless borrowing going on. I have already put into the RECORD today the CBO analysis of the House bill that is before us that says it even creates a little bit of surplus because of how this is handled. This is not going on the debt. So let's not stand here and say what it is about.

The second point is, there are tens of billions of dollars in unspent funds that we authorized on a bipartisan vote on the stimulus package. I know most of my colleagues on the other side never wanted to do that stimulus package. I understand that. I respect it. But the fact is, we finally see these funds going out and hiring the people we want to make sure have jobs. We see and we hear from our Governors that the funding is helping them retain teachers, police officers. We see funding is helping them move forward with shovel-ready projects.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mrs. BOXER. OK. I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. VITTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative 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 (Mrs. SHAHEEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 55, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—42

Alexander	Bunning	Collins
Barrasso	Burr	Corker
Bennett	Chambliss	Cornyn
Bond	Coburn	Crapo
Brownback	Cochran	DeMint

Ensign	Johanns	Risch
Enzi	Kyl	Roberts
Graham	Lincoln	Sessions
Grassley	Lugar	Shelby
Gregg	Martinez	Snowe
Hatch	McCain	Thune
Hutchison	McConnell	Vitter
Inhofe	Murkowski	Voinovich
Isakson	Nelson (NE)	Wicker

NAYS—55

Akaka	Franken	Nelson (FL)
Baucus	Gillibrand	Pryor
Bayh	Hagan	Reed
Begich	Harkin	Reid
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown	Kerry	Shaheen
Burris	Klobuchar	Specter
Cantwell	Kohl	Stabenow
Cardin	Landrieu	Tester
Carper	Lautenberg	Udall (CO)
Casey	Leahy	Udall (NM)
Conrad	Levin	Warner
Dodd	Lieberman	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	
Feinstein	Murray	

NOT VOTING—3

Byrd	Kennedy	Mikulski

The amendment (No. 1907), as modified, was rejected.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1905, AS MODIFIED

The PRESIDING OFFICER. There is 2 minutes equally divided.

The Senator from Nevada.

Mr. ENSIGN. Madam President, the next amendment we are going to vote on is a very simple vote, similar to the last one. What it says is the States right now are borrowing from the Federal unemployment trust fund, and that trust fund has been depleted. There are more States that are going to need to borrow from it. It is temporarily putting back into that trust fund a little over $7 billion.

Next year, there is going to be about $30 billion that is going to be needed. Does anyone around here, with the dire straits States are in, believe we will not forgive this debt for the States? That is why I am saying don't just borrow the money—even though CBO says this is deficit neutral, let's not borrow the money, which is what is going to end up happening. Let's take it out of the stimulus funds and let's be fiscally responsible around here. States need the help. Those who are unemployed need help. Let's give the help but do it in a fiscally responsible way. That is really the purpose of this amendment. I encourage all Senators to vote for it.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Illinois.

Mr. DURBIN. Madam President, I rise in opposition to the Ensign amendment. I know the Senator has the best of intensions. The underlying bill takes care of the unemployment insurance account. It does it in a deficit-neutral fashion. In fact, it generates a surplus, extra funds beyond what is needed for this purpose.

What the Senator from Nevada wants to do, if you can imagine, is he wants to cut back on spending in the stimulus program, which is building highways and projects across America. He wants to reduce the President's effort to create jobs, thereby creating more unemployment in order to have more money for unemployment in America. It does not work.

We have a good program here. The underlying program takes care of the need of the UI fund, and the President's stimulus package, now 150 days into operation, is generating jobs and opportunities across America. We do not need to kill the stimulus package at this moment. We need to make sure it works to get America back to work.

Please defeat the Ensign amendment.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. 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 41, nays 56, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—41

Alexander	Ensign	McCain
Barrasso	Enzi	McConnell
Bennett	Graham	Murkowski
Bond	Grassley	Nelson (NE)
Brownback	Gregg	Risch
Bunning	Hatch	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Snowe
Cochran	Johanns	Thune
Corker	Kyl	Vitter
Cornyn	Lincoln	Voinovich
Crapo	Lugar	Wicker
DeMint	Martinez	

NAYS—56

Akaka	Feinstein	Murray
Baucus	Franken	Nelson (FL)
Bayh	Gillibrand	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Inouye	Rockefeller
Boxer	Johnson	Sanders
Brown	Kaufman	Schumer
Burris	Kerry	Shaheen
Cantwell	Klobuchar	Specter
Cardin	Kohl	Stabenow
Carper	Landrieu	Tester
Casey	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	Levin	Warner
Dodd	Lieberman	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NOT VOTING—3

Byrd	Kennedy	Mikulski

The amendment (No. 1905), as modified, was rejected.

AMENDMENT NO. 1904

The PRESIDING OFFICER. There is now 2 minutes evenly divided before a vote with respect to the Bond amendment.

The Senator from Missouri.

Mr. BOND. Madam President, if I could have the attention of my colleagues, please, this measure simply ends the rescission in the SAFETEA–LU highway funding bill we passed 4 years ago which otherwise takes $8.7 billion out of highway and bridge contract authority for the States. Best estimates are that this would cost 250,000 jobs in all 50 States.

To the argument that we have to take this exactly as the House has passed it because they won't stick around—well, they are in session. If this is right, let's do it.

And for the Budget Act point of order, if you wanted to have this paid for, you should have taken the Vitter amendment. The underlying bill requires the Budget Act point of order waived because it is funded by claiming the nonexistent interest on intergovernmental transfers. That is a transparent sleight of hand or a sleight of pen.

If you want to keep from taking the shovels out of the hands of workers on shovel-ready jobs in every State in the Nation, please vote aye on the waiver of the Budget Act point of order.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I would like to ask my colleagues if they will follow me for just one moment. This is a little complex, but if you will follow me.

First, I agree with Senator BOND's amendment and will vote for it, but not at this moment. Here is why. This rescission Senator BOND wants to achieve is something most of us agree with. If it doesn't happen, the penalties will come to our States on September 30. What we have is the assurance of the chairman of the Environment and Public Works Committee that she will put this rescission in the reauthorization of the highway trust fund before September 30 so there would not be any loss to States.

So what is the problem? Why don't we do it today? Because if we do it today, we jeopardize this extension of the highway trust fund until September 30. We are trying to get this done in short order so we can end the session and come back and do the right thing before September 30. All we are asking today is for you to join us in saying to Senator BOND: Thank you for your good thought, but hold that thought until September.

We still have time to make sure we do the right thing, and we have the assurance of the chairman that it is going to happen. It pains me greatly to raise a point of order against my friend from Missouri on an amendment whose substance I agree with, but if we want to protect the highway trust fund and we want to have an orderly adjournment to the session and not jeopardize jobs, then we need to vote against the Bond amendment.

The PRESIDING OFFICER. The Senator has used his time.

Mr. DURBIN. Madam President, I make a point of order that the pending amendment violates section 302(f) of the Congressional Budget Act of 1974.

Mr. BOND. Madam President, do I have any time?

The PRESIDING OFFICER. The Senator has used his time as well.

Under the previous order, a motion to waive is considered made.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from 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 yeas and nays resulted—yeas 34, nays 63, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—34

Alexander	Harkin	Sanders
Barrasso	Hutchison	Shaheen
Begich	Inhofe	Shelby
Bennet	Isakson	Snowe
Bennett	Leahy	Specter
Bond	Martinez	Thune
Chambliss	McCaskill	Udall (CO)
Cochran	Murkowski	Voinovich
Collins	Nelson (NE)	Wicker
Cornyn	Nelson (FL)	Wyden
Crapo	Risch	
Enzi	Roberts	

NAYS—63

Akaka	Ensign	Lieberman
Baucus	Feingold	Lincoln
Bayh	Feinstein	Lugar
Bingaman	Franken	McCain
Boxer	Gillibrand	McConnell
Brown	Graham	Menendez
Brownback	Grassley	Merkley
Bunning	Gregg	Murray
Burr	Hagan	Pryor
Burris	Hatch	Reed
Cantwell	Inouye	Reid
Cardin	Johanns	Rockefeller
Carper	Johnson	Schumer
Casey	Kaufman	Sessions
Coburn	Kerry	Stabenow
Conrad	Klobuchar	Tester
Corker	Kohl	Udall (NM)
DeMint	Kyl	Vitter
Dodd	Landrieu	Warner
Dorgan	Lautenberg	Webb
Durbin	Levin	Whitehouse

NOT VOTING—3

Byrd	Kennedy	Mikulski

The PRESIDING OFFICER. On this vote, the yeas are 34, the nays are 63. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the amendment falls.

AMENDMENT NO. 2223

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2223, offered by the Senator from Alabama.

Mr. SESSIONS. Madam President, among some of the things I think most Members would like to accomplish is fixing the highway trust fund, fixing the unemployment insurance shortfall, and to do something about the housing loan authority. Those are three matters we can address without increasing our deficit. There is $7 billion in the highway fund this amendment would fix, which is the short-term fix the House did; another $7 billion for unemployment insurance; and the $185 billion for the housing fix. Those things we can do within the stimulus package.

Only 11 percent of the $800 billion will be spent by the end of this fiscal year. We can use that money to fund these programs, take care of them as we planned to do from the beginning but without increasing the debt.

People say the underlying bill will not increase the debt. That is not accurate. If we agree to this amendment, we will prevent increasing the Nation's debt by $200 billion.

I urge your support for the amendment. At this point in time we need to save a few billion dollars.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, I hope colleagues will listen. What this Sessions amendment does, it takes all the corrections that are in the underlying bill—making sure the highway trust fund does not go bust, making sure the unemployment trust fund is full, making sure we have help for our middle-class families seeking to get mortgages—and it funds it instead of in a deficit-neutral way that is in the underlying bill which I put in the RECORD, the CBO score which actually scores positive in terms of the surplus over the 10 years, it slashes the stimulus funding right as it is beginning to take hold.

If you want to take care of all these things, and I think we all do, let's do it the right way. Let us not do it the wrong way and slash funds from the stimulus bill as we are beginning to see it take hold.

I urge a ''no'' vote on the Sessions amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the Sessions amendment.

Mr. SESSIONS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), 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 40, nays 57, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—40

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bayh	Enzi	Murkowski
Bennett	Graham	Nelson (NE)
Bond	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Thune
Coburn	Isakson	Vitter
Cochran	Johanns	Voinovich
Corker	Kyl	Wicker
Cornyn	Lugar	
Crapo	Martinez	

NAYS—57

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown	Kaufman	Sanders
Burris	Kerry	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Snowe
Carper	Landrieu	Specter
Casey	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Warner
Durbin	McCaskill	Webb
Feingold	Menendez	Whitehouse
Feinstein	Merkley	Wyden

NOT VOTING—3

Byrd	Kennedy	Mikulski

The amendment (No. 2223) was rejected.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the motion to waive.

The Senator from California.

Mrs. BOXER. Madam President, I yield 30 seconds to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, this is a very significant vote. I am very upset that we have a lot of things in here I didn't want—the unemployment insurance loans, the Federal Housing Administration loan limit increase. That should not be there. The amendments failed. I wish they had passed. I voted for them.

The thing that bothers me more than anything else is the House put us in this position. They said: Here is the bill; you do it; we are leaving town. That is exactly what happened.

So this is the final vote. We have to have 60 votes. For all practical purposes, this is the final vote. I urge my Republican friends to support waiver of the point of order.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank my ranking member. He and I, as everyone knows, don't always agree. But when we do agree, we hope our colleagues will follow. We do not want to play Russian roulette with the highway trust fund. We have to make sure it stays solvent. I urge an ''aye'' vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, this is about a budget point of order. That

means the bill, since it was not amended as I would have liked, is contrary to the Budget Act. It has more outlays this year. It also requires us to rack up more debt, borrow more money. In the face of $2 trillion of new debt this year, doubling that in 5 years, and tripling it in 10, this is a critical vote. Either you vote yes and say let's continue to go down that path or you vote no and say we need to change course about debt.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from 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 yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—71

Akaka	Franken	Nelson (FL)
Alexander	Gillibrand	Pryor
Baucus	Hagan	Reed
Bayh	Harkin	Reid
Begich	Inhofe	Risch
Bennet	Inouye	Roberts
Bingaman	Johnson	Rockefeller
Bond	Kaufman	Sanders
Boxer	Kerry	Schumer
Brown	Klobuchar	Shaheen
Burris	Kohl	Shelby
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Specter
Carper	Leahy	Stabenow
Casey	Levin	Tester
Cochran	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Martinez	Voinovich
Crapo	McCaskill	Warner
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Murkowski	Wicker
Feingold	Murray	Wyden
Feinstein	Nelson (NE)	

NAYS—26

Barrasso	DeMint	Johanns
Bennett	Ensign	Kyl
Brownback	Enzi	Lincoln
Bunning	Graham	McCain
Burr	Grassley	McConnell
Chambliss	Gregg	Sessions
Coburn	Hatch	Thune
Corker	Hutchison	Vitter
Cornyn	Isakson	

NOT VOTING—3

Byrd	Kennedy	Mikulski

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NELSON of Nebraska. Madam President, when the stimulus bill was being debated, I advocated that any package include a robust investment in rebuilding our Nation's infrastructure. While the stimulus takes a big step in the right direction to address the needs of our aging transportation system, many more steps need to be taken.

I believe that the issues that we face with the solvency of the highway trust fund is an opportunity to make sure that more funding from the stimulus is directed towards our Nation's roads, while not adding new spending and increasing the Federal deficit. I would encourage any unobligated funding that is redirected as a result of the passage of the amendments offered today be in addition to any stimulus funding already provided for road projects; especially in the case of local road projects. Road projects at the local level will be vital part of the engine that drives our Nation's economic recovery in communities across the country and not maintaining funding for those projects would be a step in the wrong direction.

Finally, an investment in our Nation's roads is a two-for-one: it creates jobs while helping to rebuild our infrastructure. By making sure the highway trust fund remains solvent and continuing to invest in important transportation projects, we can rededicate our efforts to addressing our transportation system needs.

Mr. DODD. Madam President, I rise in strong support of this legislation.

In addition to the important sections dealing with transportation and unemployment insurance, the bill before us today includes two important provisions that are crucial to our Nation's housing market—it increases the authority of the Federal Housing Administration—FHA, to insure loans and the authority of the Government National Mortgage Association—GNMA, to guarantee securities backed by FHA loans.

Just about 2 years ago, the housing market started to implode as the predatory and abusive loans that were pumped out by banks and mortgage lenders started to fail in great numbers. These loans were made by lenders who knew these borrowers could not afford to repay them, and they were made under the eyes of regulators who were indifferent to the fate of the borrowers and who underestimated the impact on our financial system.

These loans were originated by mortgage brokers or retail lenders with funds provided by Wall Street. Nobody took any responsibility for the quality of these loans because everyone thought they were laying the risk off on the next guy by securitizing the loans and selling them off. Regrettably, it is the American people—and the economy—that is paying the price today in the form of a severe credit crunch that is affecting homeowners, small businesses, entrepreneurs, and every consumer that uses a credit card.

As we all know, foreclosures have skyrocketed. Some analysts predict that 8 million homeowners will lose their homes to foreclosure before this crisis is over.

In fact, as the mortgage market has ground to a halt, housing prices have fallen all over the country, in many places by 20 percent or more. This problem is being exacerbated by foreclosed homes flooding the market, driving home prices down further.

The only mortgage credit available in this country is credit that is provided, directly or indirectly, by the Federal Government. A key component of this, accounting for about 30 percent of the new mortgages being made in the market today, is FHA-insured mortgages.

The legislation before us would increase FHA's authority to insure mortgages. If we do not do this, FHA could shut down while we are away on recess. That would mean that about 30 percent of the mortgage credit that is available today to homebuyers and homeowners would simply vanish from the marketplace.

The impact of this would be immediate and devastating—a likely spike in interest rates; more foreclosures; and fewer home purchases as buyers withdraw from the market.

Just this week, we heard some data which indicate that home prices may be stabilizing. But the situation is fragile. If we eliminate FHA from the marketplace, we could eliminate tens of thousands of potential home buyers from the market, as well. As demand dropped, so would home prices, starting a new cycle of economic despair and disinvestment in our cities and towns. That is why the National Association of Realtors, the National Association of Home Builders, and the Mortgage Bankers Association all strongly support this legislation.

The story is much the same with the GNMA increase. GNMA makes it possible for lenders to make FHA loans, and then sell them in federally guaranteed loan pools. GNMA creates an essential outlet for FHA loans so that banks and other lenders can make more mortgage credit available. Without the increased commitment level included in this bill, GNMA will also be forced to close its doors.

These two provisions of the bill before us are crucial for working American families. I strongly urge my colleagues to pass this legislation so that we can send it to President Obama for his signature.

Mr. WARNER. Madam President, as the Highway Trust Fund Act moves through the Senate, I would like to take a moment to stress the importance and urgency of reforming our national transportation system.

I commend Chairman BOXER for her leadership on this effort to keep the trust fund solvent. But the fact that we needed this emergency infusion indicates a much greater problem with the transportation system and how it is funded. I recognize and appreciate the desire to pass a clean 18-month extension of SAFETEA-LU. However, I think we can all agree that fundamental reform will be needed when the time

comes to consider a full 6-year authorization bill.

Our Nation's infrastructure is currently inadequate to preserve our global competitiveness and the way we allocate funds for surface transportation lacks true accountability. In short, we do not tie funding to performance. To move to a true performance-based system, there are some immediate steps that should be taken.

An 18-month extension provides a unique opportunity to take some of these steps. Without making any policy reforms or adding any programs, we can begin to collect information on how well transportation funds are serving the public, which will ease our transition to a reformed and effective long-term policy. I have drafted an amendment that would direct the Secretary of Transportation to coordinate with states, metropolitan planning organizations and our new chief performance officer to develop metrics to address the following factors: (1) National Connectivity: How have transportation investments improved the connection of people and goods across the Nation?

(2) Metropolitan Accessibility: How have transportation investments allowed Americans in metropolitan regions to access their jobs and other activities more reliably and efficiently?

(3) Energy Security and Environmental Protection: How have transportation investments reduced carbon emissions and petroleum consumption?

(4) Safety: How have transportation investments improved safety by reducing fatalities and injuries associated with transportation?

My proposal outlines how States and metropolitan regions can begin to report these measures. The factors above are outcome-oriented, objective and measurable. They are also designed to cut across all modes of transportation, and to measure performance across an entire region as opposed to measuring specific projects in a vacuum.

This legislation will help ease the transition to a more performance-based system. Not only will it provide us with actual performance data, but it will help clarify what additional resources states will need to better provide such data in the future.

I look forward to working with my colleagues in the Senate on this initiative to ensure its inclusion in any extension of SAFETEA–LU.

Mr. INHOFE. Madam President, I have worked with the chairmen of the Environment and Public Works, Banking, Commerce and Finance Committees over the last month to put a bill together to address two urgent issues facing the Nation's highway program. First, the highway trust fund is going to run out of money sometime in the next few weeks and will require an infusion of $5 to $7 billion to get us through the rest of fiscal year 2009. Second, SAFETEA the 2005 highway bill, is set to expire in 9 weeks. With no realistic chance of Congress passing a fully funded reauthorization before the program expires, it is essential to provide funding certainty with a longer term extension. States cannot afford to move forward with transportation development activities without confidence in long-term and consistent future Federal reimbursements.

Unfortunately, the House chose not to address both issues, but rather just provide the money necessary to ensure that the highway trust fund does not go broke over the August recess. Their decision has put the Senate in a situation of taking or leaving their bill. I do not like it and frankly think the responsible thing would have been to take up the Senate bill, which would have provided for an 18-month extension of the existing program. The House has been short sighted in forcing the Senate to only address the trust fund fix; with so many other important issues facing Congress, the Senate now must return in 30 days to do this all over again before the program expires at the end of September. I also did not like the added provisions of the loans to unemployment insurance fund or the increase in the Federal Housing Administration cap on loans they can authorize under the Mutual Mortgage Insurance Program. Finally, I thought all the amendments offered by my Republican colleagues were improvements to the bill, but unfortunately, none of them were adopted. Nonetheless, I supported final passage and most importantly voted to waive the point of order that was raised because we cannot afford to allow the highway trust fund to become insolvent. While the bill we adopted today only addresses the immediate trust fund shortfall I look forward to taking care of the extension of the program when we return in September along with the fix of the $8.7 billion rescission as proposed by Senator BOND's amendment. Given the fiscal pressures on states and the current economic downturn, I agree with the administration that this uncertainty would be devastating to States and would translate into job losses, and so we need to provide certainty until we are able to pass a comprehensive bill.

I am hopeful that as soon as we return from August recess that we will immediately consider the extension legislation introduced earlier this week by all the relevant committees.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. GREGG. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative 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.

Mr. KYL. The following Senator is necessarily absent: The Senator from Oklahoma, Mr. INHOFE.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 17, as follows:

[Rollcall Vote No. 254 Leg.]

YEAS—79

Akaka	Franken	Nelson (NE)
Alexander	Gillibrand	Nelson (FL)
Baucus	Graham	Pryor
Bayh	Grassley	Reed
Begich	Hagan	Reid
Bennet	Harkin	Risch
Bingaman	Hutchison	Roberts
Bond	Inouye	Rockefeller
Boxer	Isakson	Sanders
Brown	Johnson	Schumer
Brownback	Kaufman	Shaheen
Burris	Kerry	Shelby
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Specter
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Chambliss	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Lieberman	Vitter
Conrad	Lincoln	Voinovich
Cornyn	Lugar	Warner
Crapo	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wicker
Durbin	Merkley	Wyden
Feingold	Murkowski	
Feinstein	Murray	

NAYS—17

Barrasso	DeMint	Kyl
Bennett	Ensign	McCain
Bunning	Enzi	McConnell
Burr	Gregg	Sessions
Coburn	Hatch	Thune
Corker	Johanns	

NOT VOTING—4

Byrd	Kennedy
Inhofe	Mikulski

The bill (H.R. 3357) was passed.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. BOXER. Madam President, I wish to take a moment to thank everyone. This was a very complicated series of amendments. It was daunting to figure out what each one of them meant.

The bottom line is that we did replenish the highway trust funds until September 30. Most of us would have liked to have done better than that. We helped with unemployment insurance, and we helped families get mortgages. We also made a commitment to Senator BOND that we are going to take care of his amendment at the appropriate moment.

I particularly thank Senator DURBIN for all his help on the floor. Again, this was a confusing series of amendments. I am pleased with the outcome.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, for the information of all members, I have had

a number of conversations with Senator MCCONNELL this afternoon. It appears, at this stage, we have a path toward completing our work next week. We are going to move forward with the Agriculture appropriations bill this evening. We will be on that tonight and tomorrow, and it will be open for amendments. It appears, on that matter, we will either have a vote after 5 o'clock on Monday on final passage or on cloture on that appropriations bill.

Tuesday, we will move to the Supreme Court nomination of Judge Sonia Sotomayor. I haven't had a chance to talk with the chairman and ranking member of the Judiciary Committee. With their approval, we will move to that matter on Tuesday.

We will set a time certain to vote on cloture on the Travel Promotion Act. We need a time certain because, as everyone knows, Senator MIKULSKI is in the hospital now having repair work done on her leg as a result of a fall. We will set that time. And there may be some nominations we will need to deal with.

At this stage, I think that is where we are headed. There will be no votes tonight or tomorrow. It appears the next vote will be Monday afternoon. I have spoken to Senator KOHL and Senator BROWNBACK, and they agree on the appropriations bill that is the way to move forward. I appreciate everyone's cooperation.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

ANTHONY DEJUAN BOATWRIGHT ACT

Mr. ISAKSON. Madam President, I rise on an issue of particular importance. I am delighted Senators BURRIS and DODD are on the floor. Along with Senator CHAMBLISS, the four of us joined in a very important piece of legislation. In fact, in the gallery tonight is a lady named Jackie Boatwright, whose young son Juan, 8 years ago, was severely injured in a daycare center.

For a second, I wish to talk about the legislation we have introduced and encourage all the Members of the Senate to support it. On September 9, 2001, 2 days before the tragedy of September 11, on a Sunday morning, Mrs. Boatwright got up and took her son to daycare and went to church. On her way home, her cell phone rang. She got a call telling her that her son Juan was now in the hospital. While at the daycare center, he pulled up beside a mop bucket, bent over and fell headfirst in the bucket, which was full of dirty mop water and bleach.

Juan, today, lies semicomatose in a hospital on a ventilator.

The daycare center had no liability insurance. To Mrs. Boatwright's credit, from the day of that tragedy, she has advocated on behalf of parents and young children, so that it is required they be able to know the insurance available to them to protect their children in a daycare center. I mentioned that Senators DODD, BURRIS, CHAMBLISS, and myself have introduced legislation, which already passed the House. It requires that any daycare center receiving Federal funds from the Child Care and Development Block Grant Program must disclose, upon registration and admittance, to any child and their parents the liability coverage they have to protect that child.

Mrs. Boatwright wants to make sure that what happened to little Juan, and what happened in her life as a tragedy, never happens in the life of any other mother anywhere in America. Mrs. Boatwright is a resident of Augusta, GA. I am proud of her for the example she has set. So many citizens don't think they can make a difference. Mrs. Boatwright is taking a tragedy and making a difference for thousands of parents and children for years to come.

I am proud to encourage the Members of the Senate to help us get unanimous consent to agree with the House and pass this legislation, Juan Boatwright's legacy, the Anthony DeJuan Boatwright Act, requiring disclosure of liability insurance coverage to every parent whose child is entering daycare.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Madam President, I thank my colleague from Georgia. Along with ORRIN HATCH, I am the original cosponsor of the Child Care and Development Block Grant Program more than 20 years ago, the first childcare program in this country since World War II. It was a long struggle to pass that legislation. There were battles over supporting people who could not afford expensive child care—to be able to do that for working families. In those days, when we drafted the legislation, it was very hard to convince people of the importance of establishing some standards in childcare. There was a lot of resistance to it. Nonetheless, we got the bill done at minimum standards.

That bill made a huge difference in the lives of millions of people, particularly working women with young children, raising them on their own, to be able to hold down the job and make sure their child could be in a safe place. That was important. I remember talking about how we had better Federal regulations when it came to pets being cared for than we did for children. Your automobile got better care, under Federal regulations, than your child. Ultimately, that legislation became law.

Along with my colleague from Georgia, I, too, commend Mrs. Boatwright for taking on this issue, showing how one individual can change things regarding the minimum requirement that parents be informed as to whether the childcare facility has appropriate insurance. In fact, I would have presumed that was the case, even as author of the original legislation, believing that was something States would have required, let alone Federal legislation.

We have a bill that passed the other body before us, and it makes eminently good sense to me, as someone who has been involved in this issue for 25 years, along with OLYMPIA SNOWE, from Maine, a terrific advocate for the Child Care and Development Block Grant Program.

I don't know where the objections are coming from. I am prepared to work with my colleague and say to Mrs. Boatwright and her family and others that we thank you for raising this issue. I will do whatever I can to see if we cannot get this cleared on the floor of the Senate and have it go to the President for signature. That is a small accomplishment on a major issue that can make a difference in the lives of families.

I thank my colleague from Georgia.

Mr. ISAKSON. I thank the distinguished acting chairman of the HELP Committee for offering that assistance and assisting in the passage of this legislation.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NAACP 100TH ANNIVERSARY: IMAGES OF HISTORY

Mr. MENENDEZ. Mr. President, I rise in recognition of the NAACP in this, its 100th anniversary month. I rise in praise of what this extraordinary organization has so proudly come to represent to every American who deeply believes in freedom, human dignity, and equal justice under the law.

Yet I rise with a heavy heart, filled with powerful lasting images of the unimaginable suffering surrounding the founding of this great organization, images of the savage hand of racism—horrific lynchings in the middle of the night, the 1908 race riot in Springfield, IL, the birthplace of Abraham Lincoln, that led a bold band of Americans to do all they could, whatever they could, to end the violence against Blacks, the vicious, unveiled hatred and intolerance that to this day has left deep and painful scars on this Nation.

I rise in recognition of those courageous men and women who, a century ago, stepped forward to found the NAACP, those who stood against violence, who stood against hatred, Blacks such as W.E.B. Du Bois, Ida B. Wells-Barnett, Mary Church Terrell, and Whites such as Mary White Ovington and Oswald Garrison Villard, descendants of America's first abolitionists. These men and women came forward, echoing the call of W.E.B. Du Bois to secure for all people the rights of the 13th, 14th, and 15th amendments to the Constitution to end slavery, provide equal justice under law, and ensure universal adult male suffrage.

We all know that the full realization of equality, freedom, civil rights, voting rights, and equal justice under law has been a long, sometimes faltering, journey fraught with dead ends, deep divides, and seemingly insurmountable obstacles on the road to a more perfect Union. It has been a journey of starts and stops, with harrowing moments—some horrific, some heart-wrenching, but all equally historic, all part of the American saga, each forever etched in the collective memory of this Nation.

The magnificent building in which we do our work today is a monument to that journey. Those who labored to raise this glorious building in tribute to American democracy were themselves slaves. They laid the foundation. They cut the stones. They raised the walls and built the magnificent dome of the U.S. Capitol. Those slaves lived here on Capitol Hill in the shadow of what is now the Statue of Freedom that looks eastward toward the rising Sun and what was then the new dawn of a rising nation.

They are, in many ways, the ancestors of Freedom herself, the precursors of an event to which we have so boldly stood witness in January, in the shadow of their labors, as a Black man raised his hand on the west front of the Capitol to take the oath of office as President of the United States. What greater tribute to them.

We may have come a long way since they built this monument to democracy, but every day, with every troubling racial incident we see on television or read about in blogs or in newspapers, it is clear the century-long work of the NAACP goes on, the work continues. But it is equally clear, with Barack Obama in the White House, we have come of age, united by a common history, tragic at times, fought on the bloody battlefields of a civil war and still being waged in the hearts of the intolerant and unenlightened among us.

Let the images of history tell the story of America plainly, honestly, for what it is—from the labors of those slaves who built this Capitol to the founding of the NAACP; from the battlefields of Gettysburg and Manassas to the freedom rides and marches through Selma and Montgomery; from bloodshed, tragedy and travails, sacrifices and sorrows from those who lived and died on plantations or rode the Underground Railroad north, to those freed by the Emancipation Proclamation; from the devastating inhumanity of slavery to the election of Barack Obama.

There are countless images of courage and heroism, humiliation and humility, honor and horror, dignity and indignity; images of hope and despair, fear and frustration; images of fire hoses and police dogs turned on Americans whose only crime was the longing to be free and equal; images still clear in our minds, triumphant images of Martin Luther King at the Lincoln Memorial, millions marching on Washington; deeply moving images of peace-loving men like Congressman John Lewis beaten down by billy clubs because he simply wanted to cross a bridge; images of abject poverty, of two worlds separate and apart and far from equal; tragic images of a great man lying in a pool of blood on a motel balcony in Atlanta in April of 1968. But none so powerful, none so deeply moving as Barack Obama taking the oath of office as President of the United States on the west front of the Capitol 41 years later.

These are the awesome images of the history of race since the founding of the NAACP. They represent the history of America as much as they represent the history of the NAACP, and we must—all of us, Black and White alike—embrace them, understand them, and learn from them; learn from the tragedy and the sorrow; learn from the long, hard-fought battle that was the civil rights movement; learn from the debate on this floor that eventually led to the Voting Rights Act; learn from the prosegregationist terrorism that led to the assassination of NAACP Mississippi field secretary Medgar Evers and the death of Dr. King. Today, all of these images, the good as well as the bad, remain part of who we are, part of the American story in which the NAACP has played a pivotal role.

But the Nation has changed, and so the mission of the NAACP has evolved from what it was 100 years ago. The violence has lessened, but the virus of racism and prejudice has mutated, as all viruses do.

Now too often, intolerance rears its ugly head with the mere mention of the word ''immigration.'' And when it does, let us be comforted by the knowledge that the NAACP is still there, still working, still fighting the good fight.

Today, the NAACP is an expanded organization dedicated to the elimination of all race prejudice in America, whether that prejudice be against Hispanic Americans, Asian Americans, and all Americans who seek political, educational, economic, and social equality. For 100 years, the goal of the NAACP has been to tear down the walls of racial discrimination through the democratic process and make tolerance and equality a reality for all of us. Let that goal be realized in our generation, in our time, and let us continue—one nation, indivisible—on that long journey to a more perfect Union.

Mr. President, I yield the floor.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 2997, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agency programs for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 1908

(Purpose: In the nature of a substitute.)

Mr. KOHL. Mr. President, I call up the substitute amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. KOHL], for himself and Mr. BROWNBACK, proposes an amendment numbered 1908.

Mr. KOHL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. KOHL. Mr. President, I ask unanimous consent that the following staff have unlimited floor privileges during the consideration of the fiscal year 2010 Agriculture appropriations bill: Galen Fountain, Jessica Frederick, Dianne Nellor, Fitzhugh Elder, Stacy McBride, Phil Karsting, and Riley Scott.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. I ask unanimous consent that Bob Ross, a detailee from the Department of Agriculture to the Committee on Appropriations, and Katie Toskey, an intern on the Committee on Appropriations, be granted unlimited floor privileges during consideration of the Agriculture appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, I rise today in support of the fiscal Year 2010 appropriations bill for the U.S. Department of Agriculture, the Food and Drug Administration and related agencies. This bill was unanimously reported out of Committee on July 7, and I believe it is a well-balanced bill that deserves the support of all Senators.

This bill includes total spending of $124 billion. Of that total, $101 billion is for mandatory programs, such as the Supplemental Nutrition Assistance Program, formerly known as Food Stamps, which is funded at $61 billion, and the Child Nutrition Programs, which are funded at $17 billion.

Discretionary spending totals $23 billion, an increase of $2.3 billion, and is within our 302(b) allocation. While this is a significant increase from last year, the President's request in just four areas—WIC, food and drug safety, humanitarian food assistance, and rural rental assistance—account for nearly 90 percent of the total increase. The depth and breadth of the responsibilities held by the USDA and FDA are far greater than I believe most Americans realize.

The funds in this bill are used to help ensure the most basic of human needs are met. This bill provides the funds for the two major agencies charged with keeping America's food and medical supply safe, something we nearly

always take for granted. It provides funds to ensure that low-income families in rural America have access to affordable housing and opportunities for homeownership. It provides funds to ensure that over 11 million kids receive breakfast and 31 million kids receive lunch at school every day. It provides funds to make sure 2 million kids from low-income families receive a nutritious meal during the summer when their parents are not home. It provides funds to developing countries to provide meals to children when they go to school—which is often the only way to get them there. USDA is also responsible for important agricultural research, conservation activities, community development, animal and plant health activities, agricultural trade, and much more. It is an important bill—more important than many may realize.

There are many specific high notes to mention.

Of the total funding provided in this bill, 69 percent is directed to nutrition programs. The WIC program is funded at more than $7 billion, which is an increase of almost $700 million over last year's appropriations bill. This is the amount necessary to meet the increasing need for this program, and will provide nutritious food to nearly 9.8 million low-income mothers and children each month. There is also language included to ensure that military families are not disqualified from the WIC Program because of increased combat pay—this is a small provision, but an important one in recognizing the sacrifices that our soldiers and their families make.

This bill includes $163 million for the Commodity Supplemental Food Program, which provides supplemental food to nearly 450,000 very low-income senior citizens and more than 30,000 low-income women and children. The Emergency Food Assistance Program, which provides free food to food banks, many of which have seen private donations decrease significantly, will receive $253 million in fiscal year 2010. An additional $7 million is provided to assist food banks in maintaining and upgrading their facilities and equipment so they can continue to serve those in need. In difficult economic times, these programs are vital to those that might otherwise go hungry.

In the area of food and drug safety, this bill provides the full budget request for both the Food Safety and Inspection Service and the Food and Drug Administration. The FDA is provided $2.3 billion, an increase of nearly $300 million. This increase, one of the largest in FDA's history, is necessary to continue the slow turnaround of an ailing organization whose responsibilities have vastly outgrown its funding over the past several years. The FDA is in charge of ensuring the safety of one-quarter of consumer products, and it is imperative that it has the funding to carry out its responsibilities. Similarly, the Food Safety and Inspection Service is responsible for ensuring that all of the Nation's meat and poultry is safe to eat. FSIS is provided the full budget request of more than $1 billion to carry out its mission.

This bill provides substantial funding to support international humanitarian food assistance. The PL 480, Food for Peace, and McGovern-Dole programs are funded at the President's request, which together is an increase of more than $500 million above last year. These programs are vital to helping relieve hunger in some of the most distressed parts of the world and to encourage children in developing countries to receive an education. To enhance those programs, funding is provided to support the use of micro-nutrient fortified foods and to develop new food aid products that can make a real difference in saving lives and securing long-term health benefits, especially for children. The bill also provides $13 million, as requested by the President, for USDA to help develop agricultural systems in countries facing severe food shortages. We believe that the development of sustainable food systems is the proper alternative to emergency food assistance. Therefore, this bill provides guidance and support for USDA, in partnership with the country's land grant institutions, PVOs, and others, to work together toward global food security.

America's farmers and ranchers face some of the tightest credit conditions they have faced in years. Agricultural producers are having difficulty obtaining capital necessary to maintain operations, and demands for Federal credit have skyrocketed. This bill provides over $4 billion of needed credit, representing an increase of nearly $750 million over 2009. These funds will help sustain agricultural producers as private credit markets stabilize.

This bill also provides increased funding for development of rural America, including housing, essential community facilities, business assistance, and infrastructure. In response to the recent housing crisis, USDA rural housing programs remain among the most important, and the most active, for Americans to achieve home ownership. Over $13 billion is available for housing loans and grants, including funds for new construction, repair and rehabilitation, and housing vouchers and rental assistance to ensure shelter for the lowest income rural residents. Almost $1.6 billion is available for loans and grants to small towns to support clean water and sanitary waste disposal systems that are essential for thriving communities.

Agricultural research agencies receive a total of $2.5 billion in the bill, an increase of nearly $130 million, not counting research funding provided in the 2008 farm bill. The Agricultural Research Service is USDA's premier in-house research agency. Funding is provided in this bill for ARS scientists to conduct increased research on bioenergy; improved livestock and crop production; human nutrition, including the prevention of childhood obesity; and the reduction of world hunger, among other issues. USDA's National Institute of Food and Agriculture, NIFA, formerly the Cooperative State Research, Education and Extension Service, CSREES, funds research, education and extension projects at universities and other partners throughout the country. As part of NIFA, the bill includes an increase of more than $94 million for the Agriculture and Food Research Initiative that awards competitive research grants throughout the Nation. These programs allow USDA the flexibility to adapt to meet changing research needs and to work with leading researchers throughout the country.

This bill makes substantial investments to protect the Nation's animal and plant resources from diseases and pests. Almost $40 million is provided to combat the emerald ash borer which has been found in thirteen states and threatens hardwood forests. Over $30 million is available to fight the Asian long horned beetle, and almost $46 million is provided to support the citrus health response program to combat citrus greening.

In all, this bill provides a proper balance among all the agencies funded and sets the proper priorities. Conservation, food and drug safety, farm programs, rural development, renewable energy, nutrition, trade, and the day-to-day functions of USDA and FDA are provided adequate funding and proper guidance. The programs funded by this bill touch the lives of every American numerous times each day, and impact the lives of people living on the other side of the world. These are important programs, and I urge each Senator to support this bill.

Mr. President, I would also like to recognize and thank my ranking member, Senator BROWNBACK, for his counsel and support in putting together this bill, and look forward at this time to his opening statement.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I wish to first thank my colleague for the work he has done on this bill. Senator KOHL and his staff have done an excellent job in putting together a responsible, good, and important bill, and I am delighted to be a part of it and a part of the process. It has been a great group to work with.

The Appropriations Committee, unlike a lot of other committees in the Congress, most of the time has to work in a bipartisan fashion, and that is a good thing. Senator KOHL and his staff have been very good for us to work with, and I think because of that we have what I believe is a solid bill and one for which we are going to be able to get strong and broad support.

Mr. President, this is the first time the agriculture appropriations bill has been on the floor of the Senate for a number of years. I think that is too

bad, but I think it is also good we are finally getting it here. The 2006 Ag appropriations bill was the last Ag appropriations bill to be on the floor of the Senate. I think it is a good development that it is here, that it will be pending. I think it also bodes well for us to be able to consider this as a separate and stand-alone bill in the final process so we don't have to put it together with a whole bunch of other appropriations bills, which, to me, is the way the process should work. It is a good way to work, and it is my hope we will be able to have a separate agriculture appropriations bill that will make it the whole way through the process.

I look forward to the debate, and I wish to encourage Members now, this evening, to come to the floor and offer amendments so we can consider this expeditiously but fully. I understand from the majority leader that we want to consider a travel and tourism bill and then the Sotomayor vote and consideration next week. I hope we could get through this bill in an expeditious manner so we could get to the Sotomayor discussion; I believe most of our colleagues will want to speak about Judge Sotomayor being considered for the Supreme Court. Whether you are for or against her, people want to be heard. To have as much time as possible for that next week, it will be important we be expeditious on this Ag appropriations bill.

Overall, the budget for food aid in the bill has increased to levels that will allow us to depend less on emergency supplemental appropriations bills that are not scored, and I think it is important we have a regular scoring process and not just do this on an emergency basis. I think that is an important improvement in this bill. By funding food aid at historical levels in the regular appropriations process, USDA and USAID will have more certainty about program resources so they can make better decisions about which situations they are able and need to commit food to.

A number of my colleagues have been to refugee camps in different parts of the world, and they have seen this food in action. It is important and it saves people's lives, and these are important food aid programs.

While I believe this is a valuable step, I am even more encouraged by the creation of two pilot programs that we have initiated in this bill. The chairman has worked on it and we have worked on it in our office. Specifically, in the area of food aid, we have created two pilot programs. The first is a nutrition fortification pilot program to develop and field test new and improved micronutrient fortified food products designed to meet the energy and nutritional needs of school-aged children, pregnant women, nursing mothers, infants, and children under 5 who are served by the McGovern-Dole Food for Education Program.

This is a program where we supply food to a number of very difficult situations in countries with poor economies around the world that is given as a school lunch. So it draws students in to go to school, and then it is a lunch for them. It has been a very successful program in both getting nutritional requirements met for children and in getting the educational needs met.

What we are talking about in this pilot program is a narrower section of it where a number of scientists around the world have said the most important thing we could fund—that any country actually could fund—to improve the health of the most people would be micronutrients in the Third World and developing countries that are having difficulty, so the children develop their mental capacity, better eyesight, and their overall health capacity.

This is a relatively low-cost, high-yield, high-benefit program. It saves lives, makes lives more productive, and it makes the United States a lot more popular around the world when we are helping people and saving lives. That is one of the pilot programs.

The second is a new food aid product development pilot program. It has been nearly 30 years since the last type of food aid was developed. Thirty years ago, we developed a corn soy blend that is used in many refugee camps and in difficult situations for individuals around the world who can't get enough food. Thirty years ago, we developed an innovative product called corn soy blend, but nutritional understanding has changed in that period of time. What we are looking at is a new wave of food aid products and can we do it better. That is in this pilot program.

A number of people working on AIDS around the world, PEPFAR funding particularly in Africa, are saying the big problem with AIDS recipients is they are getting the antiretroviral drugs, and they are using those, but their body is weakened because they do not have their nutritional needs being met. This is to target in on what can we do to make sure those vulnerable populations are getting the nutritional needs they have.

I am excited about this because I think these are the sorts of things we can do that don't cost much. Indeed, my view would be that we don't, in the future, add to the food aid program but we make it a higher nutrient program and we target it in better ways so we can get more out of this. That is the way we should be working.

If young children have access to proper nutrition, the benefits will follow them the rest of their lives. We all know that. That is what we are trying to do with these pilot programs.

Finally, the bill requires the USDA and USAID to scrutinize how the food aid programs function without seeking to change the basic structure of the Food for Peace or McGovern-Dole Food Aid. We will use the data the Secretary and the administrator provide to the subcommittee to make sure these programs are operating as effectively as possible.

I would have preferred a hard upper limit on transportation costs myself, but I recognize there are many strongly held opinions on this matter. My hope is that all parties can agree we should strive to make these programs more efficient because greater efficiency means more people will be fed.

I have cited, for several of my colleagues, an area of great concern to me, in that 60 percent of our food aid dollar presently goes for transportation or administration. Over a majority of it goes for transportation and administration. It seems to me we ought to be able to get that to a tighter position. We have worked with the chairman on this. Everybody is concerned that we try to stretch our food aid dollars and get as much food to starving people as possible.

I greatly appreciate the courtesies Chairman KOHL and his staff have shown me in my first year as ranking member. Chairman KOHL has been at this for several years and he has done a very good job.

Specifically, I thank Galen Fountain, Jessica Frederick, Dianne Nellor, and Bob Ross for their efforts on this bill and the consideration they have shown my staff. I look forward to working through the process on the floor and moving to conference.

I would urge my colleagues, again, to start getting their amendments pending because I think the more expeditious we can be, the more time we will have to consider the amendments and then also to get to the nomination of Judge Sotomayor, which I anticipate most of the body will want to speak on, and that is going to take a long time to get through.

It is a good bill, and I am looking forward to us working through the amendments to make it a better bill through the process.

I yield the floor.

AMENDMENT NO. 2230 TO AMENDMENT NO. 1908

Mr. KOHL. Mr. President, I send an amendment to the desk on behalf of Senator TESTER.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. KOHL], for Mr. TESTER, for himself, Mr. ENZI, and Mrs. MCCASKILL, proposes an amendment numbered 2230 to amendment No. 1908.

Mr. KOHL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify a provision relating to funding for a National Animal Identification Program)

On page 17, beginning on line 17, strike "$14,607,000" and all that follows through "program" on line 18 and insert the following: "$7,300,000 shall be for a National Animal Identification program and may only be used for ongoing activities and purposes (as of the date of enactment of this Act) relating to proposed rulemaking for that program under subchapter II of chapter 5, and

chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act')''.

Mr. KOHL. 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. KOHL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. KOHL. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. 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. WHITEHOUSE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak in morning business for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. WHITEHOUSE. Mr. President, I met in my office today with Donna, a Rhode Islander who suffers from vascular disease. Donna's condition forced her to give up her job, and therefore her insurance. She cannot afford to buy it on her own, since it would cost her $650 a month—money she does not have. So she pays for her medications out of pocket. They should be $2,000 per month, but her doctor got them down to $450. But even this is no walk in the park. Donna read me a laundry list of procedures and services she needs but cannot afford, so like so many Americans, she sits waiting, struggling, hoping she does not get worse.

I want to tell my colleagues what I told Donna today: the Affordable Health Choices Act, the bill that the HELP Committee passed out last Wednesday, would mean hope and change and help for Donna. It would mean that insurance companies could not deny her a policy because of her vascular disease, as they can, and do, right now. It would mean that insurance companies could not charge her sky-high rates because of her vascular disease, as they can, and do, right now. It would mean that if Donna needed financial help to purchase a health insurance plan, she would get it. No preexisting condition exclusions, affordable premium rates, and subsidies for those who need help purchasing a plan. That is what the HELP Committee's plan offers every American in this country.

I also have heard from Madeleine, a Pawtucket resident who cannot afford health coverage despite working two jobs. Her family has a history of colorectal cancer; both her sister and mother lost their fight to this disease. Tragically, Madeleine cannot afford to get a colonoscopy. Without insurance, Madeleine waits and hopes that she doesn't get sick, because that is the only option she has.

Under the Affordable Health Choices Act, Madeleine would have the financial help she needs to buy a comprehensive, affordable plan. But even before she did that, even before everything is in place for Madeline to go to a gateway and buy a plan, she could sign up for the Right Choices program. Under Right Choices, even without insurance, Madeline would have access to all basic preventive services. She would get a chronic disease health risk assessment, a care plan, and referrals to community-based resources. Most importantly, she would get the colonoscopy she needs, so that she is not another victim of the terrible disease that took her mother and her sister. It goes without saying that preventing this disease and treating it early would, in the long run, save money for the healthcare system as well as preserve Madeleine's health.

I recently had coffee with Shirley, a Middletown resident who described her relief at turning 65. For the past 20 years, she and her husband did not have insurance. As self-employed business owners in their fifties, finding affordable insurance options was impossible, so they went without. They took their chances. Now 65 and eligible for Medicare, they finally have peace of mind. Shirley admits she and her husband were lucky to make it through those 20 years without serious health problems. During our meeting, she urged us to pass health care reform for the millions of hard-working Americans—hard-working, middle-class Americans—who are not as fortunate as she and her husband.

Under the bill passed by the HELP Committee, Shirley would not have endured 20 years of fear and uncertainty without health insurance. As a self-employed, small business owner, Shirley would be eligible for tax credits to either continue to offer health insurance to her employees, or to offer it for the first time. Shirley could also take all of her employees to the health insurance gateway, which will give small firms a choice of multiple insurance plans at a lower cost and of a higher quality than what currently exist in the small group market. If you are a small business owner, this bill is for you.

Judith from Warwick, has shared with me a story about her brother-in-law, whose lungs collapsed during an outpatient procedure. After staying in the intensive care unit for 28 days, he contracted a hospital infection and was rehospitalized four times. Thankfully, a year later, he is symptom free. However, the costs stemming from the treatment totaled over $500,000. Like her brother-in-law, Judith and her husband are retired and live off of their monthly Social Security check. She reflects that on such a limited income, if she or her husband faced a catastrophic health issue like her brother-in-law, they would be in ''dire straits.''

The HELP Committee bill creates a Patient Safety Research Center at AHRQ, which will support research, technical assistance, and process implementation grants to local providers to teach and implement best practices. No one should go through what Judith's brother-in-law did. No one should contract a hospital infection that leads to not one, not two, not three, but four rehospitalizations. We know how to prevent hospital-acquired infections; we have seen tremendous results in places like Michigan and Rhode Island for years. The HELP Committee bill finally creates a national infrastructure to support the dissemination of these proven techniques so that we can drastically improve the quality of care in our system, and in doing so, drastically lower the cost.

Finally, I recently met David, a self-employed resident from Central Falls, who described the astronomical rise in the cost of health insurance for him and his waif. Years ago, he paid $85 per month for their plan; today, he pays approximately $19,000 a year for their health insurance. Despite the dramatic jump in price, their health insurance plan does not cover as much as it used to. To keep their premiums and overall health costs down, David has been forced to drop dental coverage and increase the out-of-pocket expenses he and his wife pay on their plan. He noted, ''I'm almost afraid to get sick, because today's health plans have so many holes in them, they can nickel and dime you to death.''

The Affordable Health Choices Act would do two important things to help David. One, it would require that plans sold in the gateway offer a truly comprehensive set of benefits so that ''affordable'' does not mean ''skimpy.'' Affordable will mean inclusive, available, and accessible. Two, the bill would not allow insurance companies to ''nickel and dime you to death'' as David fears now. Insurance companies would be prohibited from imposing lifetime or annual limits on the dollar value of benefits for any enrollee. So David will not be forced to pay out-of-pocket once he exceeds certain levels of benefits, as he does now.

There is some uncertainty both in this building and around this country right now about the future of health reform. I want to remind everyone—my colleagues on both sides of the aisle, my colleagues in the House, Rhode Islanders back home, and Americans

across the country, the Senate has already put forth a health reform plan that will work for you. It will work for sill-mil businesses. It will work for Americans with pre-existing conditions. It will work for Americans struggling to pay health care premiums. It will work for Americans who are in small businesses. It will work for Americans who are one illness away from their family going into bankruptcy. It will work for Americans who are uninsured. It will work for Americans who have been victims of hospital errors. It will work for Americans who need preventive services they cannot afford.

Most importantly, it will work for Donna, for Madeline, for Shirley, for Judith, and for David, and it will work for their fellow Americans all over this country whose stories are all too similar. Heartache, frustration, exhaustion, and disgust with a health care system that has, at best, disappointed them, and at worst, turned its back on them. The Affordable Health Choices Act offers these Americans a hand up when they need it most, and I am proud to support it.

Before I yield the floor, I want to take one moment to thank the distinguished senior Senator from Iowa for his courtesy in allowing me to proceed. I know he has substantial remarks he wishes to deliver. I hope it was not too much of an inconvenience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

DEBT AND DEFICIT

Mr. GRASSLEY. Mr. President, I thank the Senator from Rhode Island for his kind remarks.

We are only 9 months into fiscal year 2009, and for the first time in American history the Federal deficit has reached and exceeded $1 trillion. This is not one of those firsts for our great Nation that calls for celebration, and there will not be any celebration.

Unfortunately, the bad fiscal news is not yet over for the year. We are still on track for a year-end deficit of over $1.8 trillion for fiscal year 2009. That is not according to this Senator, that is according to our official scorer, the Congressional Budget Office, the nonpartisan organization.

This 2009 deficit as a percentage of gross domestic product will be a staggering 13 percent, the highest rate since the end of World War II. I have a chart that shows this, a chart that puts the deficit in context.

Here is also a chart that puts the debt into context. I want to remind the Senate that I agree with President Obama that he did, in fact, inherit part of these deficits and debt. What is not often pointed out is this: The deficits and debt were bequeathed back then on a bipartisan basis because the Democrats controlled the last Congress. Starting in the year 2007 that Congress wrote the budget, it wrote the spending bills; that democratically controlled Congress wrote the financial bailout bill. A Republican President, George W. Bush, signed those spending bills. President Bush signed the financial bailout bill. The chart shows the bipartisan deficit President Obama inherited—and that would be the gray part of the deficit chart—and the chart shows the bipartisan debt President Obama inherited. That would be on the chart as well.

Today we have seen more revisionist fiscal history from many of my friends on the other side. It boils down to two very basic propositions. The first proposition is, all good economic policy and beneficial fiscal effects are due to the partisan tax hike of 1993. The second proposition is that all bad economic policy and detrimental fiscal effects of this decade are due to the bipartisan tax relief plans of 2001 and 2003.

How convenient for my friends on the other side of the aisle. If we take this fiscal revisionism to its logical extreme, the answer of some on the other side might be to tax every dollar of income earned by the American taxpayer. There seems to be an attitude that any policy that allows Americans to keep more of their own money is just automatically bad, while any policy which takes more of their money and spends it is automatically good.

I think it is fairly clear the fiscal revisionists on the other side do not have a problem with huge deficits; rather, they are threatened by the prospects of Americans deciding what they want to do with their very own money.

In fact, the deficit effects of the stimulus bill passed within a short time after Democrats assumed full control of the Federal Government exceeded the deficit impact of the 8 years of the bipartisan tax relief. Again, this is comparing the tax relief with the stimulus as you see in the chart.

Since the stimulus package spilled a lot of red ink, let's take a look at how the economy has done. Unemployment currently stands at 9.5 percent, the highest rate in the last 26 years. The economy has shed 6.4 million jobs since this recession began, and that also includes, though, 2.6 million jobs lost since President Obama took office.

Even with the passage of the massive $787 billion stimulus bill in February, the promise of jobs, jobs, jobs that went with that $787 billion stimulus bill, there is still no end in sight to the rise of unemployment and job losses.

The President himself recently said:

> My expectation is that we will probably continue to see unemployment kick up for several months.

While the short-term news is bad, I have bad news for you. The long-term news is much worse. If the Obama budget is adopted, by 2019 we will have added over $9 trillion to the national debt held by the public, and our debt as a percentage of the economy will grow in excess of 80 percent, in excess of 80 percent, a level also that has not been seen since this country was in World War II.

Let me say, the 50-year average of that national debt, according to the economy, has been about 40 percent. So we are talking about more than doubling what it has been over the last 50 years.

The huge spike in spending that we have seen over the course of the past 9 months has been advertised as temporary. But even so, the deficit as a percentage of GDP in 2019 is projected to be 5.5 percent, a level that everybody, including the President, agrees is unsustainable. You can see that on our charts as well.

Looking beyond the 10-year window paints an even bleaker picture. I have a chart from the Congressional Budget Office that projects a terrifying rise in debt held by the public as a percentage of GDP over the next 40 years. As we can see from the dotted line, the highest level of debt held by the public as a percentage of GDP, 107 percent, occurred in 1945 as a result and at the end of World War II. In either of the two scenarios outlined in the Congressional Budget Office's long-term budget outlook, shown by the red and green lines on the chart respectively, we are on a course to break this record sometime in the next 15 to 35 years and reach ratios of debt to GDP of up to 128 percent or, at the extreme, 321 percent by 2050.

The Congressional Budget Office's own words are these:

> The systemic widening of budget shortfalls projected under CBO's long-term scenarios has never been observed in U.S. history.

Some may ask: Why is this a big deal? What does debt held by the public have to do with my everyday life? The Congressional Budget Office makes three points answering this question. This is the Congressional Budget Office, a nonpartisan group of experts whose sole job is to project, at least 10 years ahead of time, what the situation is with every spending bill and the impact of the deficit. This is what they say: If the ratio of debt to GDP continues to rise, lenders may become concerned about the financial solvency of the government and demand higher interest rates to pay for the increasing riskiness of holding government debt. No. 2, if the debt-to-GDP ratio keeps increasing and the budget outlook is not improved, both foreign and domestic lenders may not provide enough funds for the government to meet its obligations. And No. 3, if the first two points happen, no matter whether the government resolves the fiscal crisis by printing money, raising taxes, cutting spending or going into default, it is certain that economic growth will be seriously disrupted.

Whenever economic growth is seriously disrupted, job growth is seriously disrupted as well. Clearly, a debt-to-GDP ratio approaching 100 percent would have a disastrous impact on everybody's everyday life.

So where do we go from here? Clearly, we are well on our way to fiscal catastrophe unless we change course. What is the best way to break out of

this recession, to start creating jobs, to reverse the mountainous growth of deficit and debt and get the economy moving again? That is a very important and long question. Let me see if I can answer. In general, Democrats and Republicans seem to have opposing viewpoints when it comes to the solution to this problem, with Republicans favoring lower taxes and lower spending, while Democrats favor higher taxes and higher spending. However, both Republicans and Democrats agree that health care reform is a crucial ingredient to solving the long-term budget crisis.

Both Republicans and Democrats agree health care reform needs to be paid for as well. The Congressional Budget Office is also on the same page, asserting that, in their words:

> In the absence of significant changes in policy, rising costs for health care will cause federal spending to grow much faster than the economy, putting the federal budget on a nonsustainable path.

Over the past few months, the rising cost of health care has been characterized by a few creative illustrations. First, we have heard the chairman of the Budget Committee refer to the rising cost of health care as ''an 800-pound gorilla.'' Second, we have heard the President describe the rising cost of health care as ''a ticking timebomb.''

Today I wish to add a third illustration. The rising cost of health care is a massive, fire-breathing debt and deficit dragon. In the King Arthur legend, the greatest knight among the Knights of the Round Table was Sir Lancelot. Sir Lancelot was also a dragon slayer. In order for Sir Lancelot to strike down the dragon, he had to be equipped with suitable weapons. The same is true today with the rising cost of health care. As Congress contemplates ways to cut down on the massive, fire-breathing debt and deficit dragon, it must wield the proper weapons.

As you can see here, we have the debt and deficit dragon.

A few weeks ago, House Democrats proposed a graduated surtax of up to 5.4 percent on taxpayers making over $280,000 to partially offset their health care reform bill. This small business surtax would push the top marginal tax rates up to between 43 percent and 46.4 percent, a rate that would jump to over 50 percent in 39 States with Medicare and State and local taxes added in. This is according to the Tax Foundation. So is this small business surtax the proper weapon to strike down the debt and deficit dragon? I have a chart that shows not Sir Lancelot but Sur Taxalot on his way to slay the debt and deficit dragon with his mighty surtax. This is Sur Taxalot, as we can see. The surtax is a large, heavy, painful weapon and lethal to America's job engine, the goose that lays the golden egg, small business America.

Take a good look at Sur Taxalot.

However, it is not effective against the debt and deficit dragon because it does nothing to slow the dragon's exponential growth. The cost of health care that the dragon feasts upon will continue to increase much faster than the revenues that Sur Taxalot can collect with his surtax.

CBO Director Doug Elmendorf testified in front of the Budget Committee 2 weeks ago. Dr. Elmendorf stated: None of the legislative changes looked at by CBO so far, including the House Democrats' small business surtax, ''represent the sort of fundamental change of the order of magnitude that would be necessary to offset the direct increase in federal health costs from the insurance coverage proposals.''

Clearly, unlike Sir Lancelot, Sur Taxalot is no dragon slayer.

Now let's look at how House Democrats' small business surtax works. In 2011 and 2012, singles making between $280,000 and $400,000 and families making between $350,000 and $500,000 will pay an extra 1-percent surtax. Singles making between $400,000 and $800,000 and families making between $500,000 and $1 million will pay an extra 1.5 percent. Finally, singles making more than $800,000 and families making more than $1 million will pay an extra 5.4 percent. Then in 2013 and after, these surtax rates go up to 2 percent, 3 percent, and 5.4 percent, respectively. The only way these rates would not go up in 2013 is if the President's adviser, the Director of OMB, determines in 2012 that there will be more than $675 billion realized in estimated health care savings by the year 2019.

That is right: The trigger mechanism is back. The House Democrats have made the surtax rate increase subject to a trigger. They have left the judgment on whether to pull the trigger in the hands of a partisan Presidential adviser, not a nonpartisan organization such as the Congressional Budget Office.

As Members of Congress, we should jealously guard our constitutional prerogatives to be the one branch of government tasked with deciding whether revenue is raised by increased taxes or revenue is reduced through decreased taxes. As the great Chief Justice John Marshall said almost 200 years ago:

> The power to tax is the power to destroy.

So why would we hand such an enormous power over to the executive branch? I recall, over the last 8 years, hearing from the other side of the aisle that the executive branch was attempting to usurp congressional authority. So where is that jealous guardian of congressional authority now? It seems to be absent.

We have seen this trigger mechanism from the Democrats before. While it has been a couple years, I have spoken at length about this trigger right here on the floor of the Senate.

I ask unanimous consent that a copy of my speech of May 9, 2007, entitled ''A Trigger and a Tax Hike on the American People'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR CHUCK GRASSLEY: A TRIGGER WILL NOT PREVENT A TAX HIKE ON THE AMERICAN PEOPLE

Mr. President, press reports indicated we may be in the ninth inning of the budget season. The President sent his budget up to Capitol Hill over three months ago. The Senate Budget Committee marked up a budget resolution. It passed the Senate. That resolution lays out the Democratic Leadership fiscal priorities for the next five years. As everyone knows, the American People spoke last November and sent a Democratic Majority to both Houses of Congress. For the first time in 12 years, Democrats have the privilege and the responsibility for our budget.

The Senate spoke very clearly in support of some tax relief. The voice came in the form of the Baucus amendment. My friend, the Chairman, secured $180 billion to prevent part of the big tax increase that will go into effect on January 1, 2011. Although the Baucus amendment only provides 44 percent of the tax relief room needed, it is far superior to the House position. The House position is zero tax relief. That's right, Mr. President, zero tax relief. Zero tax relief means a total tax increase of $936 billion over 5 years. That's the largest tax increase in history and one that occurs without a vote of Congress.

That tax increase means real dollars out of the wallets of real middle income families. I've got a chart here. The chart shows a wall of tax increase. This chart shows that a family of four at $40,000 will face a tax increase of $2,052. Now, for a lot of my rich liberal friends that may not seem like a lot of money. For a hard working family of four in Iowa, that $2,052 matters.

As a senior Republican member of the Budget Committee, I've not been consulted on the budget by our Chairman, but I've made my views clear to our distinguished Chairman. What I know about the budget I've learned from press reports. If those reports are true, I'd encourage the Chairman and Senate Leadership to stand strong for the Senate position.

Press reports indicate that the Democratic Budget Committee chairmen are working on a compromise that would condition the tax relief on a surplus. That is, the Baucus amendment would be subject to a trigger. Now, Mr. President, what's a trigger?

I have another chart. This chart deals with perhaps the most famous trigger. The chart shows ''Trigger,'' the cowboy actor, Roy Rogers', horse. You can see from the chart that Trigger is a pretty impressive looking horse. Would definitely like to have Trigger on my farm to help with the chores. Am sure my grand kids would want to ride him if Trigger were stabled on my farm.

As Western movie buffs know, Trigger is no longer with us. Trigger is stuffed and on display at the Roy Rogers-Dale Evans Museum in Branson, Missouri. Although Trigger was an impressive looking horse, this trigger device the Democratic Leadership is looking at is not impressive.

The trigger notion is something that has a long history with the Democratic Leadership. Back in 1996, the Clinton Administration and Democratic Leadership argued for a trigger for the $500 per child tax credit and other family tax relief proposals. They took this position after President Clinton had vetoed the bill containing the family tax relief proposals. If the Clinton Administration and the Democratic Leadership had prevailed, millions of American families would have received the $500 per child tax credit perhaps in 1999 through 2001 only. If the President Clinton and the Democratic Leadership had won and the trigger were in place, millions of families would have lost the child tax credit in the years 2002 to now.

The same dynamic occurred in 2001. With surpluses, the Democratic Leadership opposed broad-based bipartisan tax relief, including a doubling of the $500 per child tax credit. One of the ideas the Democratic Leadership flirted with was a trigger. There were a few Republicans attracted to the idea.

The trigger was debated somewhat, but never found to be workable. It is a complicated matter. It could be suggested that the mechanics of a broad-based tax trigger are like trigonometry. Trigonometry is a division of mathematics that deals with triangles. It is simple on its face, but you can see from this text book, can become complicated quickly.

Interweaving the complexity and uncertainty of triggered tax relief with the vast American economy could lead to a new term. That new term would be ''trig-o-nomics.'' As much as folks complain about uncertainty and complexity in tax policy, I don't think the Democratic budget negotiators should want to take us to the land of trig-o-nomics.

To some degree, the current law sunset of the 2001 and 2003 is a de facto trigger. If you look at those in opposition to permanence of the bipartisan tax relief, you'll find that it is, with very few exceptions, the same folks who like triggers.

The tax system is a very complex and pervasive force in our society. It affects all Americans and all economic activity. Creating conditional tax relief through a trigger mechanism would de-stabilize an already unwieldy tax system. How are families, businesses, and investors supposed to plan their affairs with a trigger hanging over current law tax rules that keep taxes low? Think about that, Mr. President. What would we be doing to the hard working American taxpayer?

As an aside, those taxpayers, by the way, are sending record amounts of revenue to the Treasury. The bipartisan tax relief plans of 2001 and 2003 are growing the economy. Revenues are ahead of projections by double digit figures for the third year in a row. It's there in the black and white of Treasury and CBO reports. The American taxpayer is doing his and her part to reduce the deficit. I ask unanimous consent to insert in the record a couple of articles from the BNA Daily Report for Executives, one dated May 3, 2007 and another dated May 7, 2007.

So, why trigger on tax increases, when the current law tax levels are bringing in plenty of money to the federal Treasury? It makes no sense to punish the American taxpayer.

The biggest problem I have with a trigger is that it creates yet another budget process bias for higher federal spending. If Congress decides to spend more than planned, the trigger gives the American taxpayer the shaft. Spending taxpayers' money trumps future promised tax relief if a trigger is in place.

The American taxpayer need look no further than the budget resolution conference to see triggered future tax relief's futility. After winning the November elections by claiming to enforce fiscal discipline, Democrats have done three things with the budgets in conference. One, they've guaranteed new spending of at least $205 billion over the budget baseline. Two, with multiple reserve funds, they've set up many arenas of new spending and new taxes. Three, for the first time in six years, a tax hike on virtually every American taxpayer is built into the budget in future years. Did the American People know that this was how fiscal discipline would be defined after the votes were counted? Higher taxes and higher spending? Did the American People vote for this definition of fiscal discipline in last year's campaign? My guess is the answer is the American taxpayer didn't think fiscal discipline meant higher taxes and higher spending.

If fiscal discipline were the real goal of the Democratic Leadership, they'd employ a trigger on the new spending they've baked in the budget cake. Mr. President, how about that? The new spending in this budget would only be triggered if the federal budget were in surplus. Do I have any takers among the Democratic budget negotiators?

Mr. President, before the Democratic Leadership rolled out its budget, I challenged them to show a proposal with a single dollar of spending restraint dedicated to deficit reduction. It's a challenge I've issued for several years as bipartisan tax relief has been attacked on fiscal discipline grounds. My challenge has not been met. If you go back a decade, you won't find a proposal for spending restraint from the Democratic Leadership. Check the record. You won't find anything on the spending side of the ledger.

The use of a trigger is more evidence of this obsession with taxing and spending. Instead of accepting the Baucus amendment, which is supported by strongly-bipartisan votes in both bodies, the Democratic negotiators are taking a different path. They want to use a trigger as cover. The trigger will likely mean future Democratic spending proposals will gut future tax relief, thereby guaranteeing a tax increase on virtually every American taxpayer.

Mr. President, it's not too late. I suggest that, if the Democratic budgeteers want to talk the talk of fiscal discipline, they need to walk the walk of fiscal discipline. Apply the trigger. But apply it to the $205 billion in brand new spending. Don't build a wall of tax relief on America's families. Build a wall of fiscal discipline against runaway federal spending.

I yield the floor.

Mr. GRASSLEY. I have a chart here from the 2007 speech that deals with perhaps the most famous trigger. Of course, I refer to Trigger, the horse belonging to the cowboy actor Roy Rogers. As I mentioned in the past, Trigger is no longer with us. Today he is stuffed and on display at the Roy Rogers-Dale Evans Museum in Branson, MO. Even so, Trigger, in his current stuffed state, is still much more imposing than the House Democrats' trigger device.

While past Democratic trigger proposals were bad, the current House Democrats' trigger proposal is even worse because it is under the control of a partisan OMB Director and is based upon an OMB Director's estimate—I repeat, an estimate—of health care savings for the years 2013 to 2019.

I do not think anyone really expects this trigger to be pulled. Even the nonpartisan Joint Committee on Taxation, in its $544 billion revenue estimate of the House Democrats' small business surtax proposal, assumes that the estimated savings targets will not be reached and the rates will go up, for sure, in 2013.

Clearly, on the question of how to pay for health care reform, Republicans and Democrats appear to be drifting in different directions. Republicans want to pay for health care reform through changes in the health care system—mostly on the spending side but also on the revenue side—to make health care more accessible and more affordable. In contrast, House Democrats' most recent proposal to pay for health care reform—the small business surtax—goes far outside the universe of health care.

By abandoning the universe of health care in their financing scheme, House Democrats are clearly indicating that the goal of their health care reform proposal is increased coverage at any cost. Even the New York Times—now, believe this: Even the New York Times, hardly a strident critic of the Democrats in Congress or the White House, cautions against this coverage-at-any-cost approach:

> If the government simply extends subsidized insurance to millions of uninsured people but fails to force fundamental changes in the delivery or financing of health care, then federal health care costs will keep escalating at excessive rates. That will drive up deficits in subsequent decades unless new taxes are imposed or new savings found.

That is the end of the quote from the New York Times.

We need to reform our health care system, but we need to do it right. That is why I am working with Senator BAUCUS, chairman of the Senate Finance Committee, along with Senators SNOWE, ENZI, CONRAD, and BINGAMAN, to reach a bipartisan solution. My Finance Committee colleagues and our staffs have been working hours and hours each day and night, and weekends, to navigate through the numerous complex issues of health care reform. Has it been easy? Obviously not. However, I am very hopeful we can reach a bipartisan agreement that makes health care in America more accessible and more affordable, while at the same time protecting taxpayers and preventing the Federal Government from taking over health care.

President Obama, in his prime time press conference last week, expressed his agreement with these principles. While stating generally that the reform he is proposing will keep government out of health care decisions, President Obama specifically made the following promises:

> I'm not going to sign a bill that, for example, adds to our deficit. I won't sign a bill that doesn't reduce health care inflation so that families as well as government are saving money. I'm not going to sign a bill that I don't think will work.

I will take the President at his words on these promises, but I am going to hold him to them. The President is sending a clear signal that he could not sign the Pelosi bill, the Health, Education, Labor, and Pensions bill, or similar pieces of legislation. Why? Because each of those would drastically expand the Federal Government's control of the health care system, increase the deficit, and fail to reduce long-term health care inflation.

Here is the bottom line. When the long-term budget outlook warns that rising health care costs will cause Federal spending to grow so fast as to put the Federal budget on an unsustainable path, Congress needs to take action. But, at the same time, when our goal is to reform 17 percent of the economy, while facing a nearly $2 trillion annual

deficit, more than $9 trillion in new debt over the next decade, and a projected debt-to-GDP ratio of over 300 percent by 2050, we have to make sure we are doing this job right. That is what we are trying to do in the Senate Finance Committee. When we get finished, however long it takes, I hope we can send a deficit-neutral health care reform bill to President Obama that increases access, cuts costs, and puts us on a fiscally sustainable path for years to come.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

SOTOMAYOR NOMINATION

Mr. CHAMBLISS. Mr. President, I rise this evening to speak on the nomination of Judge Sonia Sotomayor to be the next Associate Justice of the U.S. Supreme Court.

We all know elections have consequences. Because of this, I have tried to give deference to the various nominees submitted by President Obama. I have not voted for all of his nominees, but I have voted for some even though I did not necessarily believe they were the best people he might have nominated.

The case of a nominee to the Supreme Court is unique. This is not a Cabinet member who will rotate out or leave at the end of the President's term. Supreme Court Justices are there for life and decide cases that will affect present and future generations of Americans.

With this in mind, I have reviewed opinions written or concurred in by Judge Sotomayor, reviewed speeches and writings of Judge Sotomayor, talked with lawyers who practice in New York, lawyers who have tried or argued cases before Judge Sotomayor, and others who know her by reputation, and also listened to and reviewed testimony before the Judiciary Committee in her confirmation proceeding. In addition, I spent the better part of an hour in a one-on-one conversation with the judge. Certainly, she has all the education and judicial background to be confirmed as a Supreme Court Justice. Her judicial temperament is not in question. Some lawyers felt she was not qualified for the Supreme Court, and others felt she is.

Judge Sotomayor has a very compelling personal story, and being Hispanic and being female and being nominated to the U.S. Supreme Court adds more credibility to that saga of living the American dream. As Americans, we should be proud she has been nominated. But the role of the Senate is to give the President advice and consent, and we are required to go beyond the personal side of the nominee.

After reviewing the information I have collected over and over again, I have concluded that I cannot support Judge Sotomayor's nomination. My reasoning is as follows:

First, lawyers nominated to the Supreme Court should be in a class by themselves.

My only experience as a Member of the Senate with this process is with the confirmations of Chief Justice Roberts and Justice Alito. Clearly, they are lawyers who are in a premier class. Lawyers with whom I spoke who know Judge Sotomayor do not put her in that category. Even those who say she should be confirmed do so in a less than enthusiastic way.

Second, I am a strong supporter of the second amendment, and I am concerned about the reasoning of Judge Sotomayor in cases where she has considered this issue.

In DC v. Heller, the Supreme Court left unanswered the issue of application of the second amendment to the States. This issue is likely to be decided by the Supreme Court in the next year or so. As a member of the Second Circuit, Judge Sotomayor ruled in the negative on this issue in the Maloney case without an explanation, simply citing an old Supreme Court case that is not really directly on point and is certainly outdated. This is too important an issue to give it no more than a cursory review.

Third, I am concerned about the apparent leaning of Judge Sotomayor to use foreign law to interpret U.S. laws and our Constitution.

In her April 28, 2009, speech to the Puerto Rican ACLU, Judge Sotomayor said that while foreign law should not be used as a precedent, she stated it should be ''considered.'' My question is, Why? Judge Sotomayor's answer in that same speech to that question was to align herself with Justice Ginsburg, who supports the use of foreign law and recently stated that ''foreign opinions . . . can add to the story of knowledge relevant to the solution of a question.'' Judge Sotomayor went on to say that unless American courts are more open to ideas in foreign cases, ''we are going to lose influence in the world.'' From an American jurisprudence standpoint, that line of thinking is certainly scary to me.

Lastly, the highly publicized Ricci case is very puzzling. A per curium opinion is unusual for such a complex and precedent-setting case. No analysis for the decision is very troubling to the lawyer in me.

In my conversation with Judge Sotomayor, she stated that the Second Circuit panel was simply following precedent and if the Supreme Court reversed the Second Circuit opinion, it would be establishing a new precedent. The Supreme Court, of course, did reverse the Second Circuit and clearly stated that no precedent was being followed by the lower court.

Judge Sotomayor did not adequately explain what precedent she was talking about and, in fact, did not answer this question when directly asked the question by Senator KYL at her confirmation hearing. Being less than forthcoming in every respect is very disturbing.

Mr. President, for all of the above reasons, I will cast a ''no'' vote on the confirmation of Judge Sotomayor next week.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I inquire, we are in morning business, am I correct?

The PRESIDING OFFICER. The Senator is correct, but we have 10-minute grants.

Mr. DODD. I appreciate that.

HEALTH CARE REFORM

Mr. DODD. Mr. President, what I have done every day over the last week or so is to take the floor to talk about health care, and I do so again this evening, with a note of some sadness. I have just been told there has now been a statement issued that there will be no markup of the Finance Committee bill next week on health care. I know Senator BAUCUS has worked hard at that. I know other members of that committee, in that effort, have been working to try to reach some understanding in all of that. I regret we will now leave here, I gather, next week, at the conclusion of the nomination process for Judge Sotomayor, for a month-long recess to our respective States, or whatever other obligations our colleagues may have. So I am saddened by that.

Let me try to find a good note in all of this—there are five congressional committees between the House of Representatives, the other body, and ourselves that have some jurisdiction over the health care debate. Three of those committees reside in the other body, the House of Representatives; that is, the Energy and Commerce Committee, the Education and Labor Committee, and the Ways and Means Committee. I am told that by tomorrow those three committees will have completed their jobs. They will have reported out a bill. There are two committees in the U.S. Senate with jurisdiction. Jurisdiction over some of the most major components of health care resides in the committee chaired by our colleague from Massachusetts, Senator KENNEDY, who is not with us, as most Americans know, because of his ongoing battle today with brain cancer. In his absence, I have been asked to act as the acting chair of that committee. Two weeks and 2 days ago, we completed our work in that committee. So the only committee remaining to do some work is the Finance Committee. So of the five committees, four, by the end of business tomorrow, will have completed their jobs.

That does not mean the work is completed. Obviously, a lot of work remains in melding these bills together to try to come up with answers to the thorny questions that remain on how we structure the health care system in our Nation to go from a sick care system, which it is today, to truly a

health care system, to deal with the issues of cost, to try to manage these issues so we bend that cost in the coming decades and beyond in a different direction than we are headed today—I will talk about that in a minute—obviously, to improve the quality of health care, which all of us care about. And while we have great quality of health care in many areas of our country, there are still numerous areas where the outcome, the overall health condition, the life expectancy of our fellow citizens, is far less than it ought to be. So accessibility, quality of care, and affordability are still the primary goals. We are all working very hard to try to reach that point.

So four out of five committees will have acted. The fifth, we hope, will achieve that result at some point here or in some manner in which we can move forward with this critical debate in our Nation.

So this evening, I want to spend a few minutes talking about where we are on a couple of these issues. I have discussed, on previous gatherings, my thoughts on aspects of the legislation. Let me share where this debate is.

There is a strong case to be made—we know the economic argument. I am going to get to that in a minute. But there is a moral case to be made as well for health care reform, and it is a very strong one.

Maybe that impresses economists or actuaries, but there is a moral obligation, it seems to me, in a nation as blessed as ours, with great resources and wealth and abundance of resources, natural and otherwise. We live in the wealthiest Nation in the history of mankind. Our generation is an inheritor of incredible work that was done by those who have come before us, who sacrificed greatly, including their very lives, to produce the kind of Nation we live in today. It has been a remarkable story for little more than two centuries, which has resulted in one of the great miracles in world history—to produce a nation where the vast majority of our population can live with financial security, with job opportunities, with the ability to raise families with security, despite what we have gone through in recent years in certain instances. Nonetheless, there is a sense of stability and security about being an American.

In many ways, we are the envy of a good part of the world. So it is important, as we think of the debate on health care, to remind ourselves what others have given to produce the kind of results that leave us with a level of lifestyle that is unmatched anywhere around the globe. In spite of that great news, we should note that also 45 million of our fellow citizens, many of whom are children, go to bed every night without health care coverage. In the wealthiest Nation in the history of mankind, nobody should be denied coverage for health care because they have some preexisting condition. What is that? That is some determination that you had a problem, a healthcare problem, before. Therefore, that insurance company will deny you coverage because of that preexisting condition, especially when that excuse is used by so many insurance companies to avoid covering victims of domestic violence, for instance, or those suffering from the most painful of long-term illnesses—those preexisting conditions.

In the wealthiest Nation in the history of mankind, nobody should have to choose between paying their electric bill or taking a sick child to the doctor. I wish that were just in minor cases, small anecdotes. It is not. Regardless of which State we represent, every one of us represents families who, every single day, make those kinds of choices, such as paying that electric bill or cutting back on the family budget because they have to make a choice about whether they can care for that sick family member.

Nobody should have to lose their home and go into bankruptcy because their medical bills are too high. I know the Presiding Officer has heard me on previous occasions in recent times talk about the statistics. Let me repeat them quickly: 62 percent of all bankruptcies in the last several years are health care crisis related—62 to 65 percent. Of that 62 percent, 75 percent of those people had health insurance. When I first saw those numbers that 60 to 65 percent of bankruptcies are due to the health care crisis, I assumed that the overwhelming majority of people in that situation must be those without health care coverage. It pained me to learn that 75 percent of those people actually had health care coverage. Despite that, they ended up in financial ruin, having to go into bankruptcy to survive economically.

In the wealthiest Nation in the world, the one that spends far more on health care than anybody else—some $2.5 trillion a year, and we now rank 37th in the world in medical outcomes—that is in terms of our overall condition, healthwise, as a people, life expectancy. We now have the first generation of Americans who will live shorter, less healthy lives than their parents. That has never happened before in the history of our country. Each generation of Americans has been able to improve the quality of the health care of their children. Even in that 19th century and throughout the difficulties of the 20th century, every generation did better on that score. We are about to be the first generation whose children will be less well off—not financially, although that may be the case, but in terms of their health care.

I don't know of anyone in this generation who wants to leave a legacy like that, where because we could not figure out how to deal with health care we left our children in a condition where they will have less healthy lives than we have had. I don't think any one of us—I don't care what our politics are, or where we are from—wants to be part of a generation that gets referred to in history because we could not take better care of our children.

There is a moral case for health care that I know gets dispelled by some because people don't want to take it seriously or don't want to talk about that. Let's just talk about the economics. I think, as a people, we ought to talk about it. I think it motivates us. I think all of us share that common concern that we believe in this great country of ours we ought to be able to do a better job taking care of our fellow citizenry when it comes to the basic right of being provided for when a health care crisis comes.

Today I want to make the case for reform, in addition to being the right thing to do, is also the smart thing to do, the very smart thing to do. It is the smart thing to do for our Federal deficit—and my colleague from Iowa talked about the deficit. I think he is right that we need to confront that issue. Six months ago, an American President assumed office—how quickly we forget—having inherited the largest deficit accumulated not just by any President but by every previous President combined. That is a remarkable track record. It is one thing to have a larger deficit than your predecessor, but over the previous 8 years the administration that just left town, and the Congresses that supported them, accumulated a deficit in 8 years that exceeded the deficits accumulated by all previous 42 Presidents in our American history.

All of a sudden, President Obama arrives in town on January 20 and he gets handed this ''gift'' from the previous administration: a mountain of accumulated debt. All of a sudden, now this is the big issue we hear about. Where were those voices over the past 8 years as that debt accumulated day after day? All of a sudden they want to lay this at the doorstep of a new President arriving in town.

If they are concerned about it—and I believe my colleagues are—then one certain way to add to it is to do nothing about health care. Let's just leave town for another month, without having addressed this issue in any concrete and thoughtful manner because, clearly, if we do that, the amount of deficit this country will accumulate—Mr. President, we spend 16 cents of every dollar on health care today. I don't know of a single expert who would tell us that by 2040 we will be spending as much as 30 to 40 cents out of every dollar on health care if we do nothing, with inaction, if the status quo dominates. There is a danger of that. We are all painfully aware of that.

The bill that passed our committee 2 weeks and 2 days ago—by the way, it took a long time, 5 weeks. We had 23 sessions and went through some 60 hours—it was 4 weeks from start to finish, actually, almost 60 hours, 23 sessions, on 13 days. We actually considered 287 amendments over that month-long process day in and day out. We accepted 161 amendments offered by our

friends on the Republican side. Many were technical and many were substantive amendments.

So we went through a long process and considered it at length, with long debates, with 23 of us, one-quarter of the Senate, sitting on the committee chaired by Senator KENNEDY to consider various ideas within our jurisdiction.

Under that bill we established a very large and robust marketplace where small business owners can go to comparison shop for various health care packages for their employees or themselves. Our bill is the smart thing to do for businesses which often today find themselves choosing between reducing coverage for their employees or laying off workers because they cannot afford to provide it.

In our bill—the one we passed—if our bill would be adopted, as I believe it will be, no longer will small businesses in our country be forced to act as health insurance experts. No longer would they be denied affordable insurance options. No longer would small businesses be discriminated against because they employ someone with a preexisting condition or one who suffers a sudden unexpected health crisis, thus driving up the premiums for every employee, either making it too costly or making it impossible to provide them coverage.

In our bill we passed not only do we give small businesses somewhere to turn for insurance options, we give them the financial assistance to pay for it—$1,000 for individuals and $2,000 for families. Every small business could get that to assist them in that very business of trying to provide for their families.

That has been in our bill. It is written in there. If we can pass that bill, I am confident the other body would adopt it.

We give employers a healthier, more productive workforce. I point out in many parts of our country employers only have one choice or two choices for health care coverage for their employees. That is all that exists for them, and they want to shop to find out what is available. Under our marketplace in the bill, they would have a wide range of options to choose from of private carriers offering different packages and different levels of cost, allowing the employer to shop on behalf of their employees, and we give them the credit to make it available, financially, to do so. Our bill does more than anything else—certainly, when it comes to small businesses.

Importantly, for those employers who are happy, as many are, with the insurance they have—maybe they are a large employer who has invested heavily in prevention, or they have negotiated low prices and a wide network of providers as exists in some parts of our country. Under our bill nothing changes for them. They can keep the insurance as long as they choose to renew it. That is their business. We change none of that.

If you like what you have, you keep that. If you are a smaller employer and you want to change that and you want better plans, we provide the credits to do so and the option for you to have more choices.

Most of all, we believe reform is the smart thing to do for the American consumer, for those employers and employees. Some of our fellow citizens are getting a good deal when it comes to their insurance. They like the doctor they have, they like the hospital they go to when they need one, and they like the insurance plan they have. They don't want anything about their health care to change. They should not have to worry about that. Our bill protects that. If you like your doctor, your hospital, and your health care coverage, you can keep that, just as that business who wants the plan they have, they can keep that under our bill, which we wrote 2 weeks and 2 days ago—the 900 pages we worked on for almost 5 weeks and on which we considered 300 amendments.

Some of our colleagues have tried to scare our fellow Americans into believing our bill would force change upon them. That is just not true. That is a falsehood. It is being dishonest with the American people. The bill that was crafted in the HELP committee won't make anyone change their doctor or their insurance plan. If they like what they have, they get to keep it. The only change they may see is that there may be more money back in their pocket as a result of what we provided in the options available to people to make better choices at lower costs.

Here is what our opponents won't tell you: If we don't take action—if it is just the status quo and we go back to our States and walk away from all of this and never deal with this issue, you may very well lose the ability to see the doctor you like. That is at risk with inaction. If we don't take action, you may lose that good insurance plan you have. If we don't take action, you may well find yourself unable to get the kind of care you need when you need it.

If we don't take action in the Congress, families with insurance will continue to pay that hidden tax of $1,100 that the average family pays every single year to cover the costs of the uninsured who show up at hospitals.

In our country, you will get care. If you walk into the emergency room, we take care of you. But there is a cost for doing so. The cost is, on average, $1,100 per family a year. That is the tax we pay today because of the failure to provide the kind of plans we adopted in our bill. So that cost falls on families.

Further, Mr. President, if we don't take action, premiums will continue to rise faster than wages. If you don't believe me, look what happened to my State of Connecticut a few weeks ago when an insurance company proposed to raise their rates by 32 percent. I wish that were uncommon. The rates in my States in the last 6 years have gone up 45, 46 percent, and since 1996 in the country, they have gone up 86 percent, vastly outstripping the rate of inflation, with no end in sight.

For those who say we can wait, we don't need to do this now, we ought to postpone all this, it is not necessary, we ought to deal with the deficit or other issues, then consider what is going to happen if we don't move and if we don't come together and get this job done. On every one of these issues, if we don't take action, no matter how secure you may feel today, you may lose that insurance, you may lose that coverage, you may find yourself unable to go to that doctor or hospital you believe you would like to and you continue to pay a rising cost in premiums to cover the uninsured.

Mr. President, 2 weeks and 2 days ago, since our committee acted, 210,000 of our fellow citizens have lost health care coverage. These are people who had insurance 2 weeks ago. Every single day we delay taking action on legislation, 14,000 of our fellow citizens lose health care coverage—every day. So since 2 weeks and 2 days ago, 210,000 of our fellow citizens lost their health care coverage, and we are about to leave for another month. Do the math on a daily basis.

While we as Members of this body go back to our respective States, we have our health care coverage, we have very good health care coverage—very good health care coverage. None of us have to worry about that as we go back and walk away, unfortunately, from a set of issues with which we should be grappling. But we can do so with the assurance, the certainty, and the stability as elected officials in this body that if something happens to any one of us, we are going to be fine because we have great health care coverage. But, unfortunately, for 210,000 of our fellow citizens in the last 2 weeks, that is not the case.

Imagine tonight that you are one of those 210,000 and you wake up in the middle of the night because your child is very sick and you rush them to the hospital, or a spouse or loved one who needs that kind of care because of an accident. These things happen with the least predictability. Every one of us knows what happens. We have all had it happen to us with a child, a spouse, where all of a sudden there is a tragedy, an accident, an injury, there is an illness, and all of a sudden we need that coverage to protect us. Tonight there are 210,000 more people since 2 weeks ago who are in that free-fall hoping that nothing happens until they get back on their feet again, maybe get that new job, find that insurance company that will cover them and provide those benefits.

Imagine yourself being in that spot—think about that—that lack of stability, that lack of certainty, that lack of comfort knowing that if something happens to my family, I cannot help them.

I hope we can get them back on their feet again. I hope they get to see a

good doctor, and they will have the drugs they need or care they need to restore their health. But you never get to that question if you cannot even approach it because you don't have the coverage any longer to pay for it.

Those 14,000 a day are going to continue to mount up under the present circumstances. I am disappointed, to put it mildly, that we find ourselves leaving here without continuing to do work. Not that we are going to solve all the problems in the week before we leave, and no one, of course, argues that we shouldn't do this right and we shouldn't be careful to make sure we are doing it right. It is a silly argument to suggest there are people here who don't care about crafting responsible legislation. I will not accept the argument it is too hard and that is the reason we cannot get it done. That is why reforming our health care system is so important, for all those reasons.

Even if you are satisfied with your personal health care situation, you ought not have too much comfort and believe it will be there when you may need it the most.

The bill we passed provides stability so that care that is available to you stays available day after day and provides cost savings that you will see in your family budget. Our bill eliminates entirely the annual and lifetime caps on benefits. So even if you suddenly develop a serious illness or get into a bad accident, you will be able to get the treatment you need, and it does put limits on how much money out of your income you could be forced to spend on insurance.

Today there are no limits. Our bill provides those limits so your expenses will never be more than you can afford to pay.

Our bill we passed prohibits insurance companies from discriminating against people with preexisting conditions. That is gone forever in our bill. That argument about preexisting conditions is absolutely gone. If we do nothing, it is still there, and so that certainty you think you have is not certain at all with preexisting conditions that exist today. Our bill eliminates those.

You don't have to stay in a job just because you have an illness that would keep you from getting coverage elsewhere. I cannot tell you how many stories I have heard about that, where people have miserable jobs with miserable pay, but they don't dare leave it because they know if they do and they have a preexisting condition, they will be denied the kind of coverage they need to have.

Our legislation also prohibits insurance companies from changing or dropping coverage or refusing to renew it if you get sick. It mandates that these companies cover the things that will help you stay well, such as mammograms or annual checkups, at no additional charge to you as a patient.

The truth is that too many Americans are getting a bad deal, even those who are operating with a comfort that they believe that what they have will be there whenever they need it, and the ones who are getting a good deal might not be able to keep it unless we take action to provide the kind of stability people are looking for.

Even those who somehow are able to ignore the urgent moral imperative of reform I think should support the legislation we crafted simply because it is a better deal for American consumers, and it is the smart thing to do.

It has now been, as I said, more than 2 weeks since our HELP Committee passed its legislation. It is a good bill. It is not a perfect bill, and more work needs to be done. All of us acknowledge that. But it is one that I think every Member of this body can get behind. Every single member of that committee, all 23 of us, every single member added contributions to the original draft. Every Democrat, every Republican added amendments that were adopted to our bill.

By the end of this week, as I pointed out earlier, four of the five committees with health reform bills will have completed their work. I know the Finance Committee, as I said earlier, is working hard to produce a bill as well. When their work is complete, I look forward to sitting down with them to merge our efforts, which is clearly going to happen. We are going to merge our efforts. We are going to take what we have done and merge it with what the Finance Committee has done. So the Senate will have two committees on equal footing dealing with health care issues. I know the leaders guaranteed that, the President has spoken about it, and I am sure my colleagues will support that effort.

I heard some of my colleagues mention that now is not the time to plow ahead. I disagree. I can't think of a more urgent issue for all the reasons I mentioned this evening and how important it is. I said it may not be as much an urgency for those of us with the stability and certainty of our own health care policies, but for so many of the people we represent—those who are uninsured or underinsured—they have a right to insist we do the job, face the difficult questions, and have the courage to lead on this issue, to be leaders. That is what we are asked to be when people chose us to represent them.

I know it is the case in my own State, as it is across the country. A lot of the choices we have to make are tough ones and hard to explain, in some cases, because they will involve the shared responsibility that all Americans must be involved in if this is going to work. That is why we get sent here. Occasionally, there are matters that require us to stand and make tough choices. We are at such a moment. For us to do less, to walk away from this, I think, will be one of the great tragedies of our time.

I regret we will not be working on this legislation in the coming weeks, although we will in our own way—our staffs will be working and we will be back in our respective States listening to our constituents. I hope when we come back in September, we will have a renewed sense of purpose and get the job done. We have a President who cares about this deeply. We have Members of both bodies who were elected and ran on this issue of reforming our health care system. Major industries, the insurance industry, the providers, the doctors, nurses, the pharmaceutical industry, all today are on the side of getting something done. There are disagreements on how to do this, but wonderful people in public and outside public life are committed to this. It is different than it was 14 years ago. We ought to be able to take advantage of that new alignment, if you will, and get this job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the opportunity to speak after Chairman DODD, who has probably, more than anybody else this year, led the health care effort. As he pointed out, in our committee, it was the longest markup of any bill I have ever seen in my years in the House and Senate.

I spoke today to a Washington Post reporter who said she had never seen a markup so thorough. We faced 160 Republican amendments, either passed or accepted, many of them substantive, some of them not but certainly a major bipartisan effort. In the HELP Committee, we went over it section by section. This is a very good work product.

We are joined by three committees in the House of Representatives—the Ways and Means Committee and the Education and Labor Committee, which have already completed their work on a similar bill, and another committee is working on it tonight, the Energy and Commerce Committee, a committee on which I sat in my years in the House of Representatives.

All four of these bills are similar. They all protect what works in our health care system, and they fix what is broken. They all provide that, if you are happy with your insurance, you can keep what you have. But in addition, your premium is much more likely to stabilize because, as Chairman DODD said, you are no longer subsidizing to the tune of $1,100, $1,200 a year uncompensated care for others. You are paying for your health insurance, but others in society will be paying for their own health insurance rather than what is called cross-subsidies. This legislation obviously covers millions of Americans who are not insured.

All that aside for a moment, I have come to the floor to read letters from people, which I have done every day for the last several days and will continue. We use words such as ''market exclusivity, gateway, exchange, cross-subsidies,'' and all these kinds of terms. When it gets right down to it, it is how this affects people individually in our country and our State. Whether they

are in West Haven or Hartford, whether they are in New London, CT, or New London, OH, people are hurting, and these are some letters from constituents I have received.

I would like to share five, six letters with my colleagues and with the Presiding Officer.

Diana from Seneca County in Ohio writes:

I am a middle-aged widow who returned to college. Next month, I will graduate. I have no health insurance and have been seeking employment for a year. Please help the good citizens of Ohio get health care, many of whom have found themselves in a terrible predicament through no fault of their own. Please help me help myself.

This is an example of people working hard, doing the right thing. Chairman DODD said 14,000 Americans lose their health insurance every day now, and people such as Diana from the Tiffin area in northwest Ohio cannot get ahead of the game, cannot get ahead of the curve, cannot get insurance, has not found a job. In economic times such as these, there are an awful lot of people similar to Diana from Seneca County. That is why it is so important we pass legislation when we come back in September.

Ian from Franklin County—that is central Ohio, the Columbus area:

I am a 31 year old without health insurance. I have a 4-year degree but work part time. I have no sick days, no vacation days, or personal days. I'm sick and tired of being scared of getting sick. . . . Health care should be based on need rather than ability to pay. Enough.

Just think of how many people in this country live that way. They think about being sick. They think: What happens if I am sick? I am barely making a living. I know if I get sick, I will have to choose between my medical bills and paying my rent or choose between my medicine or sufficiently heating my home in the winter.

Those kinds of choices are very real choices to hundreds of thousands—more than that—Americans every single day.

Lee from Cuyahoga County writes:

I have worked in health insurance in some form or another since 1973. I know Medicare and Medicaid as well as private health insurance. I have seen health insurance from just about all angles and could probably write a book on it. Many times I have told potential clients that ''shopping around for health insurance is like going to a casino and betting against the house—where the house is making up the rules, changing the rules, and not letting you know that the rules have been changed.''

This is an expert who made his living by dealing with health care issues. He knows what happens with insurance companies. That is why we did consumer protection in this legislation—no more preexisting conditions, no more dropping coverage indiscriminately, no more caps on coverage, no more gaming the community rating system, no more discrimination. That is what this legislation is all about.

If you have insurance and you like what you have, you can keep it. Absolutely our bill guarantees that. But you also will have these consumer protections because plenty of people who are satisfied with their insurance get sick and find their insurance has been canceled. No more of that under this legislation.

Susan from central Ohio, from Franklin County, writes:

I am in my mid-50s and have been unemployed for over a year, looking for a new job the entire time. Living without health insurance at this point in my life is terrifying.

I am 56. This woman is in her midfifties. She has been unemployed for a year. She is living without health insurance. It sounds like she is healthy but always thinking about it, always scared.

My father was a physician in private practice in Columbus from the 1950s through the 1980s, in the days when the physicians made the diagnoses and the health care providers trusted them to do so. Please fix the health care system, and make it possible for everyone to have access to good medical care.

Susan is somebody who understands the health care system from within. She is the daughter of a physician and understands, in her words:

. . . living without health insurance at this point in my life is terrifying.

Think about that. With all the worries someone has when they are in their mid-fifties and thinking about what happens if they get sick.

Libby, also from Franklin County, says:

I need a follow-up CT scan for kidney cancer, but I can't afford the co-pay. I have to take early retirement, but can't wait 2 years for disability. I hope having to wait doesn't kill me, but I am one of many. Please fix our broken health care system.

We hear stories every day about health care denied and health care delayed—which really is health care denied—and what happens to people when they have to delay. Libby, from this letter, sounds to me as if she is hoping, hoping, hoping that we can move quickly so she can get insurance and can have the follow-up CT Scan for her kidney cancer.

Claudia, from Franklin County in central Ohio, says:

My husband and I have owned our own successful business for 21 years. Our health insurance costs have escalated to the point where we barely can pay the bill and our coverage is truly awful. With a $5,000 deductible per person, we are insuring against catastrophic illness only. Little money is available for regular checkups, recommended annual tests, or dental care. I never thought we would be in this position and there is no relief in sight. Many self-employed people are now discontinuing health care because of the cost. We need help.

Claudia and her husband are like small business owners all over this country—people who are self-employed, who have maybe 5 to 10 employees. They can no longer afford health insurance, particularly if they are a business of 30, 40 or 50 people and 2 or 3 of those employees get very sick and they need Remicade or they need Perceptin or one of those biologic drugs that cost $10,000, $20,000, sometimes $50,000 or even $100,000 a year. What happens to that small business, if they have 20 or 30 employees and a couple of those employees end up with drug costs of $50,000 or $100,000 a year? That may cause the employer to have to cancel their insurance because the insurance premiums go so high as a result of three or four or five sick people.

This legislation, as Chairman DODD points out, has specific provisions to help small business. It lets them go to the health exchange so they can spread out their costs among the larger numbers of people than the small employers of 10, 15 or 20 people—or in the case of self-employed people such as Claudia from Columbus and her husband—who simply don't have any chance of getting insurance. They know people with insurance in small businesses will no longer have to pay the cost of the uninsured—the extra $1,100, $1,200 a year they have to pay. They will get additional tax credits so they can insure themselves and insure their employees.

Almost every employer I know wants to insure their employees. They want to insure their employees. So many simply can't afford it. This bill will make a difference for small business. It will make a difference with the consumer protections that will help those people who are happy with their insurance but are always anxious about perhaps their insurance being canceled or caps being put on their insurance or all of those issues that happen to people.

That is why this legislation is so important. That is what is reflected in these letters from individual people, whether they are from Zanesville or Mansfield or Urbana or Youngstown. People all over my State are hurting. People all over this country are hurting. People in the State of the Presiding Officer—in Boulder, in Denver. Anywhere in Colorado or in Connecticut we know these problems are every bit as severe as they are in my State. That is why we need to take action.

We have 14,000 Americans every day losing health insurance, and I am hearing from a lot of them. I am hearing from people who are looking for work and can't find work and can't find insurance. It is time we move forward.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Connecticut.

Mr. DODD. Mr. President, I thank my colleague from Ohio. He has been a member of our committee, and as I mentioned earlier, he has done a tremendous job, as others have as well. SHERROD BROWN brings a wealth of experience. He has been dealing with these issues, obviously, in the other body.

And I think in talking about real people with these issues, there is a tendency of all of us to kind of discuss these matters from about 30,000 feet, using the language we are familiar with to describe what is going on, and too often I think for people across the country, they wonder if anybody is

talking about them. I think by reading letters from citizens in Ohio and what they are wrestling with every day, it brings this back down to a level that we need to think of more often when we debate these issues, and that is that every single day, of those 14,000 people who are losing their health insurance, there are many who do confront a health care crisis and lack the ability to respond to it other than showing up in an emergency room or hoping there will be free health care for them because they do not have the capacity to pay for it.

So I appreciate tremendously Senator BROWN's contribution, not only during those long days we spent day in and day out crafting the legislation that is now before us, but now, when we need to do more talking about what is in that bill. Because from a small business perspective, as well as the insured, the prevention, the quality of care, or workforce issues, they are all very significant contributions to our debate.

The Class Act, which allows individual people, at no government expense, to contribute to their own long-term care needs is one of the most innovative and creative ideas in our bill. That will provide not only substantial resources, but the ability of people to lead independent lives who have disabilities under what might otherwise force them to live under more expensive care or tapping into Medicare. In fact, the projections under the Congressional Budget Office is that we have saved $2 billion in Medicare costs just by having the Class Act—that is the long-term care provisions in the bill.

I invite all my colleagues to read the bill and to go to the briefings. I spent a little more than an hour today with my colleague from California, DIANNE FEINSTEIN, who requested that I come by with staff, with her staff, and go through the various sections of the bill and how it would work; how it would affect people in their State; how these various provisions would work.

I don't want to speak for her, but I think she was pleased to hear what we had done. Obviously, there is more to be done out of the Finance Committee, and I don't have answers for that because there is no bill out of the Finance Committee as yet, but on the part of the effort we have made, as our Members and colleagues look at what we have done, I think they will be pleasantly pleased about the efforts we have made to assist the insured with preexisting conditions, the caps, as I have mentioned, the credits we provide to small businesses to allow them to make that health care insurance available to their employees—as many would like to be able to do—at a cost they can afford, without crippling them because one employee ends up with a serious health condition thus raising the cost of every other employee and the cost of overall health care. That is gone as a result of what we have written in our legislation.

So I urge my colleagues to read the bill, to talk with us, to raise the questions you have, particularly over these weeks between now and the time we come back. I think you will again be pleased at the effort our colleagues have made to vastly improve the status quo and, I think, contribute significantly to where we need to be going with regard to health care reform.

So I am very grateful to Senator SHERROD BROWN of Ohio for his contribution.

Mr. President, I yield the floor.

HONORING OUR ARMED FORCES

LIEUTENANT BRIAN N. BRADSHAW

Mr. CHAMBLISS. Mr. President, I rise today to honor the life and selfless commitment of LT Brian N. Bradshaw to the U.S. Army and to our Nation.

Lieutenant Bradshaw died as a result of an improvised explosive device on June 25 in Kheyl, Afghanistan. He was 24 years old.

Coincidentally, Lieutenant Bradshaw's life was taken the same day that pop star Michael Jackson died. A Google News search reveals that the number of news stories in the past month filed about Michael Jackson is 142,929, the number filed about Lieutenant Bradshaw? Twenty-six.

It is time the American people know a bit more about this young man who sacrificed for his country his life, his family, and all his potential, giving up all he had and all he was going to be.

In his youth, Lieutenant Bradshaw served his community in Steilacoom, WA, as a search-and-rescue volunteer, as an altar boy, and as a summer camp counselor. Family and friends describe him as a man with ''a wry sense of humor'' and a deep love for American history.

He graduated from Pacific Lutheran University in the spring of 2007 and joined the Army and began service in Afghanistan in March of 2009. As a member of the U.S. Army, Lieutenant Bradshaw served in the 1st Battalion, 501st Parachute Infantry Regiment, 4th Airborne Brigade Combat Team, 25th Infantry Division, and was stationed at Fort Richardson, AK.

Described as a man who found more meaning in actions than words, it is no surprise that Lieutenant Bradshaw found meaning in his service in Operation Enduring Freedom. In the course of his deployment, he sought to help the less fortunate people of Afghanistan and to improve life for the children there, frequently writing home for packages of gifts to give to local children.

Lieutenant Bradshaw found his voice in the honor and patriotism of the Army. With a father who is a retired National Guard helicopter pilot and a mother who is a retired Army nurse, Lieutenant Bradshaw was a man with the military in his blood.

Thus, it is only fitting the transfer of his remains on June 25 to Bagram Air Force Base was carried out in a ceremony of honor and patriotism that typifies the ideals of the U.S. Armed Forces.

Sent to retrieve Lieutenant Bradshaw's body were members of the Air National Guard from my home State of Georgia. On their sad mission, they landed their C–130 using night-vision goggles in blackout conditions. What appeared to be hundreds of his fellow soldiers in his company stood in formation in the dark as Lieutenant Bradshaw's body was carried aboard the plane.

In a letter to Lieutenant Bradshaw's family, CPT James Adair and MSG Paul Riley of the Georgia Air National Guard, who were present at the ceremony, described the experience:

> Everyone we talked to spoke well of him—his character, his accomplishments and how well they liked him. Before closing up the back of the aircraft, one of Brian's men, with tears running down his face, said, ''That's my platoon leader, please take care of him.''

The world may have been occupied with other things, the media with other stories. But for one brief moment, the war stopped to honor LT Brian Bradshaw.

Mr. President, it is my honor and privilege today to pay tribute to Lieutenant Bradshaw, who illustrates the commitment to excellence, honor, and courage that exemplifies our Nation. It is thanks to citizens such as him that America has been and will continue to be a great and free Nation.

HEALTH CARE REFORM

Mr. REID. Mr. President, we have come so very far.

But there are some who think we should scrap everything we have accomplished and go back to square one. The truth is that throwing out all the great work we have done until now would be a terrible waste of time, energy and hard work.

There are some who do not think now is the right time to reform health care. In reality, for many who feel that way, there will never be a good time to reform health care.

It is easy to talk only about the part of the road we have yet to cover. As any parent knows, for some, the only question is, ''Are we there yet?''

But it would be a mistake not to also acknowledge and appreciate the great distance we have traveled.

For generations, we have been working to fix our broken health care system. This has been the No. 1 issue on our agenda for a long time now. Throughout this year alone, we have explored numerous proposals in numerous bipartisan roundtables, committee hearings and constituent meetings.

Harry Truman recognized long ago that we must do more to make it easier to live a healthy life in America. Shortly after the Second World War, he lamented the fact that millions of our own lack ''a full measure of opportunity to achieve and enjoy good health.'' He knew it was wrong that

Americans had no security against what he called ''the economic effects of sickness.''

Truman knew in 1945 that ''the time has arrived for action to help them attain that opportunity and that protection.''

Senator KENNEDY—the man who, more than any other, has dedicated his life to our fight for fair health care—echoed Truman's call. He said:

> One of the most shameful things about modern America is that in our unbelievably rich land, the quality of health care available to many of our people is unbelievably poor, and the cost is unbelievably high.

Senator KENNEDY did not give this speech last month, though it would have been very timely if he had. He did not give it last year, though it would have been equally relevant and true. He did not even give it last decade, or the decade before that.

It was in 1978 when Senator KENNEDY decried our shameful system. Yet his words and his cause are as urgent today as ever. In fact, since then our need for reform has gotten significantly worse.

Today we are closer than ever to getting it done. But I know Senator KENNEDY agrees that it should not have taken more than 30 years for Truman's call to compel his echo, that it should not have taken another 30 years for us to come as far as we have today. And I know we cannot afford to wait another 30 years—or even 1 more year—to act.

But for some, more than 60 years of work to stabilize health care for those who have it and secure it for those who don't is ''rushing it.''

Someone who was born when Harry Truman first called for reform in 1945, but lived his or her entire life without the ability to afford health care as it got more and more expensive every year, would today—finally—be just months away from becoming eligible for Medicare. I don't think that's ''rushing it.''

For too many, the interests of the insurance rackets still outweigh the interests of the American people.

The difference is that those of us who know we cannot wait any longer know that the American people must come first.

Those who oppose the reform we so desperately need like to talk about it in the abstract.

They use code words, scare tactics and sound bites. They rely on misinformation—like the myth that your government wants to control your health—and misrepresent the real issues.

But reforming health care is not about the abstract, because health care isn't just theoretical. Neither is it about rhetoric or politics. It is about people.

Unlike just about any issue we debate and discuss in this body, health care affects every single living, breathing American citizen.

So I find it curious that in the weeks and months we have talked about health care this year, I haven't heard our opponents say a single word about real families with real problems—families with real diseases, real medical bills and real fears.

This is what health care is about: It is about people like Lisa, in Gardnerville, NV. Lisa lost her job and with it her health care. Now she can't afford to take her sick daughter to the doctor to find out why she gets seizures.

It is about people like Braden in Sparks, NV. Braden owes a hospital $12,000 for a trip to the emergency room—the only place he could afford to go for medical care because he doesn't have health insurance.

It is about people like Alysia from Las Vegas, NV. Alysia has suffered with a kidney disease since birth, but she can't get coverage because in the language of the insurance business, her lifelong disease is a preexisting condition.

It is about people like Steve in Henderson, NV. No health insurance company will cover Steve because he has Parkinson's disease. That doesn't just mean he can't get the care he needs to help him cope with this terrible illness—it also means that if Steve gets the flu, or breaks his arm or needs a prescription, he can't afford any medicine or treatment at all.

It is about people like Caleb, a high school student from outside Reno, NV. Caleb was born without legs, and needs new pairs of prosthetics as he grows bigger in his teen years. But his insurance company has decided it knows better than Caleb's doctors, and has decided that last year's legs will have to do.

When we say we are fighting for health care reform that lowers costs, we aren't talking about a balance sheet—we are talking about people like Lisa, Braden, Alysia, Steve and Caleb.

When we say we are fighting for reform that brings security and stability back to health care, we aren't talking about policies and contracts—we are talking about people like Lisa, Braden, Alysia, Steve and Caleb.

When we say we are fighting for reform that will no longer let insurance companies use preexisting conditions as an excuse to deny you the coverage you need, we aren't talking about fine print—we are talking about people like Lisa, Braden, Alysia, Steve and Caleb.

We are talking about the hundreds of thousands just like them across Nevada, and the millions like them across the country.

This cannot be about politics. This must be about them.

Nearly half a century ago, America fearlessly confronted the most confounding medical and economic issue of its day. And a former Senate majority leader reminded us that we must resist the temptation to let the legislation on the written page distract us from its application in the real world. We were asked to look beyond policy and look instead to the people it affects.

It was 44 years ago today—July 30—that President Johnson signed into law the bill that would create the Medicare Program. And on this day in 1965, in Truman's hometown and with the former President at his side LBJ said the following:

> Many men can make many proposals. Many men can draft many laws. But few have the piercing and humane eye which can see beyond the words to the people that they touch.
>
> Few can see past the speeches and the political battles to the doctor over there that is tending the infirm, and to the hospital that is receiving those in anguish, or feel in their heart painful wrath at the injustice which denies the miracle of healing to the old and to the poor. And fewer still have the courage to stake reputation, and position, and the effort of a lifetime upon such a cause when there are so few that share it.
>
> But it is just such men who illuminate the life and the history of a Nation.

Today, each of us can be that leader. We each can fulfill the vision of Harry Truman and Lyndon Johnson—each of whom brought honor to this Senate chamber—and of TED KENNEDY, who still does.

Today, if we can each look past our partisan passions and see the patients, the parents, the people who need our help, we can once again renew the life and history of America, and of all Americans.

ENERGY AND WATER APPROPRIATIONS

Mr. KYL. Mr. President, I rise today to speak on my amendment to the fiscal year 2010 Energy and Water Appropriations bill.

This amendment prevents the Department of Energy from spending taxpayer dollars on companies that invest significant resources or do business in Iran's energy sector to fill the Strategic Petroleum Reserve.

Earlier this year, the Department signed contracts with energy giants Shell, Vitol, and Glencore to add almost 17 million barrels to the Strategic Petroleum Reserve. Open source material indicates that these three companies make up a majority of Iran's gasoline imports.

Companies that sell gasoline to Iran should not receive the support of the American taxpayers, and this body has now gone on record multiple times opposing government contracts with companies that have substantial investment in or do business with Iran's energy sector.

My amendment does not penalize the Department of Energy for this activity, but prevents this sort of thing from happening again. Ending taxpayer support for Iran's energy sector is a commonsense step and crucially important. Most major importers of gasoline to Iran have substantial ties to the U.S. Government, and unanimous adoption of my amendment sends a clear message to those involved in Iran's energy sector: You can do business with us, or you can do business with Iran—not both.

MODELING AND SIMULATION R & D

Mr. WARNER. Mr. President, during yesterday's consideration of the fiscal year 2010 Energy and Water Development Appropriations bill, I noted that the managers included certain report language related to modeling and simulation capabilities for an unconventional fossil fuels program. I would like to ask the chairman and ranking member of the subcommittee if their intent was to improve modeling and simulation for unconventional fossil energy technologies, by working in collaboration with universities and industry to establish joint programs for research and development.

Mr. DORGAN. Yes, that is our intent. This legislation would spur innovation and improve modeling and simulation efforts.

Mr. WARNER. I am pleased to learn that, because the Virginia Modeling and Simulation Center—VMASC—at Old Dominion University has extensive experience in modeling, simulation, and visualization of complex systems and events. Its capabilities include a complete suite of visualization software that can incorporate geospatial information with simulation and analysis of energy-related systems and the impact of those systems on various aspects of the environment. It also has extensive experience modeling critical infrastructure components of fossil fuel, electric and natural gas systems. VMASC has also developed capabilities for modeling policy aspects of global warming that can be adapted specifically to fossil fuel systems, and help to identify unconventional oil, natural gas, and coal resources.

VMASC has developed capabilities to model the production of unconventional resources using a combination of computational techniques that can be adapted to simulate a wide variety of scenarios associated with the fossil fuel industry and its relationship to environmental impacts.

Mr. BENNETT. Mr. Chairman, I worked to develop this initiative to incorporate a capability that the Department has failed to cultivate, yet offers tremendous potential to develop our domestic fossil energy potential. The University of Utah's Simulation and Computing Institute which has worked with both the Office of Science and NNSA computing programs is a leading computing program with tremendous potential to contribute to this effort. This outstanding computing capability is coupled with the vast oil and gas production capabilities at the 25 year-old Energy and Geoscience Institute. This organization operates on seven continents and shares research and technology with its 66 corporate members that all have energy production experience. The goal of this program will be to facilitate the development of unconventional fossil energy resources utilizing state of the art computing simulation and modeling capabilities.

Mr. DORGAN. I agree that high performance computing applications are important research tools that can help lead to breakthroughs in energy production. North Dakota State University, NDSU, uses computational modeling and simulations to help analyze theories and validate experiments that are dangerous, expensive or impossible to conduct. Through its Center for High Performance Computing, NDSU is collaborating with the Department of Energy and its national laboratories on a number of energy research projects.

The capabilities of VMASC, University of Utah, North Dakota State University and other institutions should receive due consideration as the Department of Energy executes this provision.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

EXECUTIVE ACCOUNTABILITY ACT OF 2009

• Mr. BYRD. Mr. President, I draw the attention of the Senate to a bill I recently introduced, S. 1529, the Executive Accountability Act of 2009. This legislation is similar to H.R. 473, introduced in the House of Representatives in January by Mr. JONES of North Carolina.

''Those who cannot learn from history are doomed to repeat it.'' That is Santayana's Law of Repetitive Consequences, and it is the reason I introduced this legislation—that we might learn from history so that we do not repeat it.

The Executive Accountability Act certainly addresses lessons learned from the debate leading to the Iraq conflict, but it is also a lesson we should have learned, and should have corrected, as a result of executive branch actions leading to and during the Vietnam conflict, World War II, the Mexican War, the Spanish-American War and other points in our history when Presidents have distorted the facts, withheld critical information, or exaggerated circumstances in order to sway public opinion and congressional will.

History is replete with examples that know no partisan allegiance. Presidents from both parties have fallen into the trap of inflating fear and distorting facts, if not resorting to outright fabrication, in order to win approval for or justify using military force.

Democratic President Lyndon Johnson misled Congress during the Gulf of Tonkin incident in 1964, publicly announcing that a second attack had occurred. On the same day, however, a naval commander in the Gulf of Tonkin cabled that a review of the second attack was doubtful, calling for a complete evaluation before any further action was taken. Without the complete facts, Congress passed the Gulf of Tonkin resolution, leading the United States in to a war that ultimately took more than 55,000 American lives.

Republican President Richard Nixon expanded the Vietnam conflict in 1969 by authorizing bombing operations in Cambodia and directing that they be conducted clandestinely. Operational reports of the bombings were either not made or were falsely described as having occurred over South Vietnam rather than Cambodia. A few Members of Congress were informed, secretly, of the bombings, but the remainder of Congress was deceived about the secret bombing campaign over a nation with which the United States was not at war.

Most recently, of course, another President, his Vice President, and other Cabinet officials, used scare-mongering tales of ''smoking guns'' and ''mushroom clouds''; of non-existent weapons of mass destruction; dubious tales of mobile biological laboratories; fictional African trips to buy yellowcake; and, improbable and unsupported rumors of alliances between dictators and terrorists to stampede a fearful nation and a spineless Congress into a so-called ''preemptive'' invasion of another sovereign nation.

President Abraham Lincoln, an opponent of the Mexican-American War during his service in the House of Representatives, well understood the dangers of preemptive war and the need for the constitutional check on executive power inherent in the requirement for a congressional declaration of war or an authorization to use military force. Lincoln condemned President Polk for driving the U.S. into war with Mexico by putting U.S. forces in danger on disputed territory. Polk then inflamed public and congressional anger by asserting that Mexican soldiers had shed U.S. blood on U.S. soil. Lincoln explained his concerns with his usual eloquence:

> Allow the President to invade a neighboring nation, whenever he shall deem it necessary to repel an invasion, and you allow him to do so, whenever he may choose to say he deems it necessary for such purpose—and you allow him to make war at pleasure. Study to see if you can fix any limit to his power in this respect, after you have given him so much as you propose. If, today, he should choose to say he thinks it necessary to invade Canada, to prevent the British from invading us, how could you stop him? You may say to him, ''I see no probability of the British invading us,'' but he will say to you, ''be silent; I see it, if you don't.''

Lincoln went on to say,

> The provision in the Constitution giving the war-making power to Congress was dictated, as I understand it, by the following reasons. Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This, our Convention understood to be the most oppressive of all Kingly oppressions; and they resolved to frame the Constitution that no one man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where kings have always stood.

Lincoln's insight considered preemptive wars only against neighbors. One can only imagine what he would think of the global reach that the current military might of the United States

gives to an unfettered executive. One can only wonder if Lincoln would think the ''good of the people'' has been served by a war that has climbed to more than $845 billion in direct costs, with a total cost to the U.S. economy estimated by some to be more than $3 trillion. What good has been served that is worth the more than 4,000 U.S. combat deaths and more than 31,000 U.S. casualties?

S. 1529 is a simple piece of legislation that applies only in the most limited but most important intergovernmental communications—the warmaking power. It prohibits the President, Vice President, and other executive branch officials from deliberately misleading Congress in an effort to persuade the Congress to authorize the use of force by the Armed Forces of the United States.

Officials are not prohibited from being wrong or having incomplete facts, but they may not knowingly and willfully falsify, conceal, or cover up by any trick, scheme, or device a material fact, or make any materially false, fictitious, or fraudulent statement or representation. They may not make or use any false writing or document that they know to contain any materially false, fictitious, or fraudulent statement. If the Congress finds that it has been deceived or lied to, the official can be referred to the Attorney General by either House of Congress for investigation and judicial action, if warranted.

The Executive Accountability Act is limited to executive branch officials only, and only with regard to lying to Congress and only about decisions on the use of force. Therefore, its penalties are unlikely to inhibit the normal flow of intergovernmental communications by creating a fear that any statement made before Congress might result in the threat of prosecution.

To those who say that there are already laws that prohibit individuals from making false statements to Congress, rendering the Executive Accountability Act unnecessary, I urge them to read the history of the False Statements Act, section 1001 of Title 18, U.S. Code.

In 1995, the Supreme Court ruled in Hubbard v. United States that section 1001 covered only false statements made to the executive branch, not to the judiciary or to Congress. Congress then moved to reverse the ruling by legislating changes to section 1001 in 1996. However, that bill, as enacted, applies only to administrative matters within Congress and any investigation or review conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress.

The Executive Accountability Act clarifies the requirement for honest testimony and discussion with the Congress about the most important question debated by Congress and provided by the most authoritative officials of the government.

The Framers were absolutely clear about the warmaking power: they gave the President the authority to lead troops after war was declared and to repel invasions of the United States, but only the Congress could authorize the use of force—the ability to send troops into battle. The Framers were well aware of the dangers inherent in vesting the warmaking decision with a single executive, having the history of the world's kings and emperors as their foundation.

Our recent history has shown us that a powerful and persuasive executive can, and too often has, used his command of the intelligence and information gathering and dispensing functions of government to paint a distorted picture designed to frighten and sway Congress into ceding even more power to him. Presidents of all political parties have shown themselves to be equally susceptible to the lure of absolute power, making the Executive Accountability Act a non-partisan solution to a deep-seated problem.

S. 1529 restores balance to the system of checks and balances by reinforcing the role of Congress in decisions to use force. Congress does not have millions of civil servants working for it. It does not have its own intelligence community or its own diplomatic corps. Congress must rely upon the executive branch for those missions and for the product of those missions. So Congress must be confident that the information it receives is complete and factual—particularly when that information is used to inform a decision to commit U.S. troops and U.S. treasure to any foreign battlefield. Testimony and communications from the White House and the executive branch must be reliable—not fictional, not distorted, not embellished, not cherry-picked for the purpose of supporting only the decisional outcomes desired by the President.

I urge my colleagues to support S. 1529. It is not retroactive. It will not reach back to affect any statements made by previous administrations. We can learn from the past, make this necessary correction, and move into the future with greater assurance that the most difficult and consequential decisions made by Congress—those involving the use of military force—will be made on the basis of open and frank discussion based on all of the facts.●

CONGRESSIONALLY DIRECTED SPENDING ITEMS

Mr. INOUYE. Mr. President, I submit pursuant to Senate rules a report, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the committee report which accompanies S. 1406 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending bill.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 248, passage of H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act, 2010. Had I been present, I would have voted ''yea.''

STENNIS CENTER PROGRAM

Mr. KOHL. Mr. President, for 7 years now, the John C. Stennis Center for Public Service Leadership has conducted a program for summer interns working in congressional offices. This 6-week program is designed to enhance their internship experience by giving them an inside view of how Congress really works. It also provides an opportunity for them to meet with senior congressional staff and other experts to discuss issues ranging from the legislative process to the influence of the media and lobbyists on Congress.

The program is a joint effort of the Stennis Center and a number of current and former senior congressional staff who have completed the Stennis Congressional Staff Fellows leadership program. These Stennis Senior Fellows use their experience and expertise to design the program and to participate in each of the interactive sessions and panel discussions.

Interns are selected for this program based on their college record, community service background, and interest in a career in public service. This year, 21 outstanding interns, most of them juniors and seniors in college, who are working for Democrats and Republicans in both the House and Senate, participated.

I congratulate the interns for their participation in this valuable program, and I thank the Stennis Center and the Senior Stennis Fellows for providing such a unique experience for these interns and for encouraging them to consider a future career in public service.

I ask unanimous consent to have a list of 2009 Stennis congressional interns and the offices in which they work be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Matthew Blake, attending the University of South Dakota, interning in the office of Rep. Stephanie Herseth Sandlin, Jennifer Brody, attending the University of Wisconsin-Madison, interning in the office of Sen. Herb Kohl, Benjamin Eachus, attending Pitzer College of the Claremont Colleges, interning in the House Committee on Science and Technology, Tyler Ernst, attending Michigan State University, interning in the office of Sen. John Barrasso, Susan Gleiser, attending Vanderbilt University, interning

in the House Committee on Science and Technology, Zack Hester, attending North Carolina State University, interning in the House Committee on Science and Technology, Ashley McCabe, attending Florida State University, interning in the office of Sen. Robert Menendez, Chase Neely, attending George Mason University, interning in the office of Rep. Sam Farr, Christopher Neuman, attending the University of Pennsylvania, interning in the office of Rep. Robert A. Brady, Dwayne Petersen, attending the University of the Virgin Islands, interning in the office of Rep. Donna Christensen, Beersheba, Philippe, attending Boston University, interning in the office of Rep. Donald Payne, Jeleesa Randolph, attending Morgan State University, interning in the office of Rep. Donna Christensen, Ted Ratchford, attending Tulane University, interning in the office of Rep. Michael N. Castle, George Read, attending Amherst College, interning in the office of Sen. John Barrasso, Tyler Roth, attending the University of Wisconsin-Madison, interning in the office of Sen. Herb Kohl, Twaun Samuel, attending the University of Mississippi, interning in the office of Rep. Maxine Waters, Mary Lynn Seery, attending the Catholic University of America, interning in the office of Rep. Donald Payne, Niki Shah, attending Rutgers University, interning in the office of Rep. Donald Payne, Ken Story, attending Minot State University, interning in the office of Sen. Kent Conrad, Zachary Wittchow, attending Northwestern University, interning in the office of Rep. Thomas E. Petri, Alina Zarr, attending the University of Texas, interning in the office of Rep. Lynn Woolsey.

ADDITIONAL STATEMENTS

REMEMBERING ROBERT ROSAS

• Mrs. BOXER. Mr. President, I am honored to remember U.S. Border Patrol agent Robert Rosas, who was killed in the line of duty at the age of 30.

On July 23, 2009, Agent Rosas was shot and killed after responding to a call in Campo, CA. Every day he placed duty ahead of his personal safety while protecting our Nation's Southwest border. In spite of the known dangers, Agent Rosas and thousands like him answer the call to service.

Agent Robert Rosas was born and raised in El Centro, a border city in Imperial County. He joined the U.S. Border Patrol in May 2006, and was assigned to the Campo Station in the San Diego sector. Agent Rosas was also a reserve officer for the El Centro Police Department, known as an outstanding officer and a positive role model in the community.

Agent Rosas is survived by his wife Rosalie, a son, Robert, age 2, and a daughter, Kayla Alisa, 11 months.

My thoughts and prayers are with Rosalie, Robert, and Kayla Alisa Rosas at this tragic time. They have lost a husband and father. I also send my deepest condolences to Agent Rosas' colleagues in the Border Patrol service. Theirs is a difficult and too often dangerous job. I commend their service, protecting our Nation, and our people.•

COMMENDING DR. GARY V. WHETSTONE

• Mr. KAUFMAN. Mr. President, I wish to honor Dr. Gary V. Whetstone, the senior pastor and founder of Victory Christian Fellowship and of Gary Whetstone Worldwide Ministries. He is a Delawarean who, over the past quarter century, has touched the lives of thousands through his proactive and inspirational ministry.

This week marks the 25th anniversary of Pastor Whetstone's ministry, and it will be celebrated in Wilmington this Thursday through Sunday at the Riverfront Center. The festivities will include renowned gospel preachers, including T.D. Jakes, Donnie McClurkin, Martha Munizzi, and Rod Parsley.

A man of great charity, Pastor Whetstone established over 85 outreach ministries throughout Delaware and the surrounding area. This includes the very successful ''Blessings, Dressings, and More'' program, begun more than a decade ago, which serves over 2,500 Delawareans in need with food and clothing each week.

His work with victims of HIV/AIDS, substance and alcohol abuse, and the incarcerated are testament to his mission to improve lives.

His hands-on approach to ministry has not stopped at the State line. Internationally, Pastor Whetstone has founded over 400 Bible schools in countries as far and varied as Ireland, Nigeria, and India. His vision to spread the teachings of his faith across the globe has undoubtedly been furthered by his comprehensive Bible learning programs.

Pastor Whetstone recently presented ''Murder What's Next,'' an original dramatic production that teaches about effects on children of being raised in a fatherless home. This show, with its large cast and professional quality, delivers a powerful message about the benefits of involved fathers and of a strong spiritual foundation. Over the past 2 years, the production has been seen by over 35,000 people and has received local and national acclaim, including from the premiere Christian periodical, Charisma Magazine.

I am proud to offer Dr. Gary V. Whetstone my congratulations on the 25th anniversary of his ministry. I also wish him and his wife, Pastor Faye Whetstone, all the best as they continue in their noble work.•

RECOGNIZING COUNTY SUPER SPUDS

• Ms. SNOWE. Mr. President, 2 weeks ago, residents in Aroostook County took part in the 62nd Annual Maine Potato Blossom Festival, a weeklong celebration of the indispensible role agriculture has played in Northern Maine's economy. Indeed, early in the 20th century, Northern Maine was known as the Potato Capital of America. While the times have changed and varieties of crops have expanded, potato farming remains a prevalent way of life in rural Aroostook County. With this in mind, I wish to recognize a fifth-generation family-owned small potato company from Mars Hill, County Super Spuds, whose owners, the McCrum family, have been harvesting potatoes in Northern Maine since the mid-1880s.

It was Lemuel McCrum who, in 1886, moved across the border from New Brunswick, Canada, to the small town of Mars Hill in order to establish a future for his family in potato farming. Lemuel and his wife Ada had 14 children, teaching them the value of good stewardship of the land and work ethic, thus ensuring that future McCrums would harvest bountiful crops on the same land. In the 1960s, Dana McCrum, a member of the family's third generation, moved to a new location in Mars Hill, where County Super Spuds has been situated ever since. The fourth generation of McCrums Jay and David began their farming in the early 1970s, and they were joined by their sister's husband, Bobby Lunney, in 1981. By 2004, the family's fifth generation, Jay's sons, Darrell and Wade, and David's sons, Nicholas and Jonathan, began cultivating their own futures at County Super Spuds.

Since its founding, County Super Spuds has grown into a thriving business that now encompasses three subsidiaries: JDR Transport, a family trucking firm launched in 1992; Penobscot McCrum, LLC, a potato processing plant in Belfast that supplies spuds to customers and restaurants around the world; and Sunday River Farms, a 500-acre farming operation in Rumford Point. McCrum family members all operate and manage these firms, which stretch across the State of Maine. Additionally, the McCrum principle of seeking and finding resolutions to issues of quality assurance with their crops was epitomized by their decision in 2006 to begin utilizing a new GPS system. This technique assists the McCrums in accurate equipment placement within its fields in order to maintain the highest quality product for the Nation's dinner tables.

A proud family with a rich tradition of potato farming, the McCrums have been lauded with prestigious awards on numerous occasions. Jay McCrum was named Young Farmer of the Year in 1986 by the Maine Potato Board, the State's foremost advocate for the potato industry, and a decade later was also named as the Farmer of the Year. And in 2001, County Super Spuds received the Maine Potato Board's highest honor, as they were recognized as the Farm Family of the Year. These awards exemplify that this family has been and continues to be an example of the dedication and determination of the McCrum spirit to succeed within this prestigious profession through every season and every economic and environmental trial and tribulation.

However, many across Maine, and indeed the Nation, may know County

Super Spuds best for its most recent work. The company was one of five potato growers selected from farms across the Nation by FritoLay to star in a nationwide advertising campaign for Lay's Potato Chips, including television and print media, as well as on-pack and in-store displays. In fact, County Super Spuds has been working with Lay's for 23 years, and in that time, the firm has sold approximately 2,300 trailer loads of its delicious potatoes to FritoLay. In the television advertisement, Darrell McCrum, manager for the company's Northern Maine Farm Operations, states that, ''We grow potatoes in New England, and Lay's makes potato chips in New England, so that's a pretty good fit.'' As part of the ad campaign's rollout, Darrell was invited to New York City in mid-May to join the four other farmers and ring the opening bell at the New York Stock Exchange. This was a well-placed honor for a truly distinguished family-owned business with such deep roots in the local community. He simultaneously discusses a photograph showing nearly two dozen family members, once again showcasing that Lemuel and Ada McCrum planted their feet firmly in Aroostook County in 1886 with high hopes for their future and their family and over 12 decades later a legacy of 5 generations stand firmly on the foundation they built.

With annual growth of between 11 and 18 percent in recent years, County Super Spuds and the McCrum family have certainly made a positive impact not only within the Maine economy but across this Nation. Their high business acumen and work ethic have distinguished them as a profitable and trusted company. As the McCrum family continues in the footsteps of their forefathers, they remain an invaluable asset in one of Maine's most prestigious and vital industries. I congratulate the McCrums and everyone at County Super Spuds for their work to promote Maine potatoes across the country, and I wish them continued success in the decades to come.●

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS OF CERTAIN PERSONS TO UNDERMINE THE SOVEREIGNTY OF LEBANON OR ITS DEMOCRATIC PROCESSES AND INSTITUTIONS—PM 28

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To The Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared with respect to the actions of certain persons to undermine the sovereignty of Lebanon or its democratic processes and institutions is to continue in effect beyond August 1, 2009.

In the past 6 months, the United States has used dialogue with the Syrian government to address concerns and identify areas of mutual interest, including support for Lebanese sovereignty. Despite some positive developments in the past year, including the establishment of diplomatic relations and an exchange of ambassadors between Lebanon and Syria, the actions of certain persons continue to contribute to political and economic instability in Lebanon and the region and constitute a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared on August 1, 2007, to deal with that threat and the related measures adopted on that date to respond to the emergency.

BARACK OBAMA.

THE WHITE HOUSE, *July 30, 2009*.

MESSAGES FROM THE HOUSE

At 9:58 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3357. An act to restore sums to the Highway Trust Fund and for other purposes.

ENROLLED BILL SIGNED

At 10:14 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1513. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

H.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 enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD)

At 11:51 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1665. An act to structure Coast Guard acquisition processes and policies, and for other purposes.

H.R. 2034. An act to permit refinancing of certain loans under the Rural Housing Service program for guaranteed loans for rural housing, and for other purposes.

H.R. 2093. An act to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes.

H.R. 2529. An act to amend the Federal Deposit Insurance Act to authorize depository institutions and depository institution holding companies to lease foreclosed property held by such institutions and companies for up to 5 years, and for other purposes.

H.R. 2623. An act to amend the Federal securities laws to clarify and expand the definition of certain persons under those laws.

H.R. 3072. An act to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the ''Coach Jodie Bailey Post Office Building''.

H.R. 3139. An act to extend the authorization of the National Flood Insurance Program, and for other purposes.

H.R. 3330. An act to amend the Federal Deposit Insurance Act and the Federal Credit Union Act to provide more effective reviews of losses in the Deposit Insurance Fund and the Share Insurance Fund by the Inspectors General of the several Federal banking agencies and the National Credit Union Administration Board, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 159. Concurrent resolution recognizing the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan.

At 1:44 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 bill, without amendment:

S. 1107. An act to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 29. Concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

S. Con. Res. 35. Concurrent resolution authorizing printing of the pocket version of the United States Constitution.

At 5:02 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 172. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1665. An act to structure Coast Guard acquisition processes and policies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2034. An act to permit refinancing of certain loans under the Rural Housing Service program for guaranteed loans for rural housing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2529. An act to amend the Federal Deposit Insurance Act to authorize depository institutions and depository institution holding companies to lease foreclosed property held by such institutions and companies for up to 5 years, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2623. An act to amend the Federal securities laws to clarify and expand the definition of certain persons under those laws; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3072. An act to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the ''Coach Jodie Bailey Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3139. An act to extend the authorization of the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3330. An act to amend the Federal Deposit Insurance Act and the Federal Credit Union Act to provide more effective reviews of losses in the Deposit Insurance Fund and the Share Insurance Fund by the Inspectors General of the several Federal banking agencies and the National Credit Union Administration Board, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 159. Concurrent resolution recognizing the fifth anniversary of the declaration by the United States Congress of genocide in Darfur, Sudan; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1552. A bill to reauthorize the DC opportunity scholarship program, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 30, 2009, she had presented to the President of the United States the following enrolled bill:

S. 1513. An act to provide for an additional temporary extension of programs under the Small Business Investment Act of 1958, and for other purposes.

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–2527. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 121 Pilot Age Limit'' ((RIN2120–AJ01)(7–16/7–15)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2528. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–102, DHC–8–103, DHC–8–106, DHC–8–201, DHC–8–202, DHC–8–301, DHC–8–311, and DHC–8–315 Airplanes Equipped with a Cockpit Door Electronic Strike System Installed in Accordance with Supplemental Type Certificate (STC) ST02014NY'' ((RIN2120–AA64)(7–20/7–20/0313/NM–144)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2529. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A310 Series Airplanes'' ((RIN2120–AA64)(7–20/7–21/1201/NM–007)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2530. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment 3331'' ((RIN2120–AA65)(7–20/7–21/30677/3331)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2531. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Amendment 3330'' ((RIN2120–AA65)(7–20/7–21/30676/3330)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2532. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ankeny, Iowa'' ((RIN2120–AA66)(7–23/7–28/0187/ACE–3)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2533. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Minneapolis, Minnesota'' ((RIN2120–AA66)(7–23/7–28/0062/AGL–2)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2534. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aerospatiale Model SN–601 (Corvette) Airplanes'' ((RIN2120–AA64)(7–23/7–21/0646/NM–055)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2535. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A380–841, –842, and –861 Airplanes'' ((RIN2120–AA64)(7–23/7–21/0644/NM–059)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2536. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–301, –321, –322, –341, and –342 Series Airplanes, and Airbus Model A340–211, –212, –213, –311, –312, and –313 Series Airplanes'' ((RIN2120–AA64)(7–23/7–21/0645/NM–034)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2537. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ Airplanes'' ((RIN2120–AA64)(7–23/7–21/0398/NM–193)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2538. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 707 Airplanes and Model 720 and 720B Series Airplanes'' ((RIN2120–AA64)(7–23/7–21/0645/NM–358)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2539. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64)(7–23/7–21/1365/NM–076)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2540. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–400 and –400D Series Airplanes'' ((RIN2120–AA64)(7–23/7–21/28988/NM–047)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2541. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc., T5313 and T5317 Series Turboshaft Engines'' ((RIN2120–AA64)(7–23/7–21/1311/NE–48)) received in the Office of the President of the Senate on July 28, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2542. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200 and 3101, and Jetstream Model 3201 Airplanes'' ((RIN2120–AA64)(6–25/6–24/0570–CE–033)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2543. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives; Airbus Models A330–200 and –300, and A340–200 and –300 Series Airplanes'' ((RIN2120–AA64)(7–13/7–15/0137/NM–201)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2544. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney JT9D–7 Series Turbofan Engines; Correction'' ((RIN2120–AA64)(6–25/6–25/0758/NE–02)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2545. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Kona, Hawaii'' ((RIN2120–AA66)(7–9/7–10/0002–AWP–1)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2546. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D and Class E Airspace, Modification of Class E Airspace; Ocala, Florida'' ((RIN2120–AA66)(6–25/6–24/0326/ASO–15)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2547. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Floydada, Texas'' ((RIN2120–AA66)(6–25/6–30/1367/ASW–1)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2548. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D Airspace; Fort Worth, Texas'' ((RIN2120–AA66)(6–25/6–30/0283/ASW–8)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2549. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation Route Q–42; East–Central United States'' ((RIN2120–AA66)(6–25/6–30/1026/AEA–17)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2550. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Montrose, Colorado'' ((RIN2120–AA66)(7–2/7–7/0042/ANM–1)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2551. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Twin Falls, Idaho'' ((RIN2120–AA66)(7–2/7–7/0253/ANM–2)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2552. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Port Clinton, Ohio'' ((RIN2120–AA66)(7–2/7–6/0188/AGL–5) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2553. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Devine, Texas'' ((RIN2120–AA66)(7–2/–6/0089/ASW–4)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2554. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Coleman, Texas'' ((RIN2120–AA66)(7–13/5–15/1139/ASW–23)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2555. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Natchitoches, Louisiana'' ((RIN2120–AA66)(6–25/6/24/1229/ASW–26)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2556. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ord, Nebraska'' ((RIN2120–AA66)(6–25/6–30/0066/ACE–1)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2557. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ada, Oklahoma'' ((RIN2120–AA66)(6–25/6–30/0051/ASW–3)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2558. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mansfield, Ohio'' ((RIN2120–AA66)(6–25/6–30/1271/AGL–18)) received in the Office of the President of the Senate on July 22, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2559. A communication from the General Counsel of the Department of Commerce, transmitting the report of proposed legislation relative to the Fiscal Year 2010 Budget; to the Committee on Commerce, Science, and Transportation.

EC–2560. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Annual Report for Fiscal Year 2008 of the Department of Commerce's Bureau of Industry and Security; to the Committee on Commerce, Science, and Transportation.

EC–2561. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper–grouper Fishery of the South Atlantic; Closure of the 2009 Commercial Fishery for Golden Tilefish in the South Atlantic'' (RIN0648–XO54) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2562. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson–Stevens Fishery Act Provisions; Fisheries of the Northeastern United States; Final Rule'' (RIN0648–AW70) received in the Office of the President of the Senate on July 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2563. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XQ25) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2564. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fishery; Amendment 12 to the Coastal Pelagic Species Fishery Management Plan'' (RIN0648–AU26) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2565. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XQ18) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2566. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Secretarial Final Interim Action'' (RIN0648–AW87) received in the Office of the President of the Senate on July 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2567. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account''; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–68. A joint resolution adopted by the Senate of the State of Tennessee relative to enacting the ''Honor the Written Intent of our Soldier Heroes Act''; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 352

Whereas, federal law under 10 U.S.C. 1482(c) prohibits a service member from designating

a person other than a surviving spouse, blood relative, or adoptive relative to direct the disposal of a service member's remains; and

Whereas, before deploying on a combat operation, a service member is asked to designate a person who will be responsible for arranging the service member's memorial services and overseeing the service member's burial arrangements; and

Whereas, service members fill out DD Form 93, on which they express their last wishes with the expectation that their last wishes regarding memorial services and burial arrangements will be honored; and

Whereas, since 2003, more than 4,000 service members who have served their country honorably have given their lives in combat; and

Whereas, a service member deploying on a combat operation in defense of our country should be allowed to designate any person the service member wishes to direct the disposition of the service member's remains; and

Whereas, H.R. 1633 of the 111th U.S. Congress, the ''Honor the Written Intent of our Soldier Heroes Act'', also referred to as the Honor the WISH Act, amends 10 U.S.C. 1482(c) to allow a service member to designate any person the service member wishes to direct the disposition of the service member's remains, regardless of the designated person's relationship to the service member; now, therefore, be it

Resvolved by the Senate of the one hundred sixth General Assembly of the State of Tennessee, the House of Representatives concurring, That this General Assembly hereby urges the United States Congress to enact H.R. 1633 of the 111th U.S. Congress, the ''Honor the Written Intent of our Soldier Heroes Act''; and BE IT FURTHER

Resolved, That an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and each member of Tennessee's Congressional Delegation.

POM–69. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to maintain the private, dual charter banking system as well as to preserve the thrift charter and mutuality; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 114

Whereas, the United States currently uses a dual banking system that allows FDIC insured financial institutions to choose between state and federal bank charters and multiple regulators when organizing their business; and

Whereas, the architecture of this dual banking system has been developed over a long period of time, adapted to changing markets, needs and innovations at the national and state level, and has proven remarkably efficient and effective; and

Whereas, FDIC insured banks and thrifts in Louisiana are safe and strong, highly regulated, and have not experienced many of the issues being encountered in the financial services industry at the national level; and

Whereas, Louisiana banks and thrifts have remained true to their core business and have greatly outperformed their United States counterparts as a whole, especially in the areas of loan growth, deposit growth, and asset growth; and

Whereas, many of the problems experienced in the financial services industry at the national level were the result of unsound lending practices by loosely regulated, non-FDIC insured institutions; and

Whereas, as a result of the problems experienced by the financial services industry at the national level and in the economy as a whole, Congress has and will continue to explore ways to restructure the financial services industry; and

Whereas, in 2008 the United States Department of the Treasury proposed, under its ''Blueprint for a Modernized Financial Regulatory Structure,'' ending the dual banking system by requiring all state chartered banks and state and federally chartered thrifts to convert to federally chartered banks, thereby eliminating the state bank and thrift charters entirely; and

Whereas, eliminating the dual charter banking system would require a large percentage of Louisiana banks and thrifts to change charters, thereby reducing regulator options and forcing many financial institutions to accept a federal regulator that may not have the same familiarity, as a state regulator, with the specific needs of a particular financial institution or with the local banking environment; and

Whereas, abolishing remarkably efficient state banking regulatory regimes in favor of one, consolidated federal regulator just does not make sense when federal oversight of Government Sponsored Entities (GSEs), such as Fannie Mae and Freddie Mac, and Wall Street investment firms have proven to be an utter failure; and

Whereas, the Office of Thrift Supervision (OTS) regulates federally chartered thrift institutions; and

Whereas, the idea of eliminating the OTS has also been discussed as part of regulatory restructuring of the financial services industry; and

Whereas, eliminating OTS would serve to eliminate charter and regulator choice for thrifts operating in Louisiana; and

Whereas, some thrifts operating in Louisiana organize as mutual institutions, whereby the depositors are also the owners of the institution; and

Whereas, a financial institution's ability to organize as a mutual institution should be preserved by Congress. THEREFORE, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to take such actions as are necessary to maintain the private, dual charter banking system as well as to preserve the thrift charter and mutuality; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–70. A resolution adopted by the Senate of the State of Louisiana memorializing Congress to protect Louisiana consumers and competition by opposing efforts to interfere with free markets in order to artificially regulate payment system interchange fees; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 145

Whereas, credit and debit cards are held and used by tens of millions of Americans; and

Whereas, the development of the electronic payment card system in the competitive environment has benefitted consumers, merchants, and the United States economy; and

Whereas, the current payment card system has greatly enhanced consumer convenience, merchant sales, and overall commerce in Louisiana and in this country; and

Whereas, interchange fees paid by merchants for use of the payment card system help defray the extensive infrastructure costs, increasing fraud losses, and non-payment possibility that are assumed by Louisiana financial institutions involved in the payment card system; and

Whereas, for merchants, interchange fees are a legitimate cost of doing business that entitle them to all of the benefits they receive from the payment card system, including fast and guaranteed payment while bearing little, if any, risk; and

Whereas, consumers and merchants are free to choose from a selection of payment options to complete their transactions, including cash, checks, ACH, prepaid cards, debit cards, credit cards, and alternative online payment options; and

Whereas, merchants are free to choose not to accept credit cards, debit cards, cash or checks or other payment methods; and

Whereas, merchants are free to offer discounts or incentives for the use of cash and checks; and

Whereas, merchant groups have had various interchange fee proposals introduced in Congress in an attempt to shift their legitimate costs of doing business and to pass such costs on to consumers and financial institutions; and

Whereas, such proposals would seriously disrupt the proper functioning of our nation's electronic payment system to the detriment of consumers, businesses, and the broader economy; and

Whereas, one such merchant proposal that recently failed in Congress would have created a new federal bureaucracy that had the ability to price fix interchange fees paid by merchants to financial institutions for access to the payment card system; and

Whereas, consumers could be harmed if the protection of antitrust laws were removed to allow for anti-competitive behavior in connection with negotiation of payment card acceptance and interchange fees; and

Whereas, government imposed price controls on the payment system would make many Louisiana financial institutions less competitive and potentially make them unable to afford issuing payment cards to Louisiana customers, thereby likely decreasing competition and increasing the cost of obtaining credit for consumers; and

Whereas, the United States Department of Justice has strongly warned that antitrust exemptions should be strongly disfavored by Congress, and cautioned that strong antitrust laws are critical to promoting and protecting consumer welfare; therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to protect Louisiana consumers and competition by opposing efforts to interfere with free markets in order to artificially regulate payment system interchange fees; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–71. A resolution adopted by the House of Representatives of the Legislature of the State of Texas urging Congress to enact legislation facilitating the ability of cities to access appropriate financing for critically needed municipal projects; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 1085

Whereas, Deteriorating conditions in the credit markets have severely diminished the ability of cities to access traditional sources of funding for projects that meet critical local needs; consequently, many municipal projects today are in jeopardy or are being delayed, with prospects for their future realization highly uncertain; and

Whereas, Municipal projects provide important, effective economic stimulus and are worthy of partnership with the federal government; civic projects instantly create and

cause the retention of multiple thousands of jobs in many different industries; city projects often include partnerships with the private sector that create a leveraging of mutual interests and maximum economic benefit for the greater community; many city projects are transit oriented, which spurs additional economic benefit; moreover, when projects involve the enhancement or development of public mass transit, they result in reduced highway congestion, reduced air pollution, and reduced dependence on foreign oil; and

Whereas, Projects supported by municipal bonds are vetted locally, approved in elections by local voters, and administered locally, conditions that promote the highest level of transparency and accountability; and

Whereas, Recently passed amendments to the Troubled Assets Relief Program (TARP) legislation that are contained in H.R. 384, Section 402, clarify the authority of the U.S. Treasury regarding municipal securities; exercising the authority to directly purchase such bonds, and/or provide credit enhancements for them, would provide an opportunity to realize immediate, significant contributions to our economic recovery; and

Whereas, Directly purchasing municipal securities at appropriate interest rates, or providing credit enhancements that allow cities access to traditional market interest rates for bonds, would give the federal government the opportunity to be repaid, with interest, the entire sum it furnishes through the partnership; in addition, providing this relief in the municipal credit markets would result in a significant tax reduction for local taxpayers in the form of dramatically reduced publicly funded interest costs; and

Whereas, Working together to construct an efficient application of the authorization provided in H.R. 384, Section 402, would greatly enhance our country's progress toward economic recovery; now, therefore, be it

Resolved, That the House of Representatives of the 81st Texas Legislature hereby respectfully urge the United States Congress to enact legislation facilitating the ability of cities to access appropriate financing for critically needed municipal projects; and, be it further

Resolved, That the chief clerk of the house forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–72. A resolution adopted by the House of Representatives of the Legislature of the State of Texas expressing opposition to any federal legislation that would create an optional federal charter for insurers; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 798

Whereas, For more than 150 years, state insurance regulators have provided effective consumer protection and industry oversight; some members of the United States Congress, however, have proposed to undermine this time-tested regulatory system by allowing insurance companies to opt out of state oversight and into a new federal system of chartering, licensing, regulation, and supervision; and

Whereas, State lawmakers have a unique understanding of the needs of their constituents and of the specific conditions and characteristics that apply in their insurance marketplace; they are able to assess and respond to changing circumstances specific to their states with appropriate modifications to regulations; and

Whereas, A federal charter system would permit companies to circumvent carefully crafted consumer protection laws and strong solvency requirements that have been put in place by individual states; proponents of such a federal system have cited the recent collapse of the American International Group as justification for a federal charter, but in fact, the insurance subsidiaries of AIG that are regulated at the state level have generally retained their value while federal oversight failed to prevent the meltdown of the parent company; and

Whereas, Given the faltering economy, it is more important than ever for state officials to exercise strong oversight of the insurance industry for the benefit of consumers and to maintain the stability of insurance companies; moreover, premium taxes on insurance are a significant source of revenue for the general funds of all states, providing more than two percent of state tax revenues according to the United States Census; experts estimate that an optional federal charter could eventually draw away from the states more than $14 billion in premium taxes and fees; and

Whereas, The bifurcation of the insurance regulation system is unnecessary and likely to promote confusion, ambiguity, and fragmentation; it would create an expensive new federal bureaucracy that would inevitably be less nimble and responsive than state regulatory systems, while weakening the ability of the states to protect the interests of their residents; the McCarran-Ferguson Act of 1945 affirmed the role of states as principal regulators of insurance, and there is no compelling reason to make a change in the regulatory rights and responsibilities of the states: Now, therefore, be it

Resolved, That the House of Representatives of the 81st Texas Legislature hereby express its opposition to any federal legislation that would create an optional federal charter for insurers; and, be it further

Resolved, That the chief clerk of the Texas House of Representatives forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, to the members of the U.S. House Financial Services Committee, to the members of the U.S. House Banking Committee, to the U.S. secretary of the treasury, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–73. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to consider appropriate legislation that would require the Federal Communications Commission to prescribe auditory volume standards for commercial advertisements broadcast on television; to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 106

Whereas, network television plays a prevalent part in society and, to retain that competitive edge amongst the plethora of digital media and other telecommunication advancements, must be sensitive to consumer preference and choice; and

Whereas, commercial advertisers spend millions of dollars annually to purchase brief intervals of broadcast time in which to promote the purchase of their products and to influence consumer behavior in a positive manner; and

Whereas, to capitalize on these fleeting and costly time periods, many advertisers resort to an excessive increase in the decibel level of commercials during a telecast in comparison to the programming in which each advertisement is embedded, all in an effort to grab the attention of the viewer and to market the product; and

Whereas, these erratic, excessive volume levels sometimes have an adverse effect on the well-being of consumers and often have a negative effect on consumer behavior, purchasing decisions, and viewing preferences; and

Whereas, proposed legislation introduced in the 111th Congress for 2009–2010, H.R. 1084: Commercial Advertisement Loudness Mitigation Act (CALM), referred to the House Committee on Energy and Commerce, addresses this controversial issue; and

Whereas, implementation of CALM would order the Federal Communications Commission (FCC), to create and to enforce governmental regulations that require that the volume level of commercials on television is broadcast at an equal auditory level as the programming in which it is embedded; and

Whereas, commercial advertisement makes the entertainment and information of over-the-air free television possible, offers a myriad of products and services to public view, and sustains mass communication as an integral part of market-driven economics; and

Whereas, control of decibel levels for advertisements broadcast over commercial airwaves falls within the purview of federal regulation, and that control is essential to the comfort and sensibilities of the viewing public: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to regulate auditory volume standards for commercial advertisements broadcast on television; and, be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–74. A concurrent resolution adopted by the Senate of the State of Louisiana urging and requesting support and assistance in providing funding for the Wood to Electricity Program; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 49

Whereas, the major focus of the Wood Products Development Foundation is the expansion or development of new uses of wood and wood waste products that result in a positive impact on the economic conditions of the state; and

Whereas, the timber industry has experienced a serious decline in recent years, and this downturn will continue unless new use sources are developed in the immediate future; and

Whereas, after studying numerous potential industries, the foundation determined a project that used wood and wood waste products to create electricity would be the most economically viable expansion of raw wood products for the long term; and

Whereas, the use and need for electricity will continue to increase, and these projects will provide a renewable, green source of electric power that does not affect the nation's food supply or demand for food-based agricultural products and materials for an indefinite period; and

Whereas, these wood to electricity projects provide an additional market for raw wood products even in a distressed market, provide an additional source of electricity at a market rate that is carbon neutral, and provide a dedicated electrical source available locally to supply viable defense structures and critical facilities in times of natural disasters; and

Whereas, the foundation has completed plans for two centrally located plants within the state that will use wood waste products from wood producers in the vicinity; and

Whereas, the electrical production will be made equally available to wood-related industries and a grid for the benefit of low-income households within reasonable vicinity of the plant sites; and

Whereas, the two proposed projects will inject sixty million dollars into the economy in terms of construction and start-up costs and will create a minimum of thirty permanent full-time jobs at the plant sites and approximately one hundred jobs for suppliers of the wood fuel feedstock; and

Whereas, in the last several months, significant regional job losses in the wood industry make this effort even more vital to securing new alternatives for value-added market activity related to the wood resources of the state; and

Whereas, there is a current need for additional funding to complete the necessary regulatory, environmental, engineering, and administrative functions to fulfill the requirements for construction loan approvals: Now, therefore, be it

Resolved, that the Legislature of Louisiana does hereby urge and request the Louisiana congressional delegation, the governor, the Department of Economic Development, the Department of Agriculture and Forestry, and the Public Service Commission to assist in providing funding for any necessary additional requirements, documentation, or studies that may be needed to secure long-term funding, and to assist in developing state and federal policies for wood to electricity projects that put them on a commensurate funding and taxation level with wind and solar generated electricity; and be it further

Resolved, that a copy of this Resolution be transmitted to the Louisiana congressional delegation, the governor, the Department of Economic Development, the Department of Agriculture and Forestry, and the Public Service Commission.

POM–75. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to support the American Clean Energy and Security Act of 2009; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 158

Whereas, a federally mandated energy efficiency and renewable energy standard for utilities is currently being debated in Congress; and

Whereas, federal standards for the regulation of climate change gases, primarily carbon dioxide, are also being actively debated in Congress; and

Whereas, Louisiana's coast is comprised of forty percent of the nation's coastal wetlands and it recognizes the importance of coordinated and effective actions to reduce the emissions of climate change gases; and

Whereas, in areas of the country with limited wind and hydroelectric resources, renewable energy standards, if improperly implemented, can have significant adverse impacts on non-participating ratepayers; and

Whereas, renewable energy resources that are non-dispatchable and non-reliable do not reduce capacity requirements of utilities and thus present an undue adverse impact on non-participating ratepayers; and

Whereas, energy efficiency can produce energy and demand savings for a fraction of the cost of most forms of renewable energy; and

Whereas, renewable portfolio standards are traditionally based solely on electrical energy production; and

Whereas, in air conditioning-dominated climates, electrical energy usage is a much larger component of total energy use compared to heating dominated climates; and

Whereas, heating energy sources such as heating oil pose both environmental and national security risks as they contribute to air pollution emissions and increased oil imports: Now, therefore be it

Resolved, that the Senate of the Legislature of Louisiana memorializes the Congress of the United States to support the American Clean Energy and Security Act of 2009; and, be it further

Resolved, that the Legislature of Louisiana does hereby urge and request the Louisiana congressional delegation to take appropriate action to insure the following:

(1) Any federally mandated renewable portfolio standard contain provisions whereby states with limited, currently available, affordable renewable energy resources, such as Louisiana, be allowed to utilize verifiable energy efficiency improvements to existing loads to meet a minimum of sixty percent of any such standard.

(2) That the state be allowed to set up a mechanism whereby Louisiana utility companies taking action in advance of the imposition of the standard be allowed to bank any energy efficiency savings and renewable energy production achieved in order to help meet the requirements under any such standard.

(3) That tax credits and rebates offered by the state of Louisiana or any local jurisdiction within the state be declared by the United States Internal Revenue Service to be nontaxable income and will not reduce the tax credit basis of any federal energy efficiency or renewable energy tax credit.

(4) That mandates for renewable energy production that is not dispatchable and reliable be limited to no more than ten percent of the required production standard.

(5) That any energy efficiency and renewable energy standard be based on a percentage of total energy consumption, not just electrical energy consumption, regardless of how it is implemented and collected; and, be it further

Resolved, that a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM–76. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 32

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a federal, state, or local retirement or pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security: and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will he significantly lower or nonexistent due to the service in public employment through which they are required to be members of a Louisiana public retirement or pension system, plan, or fund; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong: Now, therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009 (H.R. 235 or R.S. 484) or a similar instrument; and be it further

Resolved, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 774. A bill to designate the facility of the United States Postal Service located at 46–02 21st Street in Long Island City, New York, as the ''Geraldine Ferraro Post Office Building''.

H.R. 987. A bill to designate the facility of the United States Postal Service located at

601 8th Street in Freedom, Pennsylvania, as the ''John Scott Challis, Jr. Post Office''.

H.R. 1271. A bill to designate the facility of the United States Postal Service located at 2351 West Atlantic Boulevard in Pompano Beach, Florida, as the ''Elijah Pat Larkins Post Office Building''.

H.R. 1397. A bill to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the ''Caroline O'Day Post Office Building''.

H.R. 2090. A bill to designate the facility of the United States Postal Service located at 431 State Street in Ogdensburg, New York, as the ''Frederic Remington Post Office Building''.

H.R. 2162. A bill to designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the ''Herbert A Littleton Postal Station''.

H.R. 2325. A bill to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the ''Laredo Veterans Post Office''.

H.R. 2422. To designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, as the ''Kile G. West Post Office Building''.

H.R. 2470. A bill to designate the facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, as the ''Lieutenant Commander Roy H. Boehm Post Office Building''.

S. 748. A bill to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''.

S. 1211. A bill to designate the facility of the United States Postal Service located at 60 School Street, Orchard Park, New York, as the ''Jack F. Kemp Post Office Building''.

S. 1314. A bill to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the ''Dr. Martin Luther King, Jr. Post Office''.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORKER (for himself and Mr. WARNER):

S. 1540. A bill to provide for enhanced authority of the Federal Deposit Insurance Corporation to act as receiver for certain affiliates of depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 1541. A bill to amend title IV of the Higher Education Act of 1965 to authorize private education loan refinancing under the Federal student loan program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. SANDERS, Ms. KLOBUCHAR, Mr. FEINGOLD, Mrs. MURRAY, and Mrs. SHAHEEN):

S. 1542. A bill to impose tariff-rate quotas on certain casein and milk protein concentrates; to the Committee on Finance.

By Mr. DODD (for himself, Mr. KENNEDY, Mrs. MURRAY, and Mr. LIEBERMAN):

S. 1543. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to provide leave for family members of members of regular components of the Armed Forces, and leave to care for covered veterans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL (for himself, Mr. BENNET, Mrs. MCCASKILL, and Mr. FEINGOLD):

S. 1544. A bill to amend the Employee Retirement Income Security Act of 1974 with respect to the composition of the board of directors of the Pension Benefit Guaranty Corporation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1545. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 1546. A bill to provide for the conveyance of certain parcels of land to the town of Mantua, Utah; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Mr. BOND, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mr. DURBIN):

S. 1547. A bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN (for himself and Mr. BURR):

S. 1548. A bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. KENNEDY, and Mrs. GILLIBRAND):

S. 1549. A bill to protect United States citizens from unlawful arrest and detention; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mrs. GILLIBRAND):

S. 1550. A bill to ensure that individuals detained by the Department of Homeland Security are treated humanely, provided adequate medical care, and granted certain specified rights; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. REED, and Mr. KAUFMAN):

S. 1551. A bill to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. VOINOVICH, Mr. BYRD, and Mr. ENSIGN):

S. 1552. A bill to reauthorize the DC opportunity scholarship program, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BENNETT (for himself, Mr. WYDEN, Mr. WICKER, Mr. JOHANNS, Mr. COBURN, and Mr. CRAPO):

S. Res. 231. A resolution expressing the sense of the Senate that any health care reform proposal should slow the long-term growth of health costs and reduce the growth rate of Federal health care spending; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 232. A resolution celebrating the 100th anniversary of the Tillamook County Creamery Association; to the Committee on the Judiciary.

By Mr. BROWNBACK:

S. Res. 233. A resolution commending Russ Meyer on his induction into the National Aviation Hall of Fame; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 252

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 252, a bill to amend title 38, United States Code, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health-care professionals, to improve the provision of health care veterans, and for other purposes.

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. BURRIS) 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. 423

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 446

At the request of Mr. SPECTER, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 446, a bill to permit the televising of Supreme Court proceedings.

S. 493

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 581

At the request of Mr. BENNET, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 581, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children.

S. 601

At the request of Mrs. HUTCHISON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as

a cosponsor of S. 601, a bill to establish the Weather Mitigation Research Office, and for other purposes.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 694

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KENNEDY) was withdrawn as a cosponsor of S. 694, a bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 694, supra.

S. 714

At the request of Mr. WEBB, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 765

At the request of Mr. NELSON of Nebraska, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 765, a bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to not impose a penalty for failure to disclose reportable transactions when there is reasonable cause for such failure, to modify such penalty, and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 941

At the request of Mr. CRAPO, the names of the Senator from Utah (Mr. HATCH) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 994

At the request of Ms. KLOBUCHAR, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 994, a bill to amend the Public Health Service Act to increase awareness of the risks of breast cancer in young women and provide support for young women diagnosed with breast cancer.

S. 1065

At the request of Mr. BROWNBACK, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1065, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1071

At the request of Mr. CHAMBLISS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1071, a bill to protect the national security of the United States by limiting the immigration rights of individuals detained by the Department of Defense at Guantanamo Bay Naval Base.

S. 1171

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1171, a bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program.

S. 1222

At the request of Mrs. LINCOLN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1222, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1301

At the request of Mr. MENENDEZ, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor 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. 1321

At the request of Mr. UDALL of Colorado, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1321, a bill to amend the Internal Revenue Code of 1986 to provide a credit for property labeled under the Environmental Protection Agency Water Sense program.

S. 1379

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1379, a bill to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities.

S. 1401

At the request of Mr. MARTINEZ, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Utah (Mr. HATCH), the Senator from Utah (Mr. BENNETT), the Senator from Mississippi (Mr. WICKER), the Senator from North Carolina (Mr. BURR), the Senator from Illinois (Mr. DURBIN), the Senator from South Dakota (Mr. THUNE), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1401, a bill to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

S. 1422

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1422, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 1535

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1535, a bill to amend the Fish and Wildlife Act of 1956 to establish additional prohibitions on shooting wildlife from aircraft, and for other purposes.

S. CON. RES. 36

At the request of Mrs. LINCOLN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Con. Res. 36, a concurrent resolution supporting the goals and ideals of ''National Purple Heart Recognition Day''.

S. RES. 71

At the request of Mr. WYDEN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 1907

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1907 proposed to H.R. 3357, a bill to restore sums to the Highway Trust Fund, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORKER (for himself and Mr. WARNER):

S. 1540. A bill to provide for enhanced authority of the Federal Deposit Insurance Corporation to act as receiver for certain affiliates of depository institutions, and for other purposes; to the

Committee on Banking, Housing, and Urban Affairs.

Mr. CORKER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1540

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 ''Resolution Reform Act of 2009''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to allow the Federal Deposit Insurance Corporation (in this Act referred to as the ''Corporation'') to resolve the holding companies, affiliates, and subsidiaries of failed or failing insured depository institutions, consistent with the statutory mission of the Corporation, recognizing that depository institution holding companies serve as a source of strength for their subsidiary institutions, and that their affiliates and subsidiaries may provide critical services for such institutions; and

(2) to provide a clear and cohesive set of rules to address the increasingly complex and interreliant business structures in which insured depository institutions operate in order to promote efficient and economical resolution.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) AFFILIATE.—The term ''affiliate'' has the same meaning as in section 2(k) of the Bank Holding Company Act of 1956.

(2) BRIDGE DEPOSITORY INSTITUTION HOLDING COMPANY.—The term ''bridge depository institution holding company'' means a new depository institution holding company organized by the Corporation pursuant to section 53(b) of the Federal Deposit Insurance Act.

(3) CORPORATION.—The terms ''Corporation'' and ''Board'' mean the Federal Deposit Insurance Corporation and the Board of Directors thereof, respectively.

(4) COVERED AFFILIATE OR SUBSIDIARY.—The term ''covered affiliate or subsidiary'' means any affiliate or subsidiary of a depository institution holding company, or any subsidiary of an insured depository institution that is a subsidiary of that depository institution holding company, as to which the Corporation is appointed receiver.

(5) COVERED DEPOSITORY INSTITUTION HOLDING COMPANY.—The term ''covered depository institution holding company'' means a depository institution holding company with one or more affiliated or subsidiary insured depository institutions for which grounds exist to appoint a receiver pursuant to section 11(c) of the Federal Deposit Insurance Act.

(6) FOREIGN.—The term ''foreign'' means any country other than the United States and includes any territory, dependency, or possession of any country other than the United States.

(7) INSURED DEPOSITORY INSTITUTION.—The term ''insured depository institution'' has the same meaning as section 3(c)(2) of the Federal Deposit Insurance Act.

SEC. 4. HOLDING COMPANY RESOLUTION AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following:

''SEC. 51. RESOLUTION OF COVERED DEPOSITORY INSTITUTION HOLDING COMPANIES, AFFILIATES, AND SUBSIDIARIES.

''(a) IN GENERAL.—Notwithstanding any other provision of Federal or State law, except section 52(c), it shall be the responsibility of the Corporation to resolve depository institution holding companies of failed or failing insured depository institutions and the affiliates and subsidiaries of a depository institution holding company, including any subsidiary of an insured depository institution that is a subsidiary of the depository institution holding company, using the powers and authorities conferred upon it by this Act.

''(b) DEFINITIONS.—For purposes of this section and sections 52 and 53, the following definitions shall apply:

''(1) BRIDGE DEPOSITORY INSTITUTION HOLDING COMPANY.—The term 'bridge depository institution holding company' means a new depository institution holding company organized by the Corporation pursuant to section 53(b).

''(2) COVERED AFFILIATE OR SUBSIDIARY.—The term 'covered affiliate or subsidiary' means any affiliate or subsidiary of a depository institution holding company, or any subsidiary of an insured depository institution that is a subsidiary of that depository institution holding company, as to which the Corporation is appointed receiver under section 52.

''(3) COVERED DEPOSITORY INSTITUTION HOLDING COMPANY.—The term 'covered depository institution holding company' means a depository institution holding company with one or more affiliated or subsidiary insured depository institutions for which grounds exist to appoint a receiver pursuant to section 11(c).

''(4) FUNCTIONALLY REGULATED AFFILIATE OR SUBSIDIARY.—The term 'functionally regulated affiliate or subsidiary' means any company—

''(A) that is not a depository institution holding company or a depository institution; and

''(B) that is—

''(i) a broker or dealer that is registered under the Securities Exchange Act of 1934;

''(ii) a registered investment adviser, properly registered by or on behalf of either the Securities and Exchange Commission in accordance with the Investment Advisers Act of 1940, or any State, with respect to the investment advisory activities of such investment adviser and activities incidental to such investment advisory activities;

''(iii) an investment company that is registered under the Investment Company Act of 1940;

''(iv) an insurance company that is subject to supervision by a State insurance regulator, with respect to the insurance activities of the insurance company and activities incidental to such insurance activities; or

''(v) an entity that is subject to regulation by the Commodity Futures Trading Commission, with respect to the commodities activities of such entity and activities incidental to such commodities activities.

''(5) FUNCTIONAL REGULATOR.—The term 'functional regulator' means the Federal or State regulator responsible for regulating the types of activities engaged in by the depository institution holding company, its subsidiary institutions, or other affiliates and subsidiaries. The 'functional regulators' are—

''(A) the Securities and Exchange Commission, if the depository institution holding company, any subsidiary institution, or other affiliate thereof, is a broker or dealer registered with the Commission under section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) in conjunction with the authorities granted to the Securities Investor Protection Corporation, as created by the Securities Investor Protection Act in resolution of brokers or dealers;

''(B) the Commodity Futures Trading Commission, if the depository institution holding company, its subsidiary institution, or other affiliate thereof, is a futures commission merchant or a commodity pool operator registered with the Commodity Futures Trading Commission under the Commodity Exchange Act; and

''(C) a State insurance commission or other board or authority, if the depository institution holding company, or an affiliate or subsidiary thereof, is an insurance company.

''SEC. 52. APPOINTMENT OF THE CORPORATION AS RECEIVER.

''(a) DEPOSITORY INSTITUTION HOLDING COMPANIES.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, the law of any State, or the constitution of any State, and subject to subsection (c), the Corporation shall accept appointment, and shall act as the receiver of a covered depository institution holding company upon such appointment, in the manner provided in paragraph (2) or (3), if the Corporation determines, in its sole discretion, that such appointment will reduce the cost to the Deposit Insurance Fund, and that grounds specified in subsection (f) exist. If the Corporation determines that such appointment will not reduce the cost to the Deposit Insurance Fund, the Corporation may decline the appointment, as provided in subsection (c).

''(2) APPOINTMENT BY THE APPROPRIATE FEDERAL BANKING AGENCY.—Whenever the appropriate Federal banking agency appoints a receiver for a depository institution holding company, the Federal banking agency shall tender the appointment to the Corporation, and the Corporation shall accept such appointment, unless the Corporation declines the appointment, as provided in subsection (c).

''(3) APPOINTMENT OF THE CORPORATION BY THE CORPORATION.—The Board of Directors may appoint the Corporation as receiver of a depository institution holding company, after consultation with the appropriate Federal banking agency, if the Board of Directors determines that, notwithstanding the existence of grounds specified in subsection (f), the appropriate Federal banking agency having supervision of a covered depository institution holding company has declined to appoint the Corporation as receiver.

''(4) FUNCTIONALLY REGULATED DEPOSITORY INSTITUTION HOLDING COMPANIES.—When the appropriate Federal banking agency appoints the Corporation as receiver of a covered depository institution holding company, or the Board of Directors appoints the Corporation as receiver of a covered depository institution holding company, the appropriate Federal banking agency or the Corporation shall consult with the covered depository institution holding company's functional regulator, if any.

''(b) AFFILIATES AND SUBSIDIARIES.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, the law of any State, or the constitution of any State, and subject to paragraph (2) and subsection (c), in any case in which the Corporation is appointed under this section as receiver for a depository institution holding company, the Corporation may appoint itself as the receiver of any affiliate or subsidiary of the insured depository institution or depository institution holding company that is incorporated or organized under the laws of any State, if the Corporation determines that such action would facilitate the orderly resolution of the insured depository institution or depository institution holding company, and is consistent with the purposes of this Act.

''(2) FUNCTIONALLY REGULATED SUBSIDIARIES.—The Corporation shall consult with the appropriate Federal or State functional

regulator when the Corporation appoints itself as the receiver of any functionally regulated affiliate or subsidiary.

''(c) BANKRUPTCY OR STATE INSURANCE RESOLUTION OPTION.—

''(1) BANKRUPTCY GROUNDS FOR DECLINING APPOINTMENT.—The Corporation may decline to accept appointment for a covered depository institution holding company, when, in its sole discretion, the Corporation determines that the resolution of that holding company would be better accomplished under title 11, of the United States Code, or under applicable State insurance law.

''(2) RULEMAKING REQUIRED.—The Corporation shall, not later than 180 days after the date of enactment of this section, adopt regulations that establish criteria pursuant to which the Corporation will make the determination described in paragraph (1).

''(d) SEPARATE ENTITIES.—

''(1) IN GENERAL.—Subject to paragraph (2), each separate legal entity for which the Corporation is appointed receiver shall constitute a separate receivership.

''(2) APPLICABILITY.—Paragraph (1) shall not apply to any insured depository institution subsidiary for which the Corporation has appointed itself as receiver.

''(e) CORPORATION NOT SUBJECT TO ANY OTHER AGENCY.—When acting as the receiver pursuant to an appointment described in subsection (a) or (b), the Corporation shall not be subject to the direction or supervision of any other agency or department of the United States or any State in the exercise of its rights, powers, and privileges.

''(f) GROUNDS FOR APPOINTMENT.—The grounds for appointing the Corporation as receiver of a depository institution holding company, affiliate, or subsidiary are that one or more grounds exist under section 11(c) to appoint a receiver for one or more affiliated insured depository institutions.

''(g) TERMINATION AND EXCLUSION OF OTHER ACTIONS.—The appointment of the Corporation as receiver for a depository institution holding company or an insured depository institution that is an affiliate or subsidiary of a depository institution holding company shall immediately, and by operation of law, terminate any case commenced with respect to the depository institution holding company or any affiliate or subsidiary under title 11, United States Code, or any proceeding under any State insolvency law with respect to the depository institution holding company or affiliate or subsidiary. No such case or proceeding may be commenced with respect to the depository institution holding company or any affiliate or subsidiary of the insured depository institution at any time while the Corporation acts as receiver of the depository institution holding company or any affiliate or subsidiary, without the written agreement of the Corporation.

''(h) JUDICIAL REVIEW.—

''(1) IN GENERAL.—If the Corporation is appointed (including the appointment of the Corporation by itself) as receiver of a depository institution holding company under subsection (a), the depository institution holding company may, not later than 30 days thereafter, bring an action in the United States district court for the judicial district in which the home office of such depository institution holding company is located, or in the United States District Court for the District of Columbia, for an order requiring the Corporation to be removed as the receiver (regardless of how such appointment was made), and the court shall, upon the merits, dismiss such action or direct the Corporation to be removed as the receiver.

''(2) OTHER APPOINTMENT.—If the Corporation appoints itself as receiver of any affiliate or subsidiary of the insured depository institution or depository institution holding company under subsection (b), the affiliate or subsidiary of the insured depository institution or depository institution holding company may, not later than 30 days thereafter, bring an action in the United States district court for the judicial district in which the home office of such any affiliate or subsidiary of the insured depository institution or depository institution holding company is located, or in the United States District Court for the District of Columbia, for an order requiring the Corporation to be removed as the receiver, and the court shall, upon the merits, dismiss such action or direct the Corporation to be removed as the receiver.

''SEC. 53. POWERS AND DUTIES OF CORPORATION AS RECEIVER.

''(a) RULEMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such regulations as the Corporation determines appropriate regarding the orderly resolution and conduct of receiverships of covered depository institution holding companies or any affiliate or subsidiary, in accordance with section 52.

''(b) RECEIVERSHIP, BACK-UP EXAMINATION, AND ENFORCEMENT POWERS.—Except as provided in subsections (c) and (e), the Corporation shall have the same powers and rights to carry out its duties with respect to depository institution holding companies, or affiliates and subsidiaries, as the Corporation has under sections 8(t), 10(b), 11, 12, 13(d), 13(e), 15, and 38, with adaptations made, in the sole discretion of the Corporation, that are appropriate to the differences in form and function among depository institution holding companies, insured depository institutions, and their affiliates and subsidiaries.

''(c) AUTHORITY TO OBTAIN CREDIT.—

''(1) IN GENERAL.—A bridge depository institution holding company with respect to which the Corporation is the receiver may obtain unsecured credit and issue unsecured debt.

''(2) INABILITY TO OBTAIN CREDIT.—If a bridge depository institution holding company is unable to obtain unsecured credit or issue unsecured debt, the Corporation may authorize the obtaining of credit or the issuance of debt by the bridge depository holding company—

''(A) with priority over any or all of the obligations of the bridge depository holding company;

''(B) secured by a lien on property of the bridge depository holding company that is not otherwise subject to a lien; or

''(C) secured by a junior lien on property of the bridge depository holding company that is subject to a lien.

''(3) LIMITATION.—The Corporation may authorize the obtaining of credit or the issuance of debt by a bridge depository holding company that is secured by a senior or equal lien on property of the bridge depository holding company that is subject to a lien, only if—

''(A) the bridge depository holding company is unable to otherwise obtain such credit or issue such debt; and

''(B) there is adequate protection of the interest of the holder of the lien on the property with respect to which such senior or equal lien is proposed to be granted.

''(d) DISPOSITION OF CERTAIN DEPOSITORY INSTITUTION HOLDING COMPANIES, AFFILIATES, AND SUBSIDIARIES.—Notwithstanding any other provision of law (other than a conflicting provision of this Act), the Corporation, in connection with the resolution of any insured depository institution with respect to which the Corporation has been appointed as receiver, shall—

''(1) in the case of any depository institution holding company, or a covered affiliate or subsidiary for which the Corporation is appointed receiver, that is a member of the Securities Investor Protection Corporation (in this section referred to as 'SIPC'), coordinate with SIPC in the liquidation, if any, of the company, to facilitate the orderly and timely payment of claims under the Securities Investor Protection Act; and

''(2) in the case of any other depository institution holding company, or covered affiliate or subsidiary, that is functionally regulated, coordinate with the appropriate Federal or State functional regulator in the disposition of the company, to facilitate the orderly and timely payment of claims under applicable guaranty plans, including State insurance guaranty plans.

''(e) PRIORITY OF EXPENSES AND UNSECURED CLAIMS.—

''(1) IN GENERAL.—Allowed claims (other than secured claims to the extent of any such security) against a covered depository institution holding company or any covered affiliate or subsidiary that are proven to the satisfaction of the receiver for such covered depository institution holding company, affiliate, or subsidiary shall have priority in the following order:

''(A) Administrative expenses of the receiver.

''(B) Any obligation of the covered depository institution holding company, or covered affiliate or subsidiary, to the Corporation.

''(C) Any general or senior liability of the covered depository institution holding company, or covered affiliate or subsidiary (which is not a liability described in subparagraph (D) or (E)).

''(D) Any obligation subordinated to general creditors which is not an obligation described in subparagraph (E).

''(E) Any obligation to shareholders, members, general partners, limited partners, or other persons with interests in the equity of the covered depository institution holding company, or covered affiliate or subsidiary, arising as a result of their status as shareholders, members, general partners, limited partners, or other persons with interests in the equity of the covered depository institution holding company, or covered affiliate or subsidiary.

''(2) CREDITORS SIMILARLY SITUATED.—All claimants of a covered depository institution holding company, or covered affiliate or subsidiary, that are similarly situated under paragraph (1) shall be treated in a similar manner, except that the receiver may take any action (including making payments) that does not comply with this subsection, if—

''(A) the Corporation determines that such action is necessary to maximize the value of the assets of the covered depository institution holding company, or covered affiliate or subsidiary, to maximize the present value return from the sale or other disposition of the assets of the covered depository institution holding company, or to minimize the amount of any loss realized upon the sale or other disposition of the assets of the covered depository holding company, or covered affiliate or subsidiary; and

''(B) all claimants that are similarly situated under paragraph (1) receive not less than the amount provided in section 11(i)(2).

''(f) RULE OF CONSTRUCTION.—Nothing in the Resolution Reform Act is intended to supersede the administration of claims under applicable State laws governing insurance guaranty funds or the Securities Investor Protection Act of 1970.

''(g) RULEMAKING.—The Federal Deposit Insurance Corporation shall conduct a rulemaking to be completed within 180 days of enactment that will lay out specific guidelines and priority of all secured and unsecured claims as well as where the resources to satisfy those that will be satisfied will be derived.''.

SEC. 5. OTHER SPECIFIC MODIFICATIONS TO FEDERAL DEPOSIT INSURANCE CORPORATION AUTHORITY.

(a) RECORDKEEPING.—Section 11(e)(8)(H) of the Federal Deposit Insurance Act (12 U.S.C. 1821(e)(8)(H)) is amended to read as follows:

''(H) RECORDKEEPING.—The Corporation, after consultation with the appropriate Federal banking agencies, may prescribe regulations requiring that any insured depository institution or depository institution holding company maintain such records with respect to qualified financial contracts (including market valuations) as the Corporation determines to be necessary or appropriate to enable it to exercise its rights and fulfill its obligations under this Act.''.

(b) GOLDEN PARACHUTE PAYMENTS.—Section 18(k)(4)(A)(ii)(III) of the Federal Deposit Insurance Act (12 U.S.C. 1828(k)(4)(A)(ii)(III)) is amended—

(1) by striking ''institution's'';

(2) by inserting ''or covered company'' after ''insured depository institution''; and

(3) by inserting before the semicolon: '', except that the Corporation may define and make a determination of troubled condition for any covered company that does not have an appropriate Federal banking agency''.

SEC. 6. CROSS-BORDER CLAIMS.

(a) PURPOSE AND SCOPE.—

(1) PURPOSE.—The purpose of this section is to provide effective mechanisms for dealing with cases of cross-border insolvency, with the objectives of—

(A) facilitating cooperation between the Corporation, acting in its capacity as receiver of a covered depository institution holding company or covered affiliate or subsidiary of an insured depository institution and the courts and other authorities of foreign countries involved in cross-border insolvency cases; and

(B) facilitating the orderly resolution of insured depository institutions, covered depository institution holding companies, or covered affiliates or subsidiaries, in receivership.

(2) SCOPE.—This section applies in any case in which—

(A) the Corporation seeks assistance from a foreign court, foreign representative, or foreign regulatory or supervisory authority in connection with the resolution of a depository institution holding company, or covered affiliate or subsidiary thereof;

(B) the assistance of the Corporation is sought by a foreign court, foreign representative, or foreign regulatory or supervisory authority in connection with a foreign proceeding or with a resolution under this Act; or

(C) a foreign proceeding and a case under this Act with respect to the same covered depository institution holding company, or covered affiliate or subsidiary, are pending concurrently.

(b) COORDINATION AND COOPERATION.—In regard to matters of insolvency and insolvency proceedings, the Corporation may—

(1) cooperate and coordinate with foreign courts, foreign representatives, and foreign regulatory or supervisory authorities, either directly or through a designated representative, as the Corporation deems appropriate; and

(2) communicate directly with, or to request information or assistance directly from, foreign courts, foreign representatives, and foreign regulatory or supervisory authorities.

(c) CLAIMS BY FOREIGN REPRESENTATIVES.—The Corporation, in its capacity as receiver of a covered depository institution holding company, or covered affiliate or subsidiary, may allow a foreign administrator or representative to file claims.

(d) COORDINATION OF PAYMENTS.—

(1) LIMITATION.—Notwithstanding any other provision of Federal law, a creditor who has received payment with respect to a claim in a foreign insolvency proceeding may not receive a payment for the same claim brought in a United States insolvency proceeding under this Act against the same depository institution, depository institution holding company, or covered affiliate or subsidiary.

(2) SUBROGATION.—A claimant in an insolvency proceeding under this Act that has received payment on its claim shall agree to the subrogation of the Corporation, to the extent of such payment, to any claim or right of claim, arising from the same loss.

(e) PUBLIC POLICY EXEMPTION.—Nothing in this section prevents the Corporation from refusing to take an action governed by this section if the action would be contrary to the public policy of the United States or if it would increase losses to the Deposit Insurance Fund.

SEC. 7. MISCELLANEOUS PROVISIONS.

(a) BANKRUPTCY CODE AMENDMENTS.—Section 109(b)(2) of title 11, United States Code, is amended by inserting before ''homestead association'' the following: ''covered depository institution holding company and covered affiliate or subsidiary, as those terms are defined in section 51(b) of the Federal Deposit Insurance Act (except if the Federal Deposit Insurance Corporation exercises its authority under section 52(c) of that Act),''.

(b) AUTHORITY TO APPOINT RECEIVER.—

(1) FEDERAL RESERVE ACT.—Section 11(o) of the Federal Reserve Act (12 U.S.C. 248(o)) is amended—

(A) by striking ''The Board'' and inserting the following:

''(1) STATE MEMBER BANKS.—The Board''; and

(B) by adding at the end the following:

''(2) COVERED DEPOSITORY INSTITUTION HOLDING COMPANIES.—The Board may appoint the Federal Deposit Insurance Corporation as receiver for a covered depository institution holding company (as those terms are defined in section 51(b) of the Federal Deposit Insurance Act) under section 52 of the Federal Deposit Insurance Act.''.

(2) HOME OWNERS' LOAN ACT.—Section 10 of the Home Owners' Loan Act (12 U.S.C. 1467a) is amended—

(A) by redesignating subsection (t) as subsection (u); and

(B) by inserting after subsection (s) the following:

''(t) APPOINTMENT OF FDIC AS RECEIVER.—The Director may appoint the Federal Deposit Insurance Corporation as receiver for a covered depository institution holding company (as those terms are defined in section 51(b) of the Federal Deposit Insurance Act) under section 52 of the Federal Deposit Insurance Act.''.

By Mr. DODD (for himself, Mr. KENNEDY, Mrs. MURRAY, and Mr. LIEBERMAN):

S. 1543. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to provide leave for family members of members of regular components of the Armed Forces, and leave to care for covered veterans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to introduce The Supporting Military Families Act of 2009.

The sacrifices made by our soldiers, sailors, airmen, Marines, and Coast Guard are matched only by those made by their families. When a loved one is serving abroad, and in cases where he or she returns wounded, it can take an immense emotional toll on a family.

But it does not have to take an equally staggering economic toll.

The bill I introduce today clarifies and improves upon provisions included in the National Defense Authorization Act of 2008, which provided important benefits for family members of our brave service men and women.

More than 20 years ago, I began the effort to bring job protection to hard-working Americans so they wouldn't have to choose between the family they love and the job they need. This effort, after more than seven years, three presidents, and two vetoes, eventually led to the enactment of the Family Medical Leave Act, FMLA, which provides 12 weeks of unpaid leave for eligible employees so they may care for a newborn or adopted child, their own serious illness, or that of a loved one. Since its passage, I have worked to expand this Act to cover more workers and to provide for paid leave, so that more employees can afford to take leave when necessary.

We must also ensure that we care for the health and well-being of our war heroes, many of whom return from deployment with serious injuries and illnesses. Two years ago, I introduced legislation to provide up to 6 months of FMLA leave for primary caregivers of servicemembers who suffer from a combat-related injury or illness. The FMLA currently provides three months of unpaid leave to a spouse, parent, or child acting as a caregiver for a person with a serious illness. However, some of those injured in service to our country rely on other family members or friends to care for them as they recover, and many of these injuries take longer than 3 months to heal from. That is why, following a recommendation of the President's Commission on Care for America's Returning Wounded Warriors, headed by former Senator Bob Dole and former Secretary of Health and Human Services Donna Shalala, I offered this legislation. It was included in the 2008 National Defense Authorization Act, along with another provision providing exigency leave for servicemembers' families, which allows the families of deployed servicemembers to take leave to manage their family or personal affairs.

These two provisions were important steps toward giving our servicemembers and their families the support they need during extremely challenging times. The legislation I introduce today builds on those efforts and will accomplish three things. First, a number of service-related illnesses and injuries may not manifest themselves until after a servicemember has left the military, including traumatic brain injury and post traumatic stress disorder. This bill extends the annual 26 weeks of unpaid leave to family members of veterans for up to five years after a veteran leaves service, if the

veteran develops a service-related serious injury or illness that he or she needs time to recover from. Second, this legislation extends eligibility for exigency leave to those deployed to a foreign country, and not only in support of a contingency operation, in order to provide the benefit to all of those families who struggle with the challenges of a deployment. Finally, the DOL regulations limited access to exigency leave to Reserve and National Guard members only. This was not the intent of the initial legislation, and this bill extends exigency leave to cover all active duty members who are deployed to a foreign country.

I am pleased that my colleagues Senators KENNEDY, LIEBERMAN, and MURRAY are joining me in introducing the Supporting Military Families Act of 2009.

By Mr. REED (for himself, Mr. BOND, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mr. DURBIN):

S. 1547. A bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I introduce the Zero Tolerance for Veteran Homelessness Act. This comprehensive bill enhances and expands the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of becoming homeless.

It is one of our Nation's great tragedies that on any given night, 131,000 veterans are homeless. The Department of Veterans Affairs estimates that more than 200,000 veterans experience homelessness each year and that nearly 1/5 of all homeless people in the United States are veterans. These numbers are expected to climb as our servicemembers fighting in Iraq and Afghanistan return home to face tough economic conditions.

We know that veterans are often at greater risk of becoming homeless. Some return from deployments to discover that the skills they have honed in their military service can be difficult to transfer to jobs in the private sector. Others struggle with physical or mental wounds of war. Still others return to communities that lack safe, affordable housing.

Our veterans have made great sacrifices to serve our country, and it is especially important to honor our commitment to them. The Department of Veterans Affairs is certainly a part of that commitment, providing benefits, medical care, support, and a sense of community to homeless veterans. However, a number of other federal agencies provide service to veterans, including the Department of Housing and Urban Development, and this legislation builds on that existing infrastructure.

Many programs through HUD and the VA are already helping homeless veterans with transitional housing, health care and rehabilitation services, and employment assistance. However, a more comprehensive and coordinated approach would strengthen these programs and prevent more at-risk veterans from becoming homeless.

That is why I have joined with my colleagues Senators BOND, MURRAY, and JOHNSON to introduce this much-needed legislation. The Zero Tolerance for Veterans Homelessness Act seeks to merge housing programs and support services for veterans from the start so that there is an integrated approach to address their risk of homelessness.

First, this bill would create a new Homelessness Prevention program that would enable the VA to keep at-risk veterans in stable housing and offer increased assistance to veterans who have fallen into homelessness. Specifically, the VA could provide short-term rental assistance, housing relocation and stabilization services, services to resolve personal credit issues, payments for security deposits or utility costs, and assistance for moving costs. These up-front expenses can be the major obstacle that puts low-income or unemployed veterans at risk of becoming homeless. These homelessness prevention and rapid re-housing techniques have been successfully used in numerous communities to significantly reduce family homelessness, and this bill would give the VA resources to put these strategies into practice.

Second, this bill would authorize additional housing vouchers through the HUD-Veterans Affairs Supportive Housing, VASH, program. This collaborative program provides homeless veterans with vouchers to rent apartments in the private rental market, as well as case management and clinical services at local VA medical centers. In this way, veterans receive the supportive housing they need to recover and thrive.

The HUD–VASH program has grown in recent years. Twenty thousand vouchers were funded in the last two appropriations cycles, and 10,000 more will likely be funded–in Fiscal Year 2010. However, more homeless veterans could benefit from this important resource. As such, the Zero Tolerance for Veterans Homelessness bill authorizes up to 10,000 additional vouchers each year to reach a maximum of 60,000 vouchers by 2013.

Third, this legislation would make it easier for non-profits to apply for capital grants through the VA's grants and per diem program to build transitional housing and other facilities for veterans. This would streamline the process for non-profit organizations to be able to use financing from other sources to break ground on new housing construction. This is particularly important in the current economy, when non-profits are stretched and have to be more creative than ever to fund new capital projects.

The Zero Tolerance for Veterans Homelessness Act would also create a Special Assistant for Veterans Affairs within HUD. The Special Assistant would ensure that veterans have access to HUD's existing programs and work to remove any barriers. The Special Assistant would also serve as a liaison between HUD and the VA, helping to connect and coordinate the services the two departments provide.

Additionally, this legislation recognizes the need to measure progress of efforts to combat homelessness. It establishes a new Homeless Veterans Management Information System, to be developed by the VA, in consultation with HUD and the United States Interagency Council on Homelessness. This data collection system will be used to provide annual reports to Congress on the number of homeless veterans and they types of assistance they receive. This information will help illustrate how programs are performing and inform future policy.

Finally, the bill would require the Secretary of Veterans Affairs, in consultation with other agencies, to analyze existing programs and develop a comprehensive plan with recommendations on how to end homelessness among veterans. Establishing a plan with appropriate benchmarks will enable the VA to more easily track progress towards this important goal.

This bipartisan bill also complements a bill that I am cosponsoring with Senator MURRAY to enable programs at the VA and the Department of Labor to better serve homeless women veterans and homeless veterans with children.

Only by working together, across the federal government and in partnership with non-profits and local housing authorities, will we be able to comprehensively help homeless veterans and reach those in danger of becoming homeless. We owe it to our veterans to ensure that they and their families have safe, affordable places to live and to provide the services and benefits they have earned. The nation's brave veterans deserve nothing less.

I hope my colleagues will join in supporting this important, bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1547

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 ''Zero Tolerance for Veterans Homelessness Act of 2009''.

SEC. 2. FINDINGS.

Congress finds that—

(1) veterans are at a greater risk of becoming homeless than other people in the United States, because of characteristics that include—

(A) having employment-related skills that are unique to military service and that can be difficult to transfer to the civilian sector;

(B) combat-related health issues;

(C) earning minimal income or being unemployed; and

(D) a shortage of safe, affordable housing;

(2) the Department of Veterans Affairs estimates that—

(A) 131,000 veterans are homeless on any given night;

(B) more than 200,000 veterans experience homelessness each year; and

(C) veterans account for nearly ⅕ of all homeless people in the United States;

(3) approximately 1,500,000 veterans, nearly 6.3 percent of the veterans in the United States, have an income that falls below the Federal poverty level, and approximately 634,000 veterans have an income below 50 percent of the Federal poverty level;

(4) the Department of Veterans Affairs is only adequately funded to respond to the health, housing, and supportive services needs of approximately ⅓ of the veterans in the United States; and

(5) it is expected that significant increases in services will be needed to serve the aging veterans of the Vietnam war and members of the Armed Forces returning from Operation Iraqi Freedom and Operation Enduring Freedom.

SEC. 3. PROGRAM ON PREVENTION OF VETERAN HOMELESSNESS.

(a) PROGRAM ON PREVENTION OF VETERAN HOMELESSNESS.—

(1) IN GENERAL.—Subchapter VII of chapter 20 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 2067. Prevention of veteran homelessness

''(a) PREVENTION OF VETERAN HOMELESSNESS.—Not later than 180 days after the date of the enactment of this section, the Secretary shall establish a program within the Veterans Benefits Administration to prevent veteran homelessness by—

''(1) identifying in a timely fashion any veteran who is homeless or at imminent risk of becoming homeless; and

''(2) providing assistance sufficient to ensure that each veteran identified under paragraph (1) does not become or remain homeless.

''(b) TYPES OF ASSISTANCE.—The assistance provided under subsection (a)(2) may include the following:

''(1) The provision of short-term or medium-term rental assistance.

''(2) Housing relocation and stabilization services, including housing search, mediation, and outreach to property owners.

''(3) Services to resolve personal credit issues that have led to negative credit reports.

''(4) Assistance with paying security or utility deposits and utility payments.

''(5) Assistance with covering costs associated with moving.

''(6) A referral to a program of another department or agency of the Federal Government.

''(7) Such other activities as the Secretary considers appropriate to prevent veterans homelessness.

''(c) NO DUPLICATION OF SERVICES.—The Secretary may provide assistance under subsection (a)(2) to a veteran receiving supportive services from an eligible entity receiving financial assistance under section 2044 of this title only to the extent that the assistance provided under subsection (a)(2) does not duplicate the supportive services provided to such veteran by such entity.

''(d) STAFFING.—The Secretary shall assign such employees at such locations as the Secretary considers necessary to carry out this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2010 through 2014.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by adding at the end the following new item:

''2067. Prevention of veteran homelessness.''.

(b) RESPONSIBILITIES OF HOMELESS VETERANS PROGRAM COORDINATORS.—Section 2003(a) of such title is amended—

(1) in paragraph (3), by striking ''The housing'' and inserting ''Any housing'';

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph (7):

''(7) The program under section 2067 of this title.''.

(c) REPORT.—Not later than 180 days after the date of the establishment of the program required by section 2067 of title 38, United States Code, as added by paragraph (1), the Secretary of Veterans Affairs shall submit to Congress a report on the operation of such program.

SEC. 4. ENHANCEMENT OF COMPREHENSIVE SERVICE PROGRAMS.

(a) ENHANCEMENT OF GRANTS.—Section 2011 of title 38, United States Code, is amended—

(1) in subsection (a), by striking ''Subject to the availability of appropriations provided for such purpose, the'' and inserting ''The'';

(2) in subsection (b)(1)(A), by inserting ''new construction,'' before ''expansion''; and

(3) in subsection (c)—

(A) in the first sentence, by striking ''A grant'' and inserting ''(1) A grant'';

(B) in the second sentence of paragraph (1), as designated by subparagraph (A), by striking ''The amount'' and inserting the following:

''(2) The amount''; and

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

''(3)(A) The Secretary may not deny an application from an entity that seeks a grant under this section to carry out a project described in subsection (b)(1)(A) solely on the basis that the entity proposes to use funding from other private or public sources, if the entity demonstrates that a private nonprofit organization will provide oversight and site control for the project.

''(B) In this paragraph, the term 'private nonprofit organization' means the following:

''(i) An incorporated private institution, organization, or foundation—

''(I) that has received, or has temporary clearance to receive, tax-exempt status under paragraphs (2), (3), or (19) of section 501(c) of the Internal Revenue Code of 1986;

''(II) for which no part of the net earnings of the institution or foundation inures to the benefit of any member, founder, or contributor of the institution or foundation; and

''(III) that the Secretary determines is financially responsible.

''(ii) A for-profit limited partnership or limited liability company, the sole general partner of which is an organization that is described by subclauses (I) through (III) of clause (i).

''(iii) A corporation wholly owned and controlled by an organization that is described by subclauses (I) through (III) of clause (i).''.

(b) STUDY AND REPORT ON PER DIEM PAYMENTS.—

(1) STUDY AND DEVELOPMENT OF PAYMENT METHOD.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) complete a study of all matters relating to the method used by the Secretary to make per diem payments under section 2012(a) of title 38, United States Code; and

(B) develop an improved method for adequately reimbursing recipients of grants under section 2011 of such title for services furnished to homeless veterans.

(2) CONSIDERATION.—In developing the method required by paragraph (1)(B), the Secretary may consider payments and grants received by recipients of grants described in such paragraph from other departments and agencies of Federal and local governments and from private entities.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on—

(A) the findings of the Secretary with respect to the study required by subparagraph (A) of paragraph (1);

(B) the method developed under subparagraph (B) of such paragraph; and

(C) any recommendations of the Secretary for revising the method described in subparagraph (A) of such paragraph and any legislative action the Secretary considers necessary to implement such method.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 2013 of such title is amended by striking ''subchapter $150,000,000'' and all that follows through the period and inserting the following: ''subchapter—

''(1) $200,000,000 for fiscal year 2010; and

''(2) such sums as may be necessary for each of fiscal years 2011 through 2014.''.

SEC. 5. HUD VETERANS AFFAIRS SUPPORTIVE HOUSING VOUCHERS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended to read as follows:

''(19) RENTAL VOUCHERS FOR VETERANS AFFAIRS SUPPORTED HOUSING PROGRAM.—

''(A) RENTAL VOUCHERS.—The Secretary shall make available to public housing agencies described in subparagraph (C) the amounts described in subparagraph (B), to provide rental assistance through a supported housing program administered in conjunction with the Department of Veterans Affairs.

''(B) AMOUNT.—The amounts specified in this subparagraph are the amounts necessary to ensure that—

''(i) not more than 30,000 vouchers for rental assistance under this paragraph are outstanding at any one time during fiscal year 2010;

''(ii) not more than 40,000 vouchers for rental assistance under this paragraph are outstanding at any one time during fiscal year 2011;

''(iii) not more than 50,000 vouchers for rental assistance under this paragraph are outstanding at any one time during fiscal year 2012; and

''(iv) not more than 60,000 vouchers for rental assistance under this paragraph are outstanding at any one time during fiscal year 2013 and each fiscal year thereafter.

''(C) PUBLIC HOUSING AGENCIES.—A public housing agency described in this subparagraph is a public housing agency that—

''(i) has a partnership with a Department of Veterans Affairs medical center or an entity determined to be appropriate by the Secretary of Veterans Affairs;

''(ii) is located in an area that the Secretary of Veterans Affairs determines has a high concentration of veterans in need of assistance;

''(iii) has demonstrated expertise in providing housing for homeless individuals; and

''(iv) meets any other criteria that the Secretary, in consultation with the Secretary of Veterans Affairs may prescribe.

''(D) CASE MANAGEMENT.—The Secretary of Veterans Affairs shall ensure that the case managers described in section 2003(b) of title 38, United States Code, provide appropriate case management for each veteran who receives rental assistance under this paragraph that—

''(i) assists the veteran in—

''(I) locating available housing;

''(II) working with the appropriate public housing agency;

''(III) accessing benefits and health services provided by the Department of Veterans Affairs and other departments and agencies of the Federal Government;

''(IV) negotiating with landlords; and

''(V) other areas, as the Secretary determines is necessary to help the veteran maintain housing or avoid homelessness; and

''(ii) ensures that a veteran with a severe disability, including a veteran that has been homeless for a substantial period of time, is referred to sufficient supportive services to provide the veteran with stable housing, including—

''(I) mental health services, including treatment and recovery support services;

''(II) substance abuse treatment and recovery support services, including counseling, treatment planning, recovery coaching, and relapse prevention;

''(III) integrated, coordinated treatment and recovery support services for co-occurring disorders;

''(IV) health education, including referrals for medical and dental care;

''(V) services designed to help individuals make progress toward self-sufficiency and recovery, including job training, assistance in seeking employment, benefits advocacy, money management, life-skills training, self-help programs, and engagement and motivational interventions;

''(VI) parental skills and family support; and

''(VII) other supportive services that promote an end to chronic homelessness.''.

SEC. 6. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN OFFICE OF SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

''(g) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—

''(1) ESTABLISHMENT.—There shall be in the Department a Special Assistant for Veterans Affairs, who shall be in the Office of the Secretary.

''(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed by the Secretary, based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

''(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

''(A) ensuring that veterans have access to housing and homeless assistance under each program of the Department providing such assistance;

''(B) coordinating all programs and activities of the Department relating to veterans; and

''(C) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law.''.

SEC. 7. HOMELESS VETERANS MANAGEMENT INFORMATION SYSTEM.

(a) IN GENERAL.—Subchapter VII of chapter 20 of title 38, United States Code, as amended by section 3(b), is further amended by adding at the end the following new section:

''§ 2068. Homeless Veterans Management Information System

''(a) METHOD FOR DATA COLLECTION AND AGGREGATION.—(1) Not later than one year after the date of the enactment of this section, the Secretary shall, in consultation with the Special Assistant for Veterans Affairs of the Department of Housing and Urban Development and the United States Interagency Council on Homelessness established under section 201 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311), establish a method for the collection and aggregation of data on homeless veterans participating in programs of the Department of Veterans Affairs and the Department of Housing and Urban Development, including the following:

''(A) The age, race, sex, disability status, marital status of the veteran, income, employment history, and whether the veteran is a parent.

''(B) If the veteran received housing assistance, the number of days that the veteran resided in such housing, and the type of housing in which the veteran resided.

''(C) If the veteran is no longer participating in a program, the reason the veteran left the program.

''(2) The method required by paragraph (1) shall be established in a manner that ensures that each veteran is counted only once.

''(b) ANNUAL DATA COLLECTION AND AGGREGATION.—Not later than one year after the method is established under subsection (a), and annually thereafter, the Secretary shall collect and aggregate data using the method established under subsection (a).

''(c) ANNUAL REPORTS.—Not later than two years after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report on the data collected and aggregated under subsection (b).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal year 2010; and

''(2) such sums as may be necessary for fiscal years 2011 through 2014.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by adding at the end the following new item:

''2068. Homeless Veterans Management Information System.''.

SEC. 8. PLAN TO END VETERAN HOMELESSNESS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a comprehensive plan to end homelessness among veterans that includes—

(1) an analysis of programs of the Department of Veterans Affairs and other departments and agencies of the Federal Government that are designed to prevent homelessness among veterans and assist veterans who are homeless;

(2) an evaluation of whether and how partnerships between the programs described in paragraph (1) would contribute to ending homelessness among veterans;

(3) recommendations for improving the programs described in paragraph (1), creating partnerships between such programs, or eliminating programs that are no longer effective;

(4) recommendations for new programs to prevent and end homelessness among veterans, including an estimation of the cost of such programs;

(5) a timeline for implementing the plan; and

(6) such other information as the Secretary determines necessary.

(b) CONSIDERATION OF VETERANS LOCATED IN RURAL AREAS.—The analysis, evaluation, and recommendations included in the report required by subsection (a) shall include consideration of the circumstances and requirements that are unique to veterans located in rural areas.

By Mr. SPECTER (for himself, Mr. REED, and Mr. KAUFMAN):

S. 1551. A bill to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President. I have sought recognition to urge support for the legislation I just introduced, the Liability for Aiding and Abetting Securities Violations Act of 2009. My legislation would overturn two errant decisions of the Supreme Court—*Central Bank of Denver* v. *First Interstate Bank of Denver*, 511 U.S. 164, 1994, and *Stoneridge Investment Partners, LLC* v. *Scientific-Atlanta, Inc.*, 522 U.S. 148, 2008, by amending the Securities Exchange Act of 1934 to authorize a private right of action for aiding-and-abetting liability.

The Act's main anti-fraud provision, § 10(b), makes it ''unlawful for any person, directly or indirectly,'' to commit acts of fraud ''in connection with the purchase or sale of any security.'' Nearly fifty years ago the Court implied a private right of action under § 10(b). The result was that investors could recover financial losses caused by violations of 10(b) and the companion regulation issued by the SEC commonly known as ''Rule 10b–5.''

Until Central Bank, every circuit of the Federal Court of Appeals had concluded that § 10(b)'s private right of action allowed recovery not only against the person who directly undertook a fraudulent act—the so-called primary violator—but also anyone who aided and abetted him. A five-Justice majority in Central Bank, intent on narrowing § 10(b)'s scope, held that its private right of action extended only to primary violators.

When Congress debated the legislation that became the Private Securities Litigation Reform Act of 1995, PSLRA, then-SEC chairman Arthur Levitt and others urged Congress to overturn Central Bank. Congress declined to do so. The PSLRA authorized only the Securities and Exchange Commission, SEC, to bring aiding-and-abetting enforcement litigation.

It is time for us to revisit that judgment. The massive frauds involving Enron, Refco, Tyco, Worldcom, and countless other lesser-known companies during the last decade have taught us that a stock issuer's auditors, bankers, business affiliates, and lawyers—sometimes called ''secondary actors''—all too often actively participate in and enable the issuer's fraud. Federal Judge Gerald Lynch recently observed in a decision calling on Congress to reexamine Central Bank that secondary actors are sometimes ''deeply and indispensably implicated in wrongful conduct.'' In re Refco, Inc. Sec. Litig., 609 F. Supp. 2d. 304, 318 n.15, S.D.N.Y.

2009. Professor John Coffee of Columbia Law School, a renowned expert on the regulation of the securities markets, has even laid much of the blame for the major corporate frauds of this decade on the ''acquiescence'' of the ''outside professionals''—especially accountants, securities analysts, and corporate lawyers—responsible for ''preparing, verifying, or certifying corporate disclosures to the securities markets.'' Coffee, ''Gatekeeper Failure and Reform: The Challenge of Fashioning Relevant Reforms,'' 84 Boston University Law Review 301, 304, 2004.

The immunity from suit that Central Bank confers on secondary actors has removed much-needed incentives for them to avoid complicity in and even help prevent securities fraud, and all too often left the victims of fraud uncompensated for their losses. Enforcement actions by the SEC have proved to be no substitute for suits by private plaintiffs. The SEC's litigating resources are too limited for the SEC to bring suit except in a small number of cases, and even when the SEC does bring suit, it cannot recover damages for the victims of fraud.

Last year's decision in Stoneridge made matters still worse for defrauded investors. Central Bank had at least held open the possibility that secondary actors who themselves undertake fraudulent activities prescribed by §10(b) could be ''held liable as . . . primary violator[s].'' Stoneridge has largely foreclosed that possibility. A divided Court held that §10(b)'s private right of action did not ''reach'' two vendors of a cable company that entered into sham transactions with the company knowing that it would publicly report the transactions in order to inflate its stock price. The Court conceded that the suppliers engaged in fraudulent conduct prescribed by §10(b), but held that they were not liable in a private action because only the issuer, not they, communicated the transaction to the public. That remarkable conclusion put the Court at odds with even the Republican Chairman of the SEC.

My legislative response would take the limited, but important, step amending of the Exchange Act to authorize a private right of action under §10(b) (and other, less commonly invoked, provisions of the Act) against a secondary actor who provides ''substantial assistance'' to a person who violates §10(b). Any suit brought under my proposed amendment would, of course, be subject to the heightened pleading standards, discovery-stay procedures, and other defendant-protective features of the PSLRA.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. VOINOVICH, Mr. BYRD, and Mr. ENSIGN):

S. 1552. A bill to reauthorize the DC opportunity scholarship program, and for other purposes; read the first time.

Mr. LIEBERMAN. Mr. President, I rise along with my colleagues, Senators COLLINS, FEINSTEIN, VOINOVICH, BYRD and ENSIGN to introduce the Scholarships for Opportunity and Results Act, SOAR, which seeks to reauthorize the DC Opportunity Scholarship Program, OSP, also known as the DC voucher program. This important initiative offers scholarships to low-income students, especially those from failing schools, to attend better private schools. In doing so, the program gives parents of economically disadvantaged children a choice that's available to the more affluent, including many of us in Congress and in the White House. This program offers DC students a choice that has improved the quality of their education and lives; it is a program that works. I urge my colleagues in the Senate to support the reauthorization of this important program.

Since 2003, Congress has supported a tri-sector approach to improving education in the District of Columbia. This has included funding the DC Opportunity Scholarship Program, which provides low income students in the District with scholarships of up to $7,500 to attend private schools, as well as new funding for ongoing efforts to reform and improve public schools and public charter schools in the District.

Critics of this program argue that it takes away funds from public schools. This is simply not the case. I remind my colleagues that we intentionally designed the scholarship program to ensure that any funding for opportunity scholarships would not reduce funding for public schools. We provided additional new money for the DC Public Schools and for DC Public Charter Schools. We have not changed the three part-funding design of the initiative. The tri-partite funding is central to the compromise approach that originally brought Democrats and Republicans together in support of the Opportunity Scholarship Program. This bill preserves that important requirement. It is our intent that any funding for DC Opportunity Scholarships will result in continued additional new money in support of public charter and public schools.

This funding mechanism is an important point as it reflects the goal of the Opportunity Scholarship Program: to be supportive of the reforms that are helping to improve education in the District of Columbia. There is absolutely no intention to undermine the public schools—quite to the contrary. But as Ronald Holassie, one of the students receiving a scholarship, told us at a recent hearing on the program before the Homeland Security and Governmental Affairs Committee: ''public schools in the District did not go bad over night and they won't get better over night.'' That's the point: despite having amongst the highest per pupil expenditure for public school districts in the country, the public school students in the District score at the bottom on national tests. Ronald and others cannot wait for reforms to take effect in the worst of DC's public schools. They deserve a good education today and the Opportunity Scholarships respond to that need.

Much progress has been made in improving DC schools over the years but even school Chancellor Michelle Rhee admits that much remains to be done. According to the Washington Post, Chancellor Rhee was asked recently to give herself a grade for her efforts. She said she would give herself a failing grade as long as any children were in schools that were not providing a quality education. That's a modest answer that obscures the progress she has made. DC test scores are up in the most recent study of academic performance. Undoubtedly, we will see additional improvements in the years to come. Chancellor Rhee will continue to have my full support and I am confident that Ms. Rhee will soon be able to claim the ''A'' grade that I believe she already deserves. In the new bill, we have made the connection between the scholarship program and the ongoing reform effort more explicit. Our bill acknowledges an intent to reexamine the program when DC public school students are testing at the national average in reading and math.

The bill also responds to early criticisms of the Opportunity Scholarships with some important changes. It requires all participating schools to have a valid certificate of occupancy and to ensure that teachers in core subjects have an appropriate college degree. It continues to target students from lower income families who are attending those DC schools most in need of improvement but it increases the tuition amounts slightly to levels consistent with the tuition charged at a typical participating school, and adds an inflation adjustment. The new amounts are still well below the per pupil cost of educating a child in the DC public schools. While we have kept the income ceiling for entry into the program unchanged, we have increased slightly the income ceiling for those already participating in the program to ensure that parents are not forced to choose between a modest raise in their income and the scholarship, or marriage and the scholarship.

It is very important to recognize that the Opportunity Scholarship schools are producing impressive results. Opportunity Scholarship students attending private schools showed a five month advantage in reading levels compared to students attending public schools who applied but did not receive the scholarship, in the most recent study of the program conducted by the Department of Education's Institute of Education Sciences. The study showed significantly higher levels of parental satisfaction with regards to safety and the quality of the school for those in the program. The study has not yet even looked at the effect of the program on graduation rates and attrition though studies of other voucher programs indicate this impact could very well be significant. We will see those results in next year's study.

It is also imperative to put the results of the program in context. Rarely are there statistically significant results with any educational innovations, particularly those targeted at low income students. Of the eleven recent educational innovations studied under the auspices of the Department of Education using the same rigorous testing designs, only three showed any statistically significant achievement results. The Opportunity Scholarship was one of the three. Dr. Patrick Wolf, an education specialist and the lead researcher in the IES study, testified at a recent hearing on the scholarship program that in his professional opinion the results were exceptional and warranted continued study of the program. According to Dr. Wolf, ''by demonstrating statistically significant impacts overall in reading based on an experimental evaluation, the DC OSP has met a tough standard for efficacy in serving low-income inner-city students.''

Academic programs should be evaluated in terms of their impact on students' progress and achievement. In his speech before the Hispanic Chamber of Commerce earlier this year, President Obama laid down that marker as a guideline for considering which education programs should be funded. On that basis, it is clear that we should continue to fund the DC Opportunity Scholarship Program—a program that has been good for students, good for parents and even good for public and charter schools in the District. Let us do the right thing for kids in DC and reauthorize the DC Opportunity Scholarship Program.

Mrs. FEINSTEIN. Mr. President, I am pleased to join Senator LIEBERMAN and my Senate colleagues in introducing legislation to reauthorize the District of Columbia's pilot scholarship program for 5 more years.

This important program currently provides scholarships to 1,700 low-income children who attend 49 private schools in the District. The scholarships of up to $7,500 help these students pay for tuition and transportation expenses to school.

However, if the program is not extended soon, children will not be able to continue their education at the schools of their choice.

This legislation would:

Extend the life of the District of Columbia's pilot scholarship program for five more years.

Increase the program's funding to $20 million for fiscal year 2010 and as may be necessary the following four years to allow new students to participate in the program and provide a higher scholarship.

Increase the scholarship amount to $9,000 for children in kindergarten through 8th grade, and $11,000 for youngsters in high school—this amount is still lower than the $15,500 cost of educating a public school student in the District and will help low-income families afford the high cost of private school tuition.

Protect low-income families whose children are already in the program from ''earning out'' of it by setting the maximum income level for them at 300 percent of the Federal poverty level, about $63,000 for a family of four.

However, it maintains the current income eligibility requirement for students to enter the program of 185 percent of poverty, $41,000 for a family of four.

It would improve evaluation by assessing students' college admission rates, school safety, and the reasons why parents choose to participate in program to better learn about its impact on children's lives and their families.

It would give priority for awarding scholarships also to students whose household includes a sibling or other child already participating in the program.

When students entered the program 5 years ago, they were performing in the bottom third on reading and math tests.

Students are now improving academically—despite the many challenges that these children face outside the classroom living in some of the District's toughest neighborhoods.

The most recent evaluation from this past April by the Education Department's Institute of Education Sciences found that although math test scores have not increased so far, there are significant gains being made in reading test scores.

Specifically, pilot program students scored 4.5 points higher in reading on the SAT-9 national standardized test with a total score of 635.4 when compared to the District's public school students' score of 630.9.

This means students are making gains in reading test scores by the equivalent of 3 months of additional schooling, and moved to the 35th percentile on the SAT-9 from the 33rd percentile where they were before entering the program.

These youngsters still have much more catching up to do, but they are improving and this is important.

I believe the results of the more comprehensive evaluation of student performance that will be released next spring are critical.

Next year's evaluation will also include important data on the program's impact on students' college enrollment and how the District's public schools are changing in response to the pilot program.

I would like to share two examples of how the program has helped to change the lives of the District's most disadvantaged youngsters and give them a chance to succeed.

Shirley-Ann Tomdio is the 8th grade Valedictorian at Sacred Heart Middle School, located in the District's neighborhood of Columbia Heights.

The scholarship allowed Shirley-Ann to attend Sacred Heart School for the past four years since 5th grade.

She will be attending Georgetown Visitation in September for high school.

She wants to go to college and become a surgeon.

Shirley-Ann said at her 8th grade graduation speech this past June:

> The D.C. OSP [Opportunity Scholarship Program] is important to me because without it I wouldn't be able to receive the best education possible. It should continue so that my brother, sister, and other students get the same chance. Every child should get the chance to go to a good school.

Oscar Machado is a graduate of Archbishop Carroll High School where he was on Honor Roll.

Oscar is attending Mount Saint Mary's University in Maryland in the fall and plans to major in biology. He received three college scholarships that will cover nearly all of this tuition.

He was in the pilot program for 4 years.

At Archbishop Carroll High, he was President of the Robotics Team where he used pre-engineering skills to build robots, and also played the saxophone in the school band.

When speaking of his experience as a D.C. Opportunity Scholarship recipient Oscar said:

> The scholarship was great. It gave me the opportunity to attend a school I otherwise couldn't have attended.

Oscar hopes that the same opportunity should be available to other students.

We should listen to students like Oscar and Shirley-Ann, and continue to provide this important program to the District's neediest children.

I look forward to working with my Senate colleagues to pass this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 231—EXPRESSING THE SENSE OF THE SENATE THAT ANY HEALTH CARE REFORM PROPOSAL SHOULD SLOW THE LONG-TERM GROWTH OF HEALTH COSTS AND REDUCE THE GROWTH RATE OF FEDERAL HEALTH CARE SPENDING

Mr. BENNETT (for himself, Mr. WYDEN, Mr. WICKER, Mr. JOHANNS, Mr. COBURN, and Mr. CRAPO) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 231

Whereas health care spending has risen close to 2.4 percentage points faster than gross domestic product (GDP) since 1970; and

Whereas the Centers for Medicare & Medicaid Services projects health care spending to be 17.6 percent of GDP in 2009 and 20.4 percent of GDP by 2018: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) any health care reform proposal should reduce total spending on health care in the United States during the next decade to below current projections by the Centers for Medicare & Medicaid Services; and

(2) any health care reform proposal should reduce the growth rate of Federal health care spending.

Mr. President, today I am submitting a resolution on the future of health care spending. It is both simple and straightforward. It states that health care reform shouldn't cost the Federal Government more money. As health care proposals have received their scores from the Congressional Budget Office, we have seen figures ranging from $597 billion to over $1 trillion. In fact, when asked point blank in a Senate Budget Committee hearing if the current reform proposals would help bend the cost-curve of health care spending in this country, CBO Director Elmendorf replied that it would worsen an already bleak budget outlook, increase deficit projections and drive the nation further into debt. It would raise, instead of lower, the cost-curve of health care spending and, simply iterated, this nation cannot afford it.

Already this year Congress has spent $787 billion on a stimulus package with diminutive effects, passed an omnibus appropriations package and an emergency supplemental appropriations with a price tag of $105.9 billion. We cannot continue to spend as if there is an endless supply of resources and as if this spending doesn't affect American families.

I am an advocate for health reform. I have cosponsored the Healthy Americans Act with Senator WYDEN because we need to reform our country's health care system. However, I believe we need to do it in a way that does not significantly increase the federal responsibility for health care costs.

This resolution expresses the Sense of the Senate that health care reform proposals should reduce total spending on health care in the United States during the next decade to levels below current projections by the Centers for Medicare & Medicaid Services and reduce the growth rate of Federal health care spending. Not only is this feasible, but it should be our goal. Health care reform at the expense of our economy is not reform we should support.

SENATE RESOLUTION 232—CELEBRATING THE 100TH ANNIVERSARY OF THE TILLAMOOK COUNTY CREAMERY ASSOCIATION

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 232

Whereas the Tillamook County Creamery Association is celebrating its 100th anniversary as a world-famous, farmer-owned cooperative dedicated to producing the highest quality cheeses and other products from local dairies;

Whereas the members of the Tillamook County Creamery Association are great supporters of the local and State dairy industries and are committed stewards of the environment;

Whereas the Tillamook County Creamery Association has won hundreds of awards, including 6 awards at the 2009 Oregon Dairy Industries products contest and 6 awards at the 2008 National Milk Producers Federation annual cheese contest;

Whereas for the third year in a row, the Tillamook County Creamery Association was recognized by the Portland Business Journal as one of Oregon's ''Most Admired Companies'';

Whereas the Tillamook County Creamery Association has earned a reputation as one of the Nation's premier makers of cheese; and

Whereas for these reasons, the Tillamook County Creamery Association, known throughout the world for its Tillamook cheddar cheese, is an Oregon icon: Now, therefore, be it

Resolved, That the Senate supports the 100th anniversary celebration of the Tillamook County Creamery Association.

SENATE RESOLUTION 233—COMMENDING RUSS MEYER ON HIS INDUCTION INTO THE NATIONAL AVIATION HALL OF FAME

Mr. BROWNBACK submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 233

Whereas the leadership of Russ Meyer, former chairman and chief executive officer of Cessna Aircraft Company and a leading proponent of general aviation, has had a dramatic impact on the continued growth of the aviation industry in Kansas and throughout the United States;

Whereas Russ Meyer was one of the principal architects of the General Aviation Revitalization Act of 1994 (Public Law 103–298; 108 Stat. 1552);

Whereas Russ Meyer was instrumental in the development of the ''Be A Pilot Program'', which has resulted in tens of thousands of new pilots and contributed more than $200,000,000 to the United States economy through general aviation operations;

Whereas Russ Meyer was the originator of the Citation Special Olympics Airlift, in which hundreds of owners of Citation aircrafts transport athletes from around the country to the Special Olympics National Games; and

Whereas Russ Meyer will join fellow residents of Kansas Olive Beech and Walter Beech, Lloyd Stearman, Clyde Cessna, Amelia Earhart, and Joe Engle in the National Aviation Hall of Fame: Now, therefore, be it

Resolved, That the Senate—

(1) commends Russ Meyer for being inducted into the National Aviation Hall of Fame;

(2) recognizes the achievements of Russ Meyer during his lifetime of service to the aviation industry; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to Russ Meyer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1908. Mr. KOHL (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

SA 1909. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1910. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1911. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1912. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1913. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1914. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1915. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1916. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1917. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1918. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1919. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1920. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1921. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1922. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1923. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1924. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1925. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1926. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1927. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1928. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1929. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1930. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1931. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1932. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1933. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1934. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1935. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1936. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1937. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1938. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1939. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1940. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1941. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1942. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1943. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1944. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1945. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1946. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1947. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1948. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1949. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1950. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1951. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1952. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1953. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1954. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1955. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1956. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1957. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1958. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1959. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1960. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1961. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1962. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1963. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1964. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1965. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1966. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1967. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1968. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1969. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1970. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1971. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1972. Mr. McCAIN submitted an amendment intended to be proposed to amendment

SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1973. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1974. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1975. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1976. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1977. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1978. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1979. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1980. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1981. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1982. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1983. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1984. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1985. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1986. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1987. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1988. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1989. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1990. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1991. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1992. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1993. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1994. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1995. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1996. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1997. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1998. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 1999. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2000. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2001. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2002. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2003. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2004. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2005. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2006. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2007. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2008. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2009. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2010. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2011. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2012. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2013. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2014. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2015. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2016. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2017. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2018. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2019. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2020. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2021. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2022. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2023. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2024. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2025. Mr. MCCAIN submitted an amendment intended to be proposed to amendment

SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2026. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2027. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2028. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2029. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2030. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2031. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2032. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2033. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2034. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2035. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2036. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2037. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2038. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2039. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2040. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2041. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2042. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2043. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2044. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2045. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2046. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2047. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2048. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2049. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2050. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2051. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2052. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2053. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2054. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2055. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2056. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2057. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2058. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2059. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2060. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2061. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2062. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2063. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2064. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2065. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2066. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2067. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2068. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2069. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2070. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2071. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

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SA 2204. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2205. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2206. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2207. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2208. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2209. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2210. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2211. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2212. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2213. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2214. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2215. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2216. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2217. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2218. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2219. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2220. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2221. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2222. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.; which was ordered to lie on the table.

SA 2223. Mr. SESSIONS proposed an amendment to the bill H.R. 3357, to restore sums to the Highway Trust Fund, and for other purposes.

SA 2224. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2225. Mrs. MURRAY (for herself and Mr. BAUCUS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2226. Mr. NELSON, of Florida (for himself, Mr. REID, and Mr. MARTINEZ) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2227. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2228. Mr. NELSON, of Florida (for himself, Mr. REID, Mr. MARTINEZ, Mr. AKAKA, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.; which was ordered to lie on the table.

SA 2229. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr . BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2230. Mr. KOHL (for Mr. TESTER (for himself, Mr. ENZI, and Mrs. MCCASKILL)) proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra.

SA 2231. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2232. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1908. Mr. KOHL (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $5,285,000: *Provided*, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

OFFICE OF TRIBAL RELATIONS

For necessary expenses of the Office of Tribal Relations, $1,000,000, to support communication and consultation activities with Federally Recognized Tribes, as well as other requirements established by law.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $13,032,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $15,219,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,436,0000.

OFFICE OF HOMELAND SECURITY

For necessary expenses of the Office of Homeland Security, $1,859,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $63,579,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,566,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $895,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $23,422,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $806,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $274,482,000, to remain available until expended, of which $168,901,000 shall be available for payments to the General Services Administration for rent; of which $13,500,000 for payment to the Department of Homeland Security for building security activities; and of which $92,081,000 for buildings operations and maintenance expenses: *Provided*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $5,125,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $41,319,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That of the amount appropriated, $13,000,000 is for stabilization and developmental activities to be carried out under the authority provided by title XIV of the Food and Agriculture Act of 1977 (7 U.S.C. 3101 et seq.) and other applicable laws.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,968,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses of the Office of Communications, $9,722,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $88,025,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $43,551,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, $895,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $82,078,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $161,830,000, of which up to $37,908,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,181,632,000, of which $35,512,000 shall be for the purposes, and in the amounts, specified in the table titled "Congressionally Designated Projects" in the report to accompany this Act: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual

for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $47,027,000, of which $47,027,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act, to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $757,821,000, of which $61,406,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $215,000,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $30,000,000; for payments to eligible institutions (7 U.S.C. 3222), $49,000,000, provided that each institution receives no less than $1,000,000; for special grants (7 U.S.C. 450i(c)), $50,456,000; for competitive grants on improved pest control (7 U.S.C. 450i(c)), $16,423,000; for competitive grants (7 U.S.C. 450(i)(b)), $295,181,000, to remain available until expended; for the support of animal health and disease programs (7 U.S.C. 3195), $1,000,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $850,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,083,000, to remain available until expended; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $2,000,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $983,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,859,000, to remain available until expended (7 U.S.C. 2209b); for a program pursuant to section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151a), $5,000,000, to remain available until expended; for higher education challenge grants (7 U.S.C. 3152(b)(1)), $5,654,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $981,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $7,737,000; for competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3156 to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $3,200,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $983,000; for aquaculture grants (7 U.S.C. 3322), $3,928,000; for sustainable agriculture research and education (7 U.S.C. 5811), $14,500,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, $16,500,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $3,342,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), $800,000; for a new era rural technology program pursuant to section 1473E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319e), $750,000; for a competitive grants program for farm business management and benchmarking (7 U.S.C. 5925f), $2,000,000; for a competitive grants program regarding biobased energy (7 U.S.C. 8114), $1,500,000; and for necessary expenses of Research and Education Activities, $25,111,000, of which $2,704,000 for the Research, Education, and Economics Information System and $2,136,000 for the Electronic Grants Information System, are to remain available until expended.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $491,292,000, of which $7,898,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $300,000,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $4,000,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $68,139,000; payments for the pest management program under section 3(d) of the Act, $10,085,000; payments for the farm safety program under section 3(d) of the Act, $4,863,000; payments for New Technologies for Ag Extension under section 3(d) of the Act, $2,000,000; payments to upgrade research, extension, and teaching facilities at institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, $18,540,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $8,427,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $493,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,128,000; payments for the federally-recognized Tribes Extension Program under section 3(d) of the Smith-Lever Act, $3,090,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,705,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $1,738,000; payments for cooperative extension work by eligible institutions (7 U.S.C. 3221), $41,354,000, provided that each institution receives no less than $1,000,000; for grants to youth organizations pursuant to 7 U.S.C. 7630, $1,767,000; payments to carry out the food animal residue avoidance database program as authorized by 7 U.S.C. 7642, $1,000,000; payments to carry out section 1672(e)(49) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925), as amended, $500,000; and for necessary expenses of Extension Activities, $16,463,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $56,864,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $41,990,000, including $12,649,000 for the water quality program, $14,596,000 for the food safety program, $4,096,000 for the regional pest management centers program, $4,388,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,365,000 for the crops affected by Food Quality Protection Act implementation, $3,054,000 for the methyl bromide transition program, and $1,842,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $3,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $732,000, to remain available until September 30, 2011, for the critical issues program; $1,312,000 for the regional rural development centers program; and $9,830,000 for the Food and Agriculture Defense Initiative authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, to remain available until September 30, 2011.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $895,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $911,394,000, of which $18,059,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act, of which $2,058,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $23,390,000 shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $14,607,000 shall be for a National Animal Identification program; of which $60,243,000 shall be used to prevent and control avian influenza and shall remain available until expended: *Provided*, That funds provided for the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, cotton pests program, grasshopper and mormon cricket program, the plum pox program, the National Veterinary Stockpile, the National Animal Identification System, up to $1,500,000 in the scrapie program for indemnities, up to $1,000,000 for wildlife services methods development, up to $1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program shall remain available until expended: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any

segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2010, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,712,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $90,848,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $64,583,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, including not less than $20,000,000 for replacement of a system to support commodity purchases, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,056,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,334,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $41,564,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $813,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,018,520,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 150 full-time equivalent positions shall be employed during fiscal year 2010 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That of the amount available under this heading, $3,000,000 shall be obligated to maintain the Humane Animal Tracking System as part of the Public Health Data Communication Infrastructure System: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $895,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,253,777,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,369,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $5,000,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), direct and guaranteed conservation loans (7 U.S.C. 1924 et seq.) and Indian highly fractionated land loans (25 U.S.C. 488), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,892,990,000, of which $1,500,000,000 shall be for unsubsidized guaranteed loans and $392,990,000 shall be for direct loans; operating loans, $1,994,467,000, of which $1,150,000,000 shall be for unsubsidized guaranteed loans, $144,467,000 shall be for subsidized guaranteed loans and $700,000,000 shall be for direct loans; Indian tribe land acquisition loans, $2,000,000; conservation loans, $150,000,000, of which $75,000,000 shall be for guaranteed loans and $75,000,000 shall be for direct loans; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $21,584,000, of which $5,550,000 shall be for unsubsidized guaranteed loans, and $16,034,000 shall be for direct loans; operating loans, $80,402,000, of which $26,910,000 shall be for unsubsidized guaranteed loans, $20,312,000 shall be for subsidized guaranteed loans, and $33,180,000 shall be for direct loans; conservation loans, $1,343,000, of which $278,000 shall be for guaranteed loans, and $1,065,000 shall be for direct loans; and Indian highly fractionated land loans, $793,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $321,093,000, of which

$313,173,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating, and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, $79,425,000: *Provided*, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $895,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $949,577,000, to remain available until September 30, 2011, of which up to $50,730,000 may be used in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–590f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), and of which $21,511,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That the Secretary is authorized to transfer ownership of all land, buildings, and related improvements of the Natural Resources Conservation Service facilities located in Medicine Bow, Wyoming, to the Medicine Bow Conservation District: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $24,394,000, to remain available until expended, of which $16,750,000 shall be for the purposes, and in the amounts, specified in the table titled ''Congressionally Designated Projects'' in the report to accompany this Act: *Provided*, That not to exceed $15,000,000 of this appropriation shall be available for technical assistance.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $40,161,000, to remain available until expended.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $895,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $207,237,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $13,226,501,000 for loans to section 502 borrowers, of which $1,226,501,000 shall be for direct loans, and of which $12,000,000,000 shall be for unsubsidized guaranteed loans; $34,412,000 for section 504 housing repair loans; $69,512,000 for section 515 rental housing; $129,090,000 for section 538 guaranteed multi-family housing loans; $5,045,000 for section 524 site loans; $11,448,000 for credit sales of acquired property, of which up to $1,448,000 may be for multi-family credit sales; and $4,970,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $217,322,000, of which $44,522,000 shall be for direct loans, and of which $172,800,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $4,422,000; repair, rehabilitation, and new construction of section 515 rental housing, $18,935,000; section 538 multi-family housing guaranteed loans, $1,485,000; and credit sales of acquired property, $556,000: *Provided*, That section 538 multi-family housing guaranteed loans funded pursuant to this paragraph shall not be subject to a guarantee fee and the interest on such loans may not be subsidized: *Provided further*, That any balances for a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties as authorized by Public Law 109–97 and Public Law 110–5 shall be transferred to and merged with the ''Rural Housing Service, Multi-family Housing Revitalization Program Account''.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $468,593,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $980,000,000; and, in addition, such sums as

may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, up to $5,958,000 may be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $50,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That of this amount not less than $2,030,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, and not less than $3,400,000 is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2010 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, for the cost to conduct a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $39,651,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $18,000,000 shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development (including the ability to pay administrative costs related to delivery of the voucher funds): *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration programs for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $1,791,000 shall be available for the cost of loans to private nonprofit organizations, or such nonprofit organizations' affiliate loan funds and State and local housing finance agencies, to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects: *Provided further*, That loans under such demonstration program shall have an interest rate of not more than 1 percent direct loan to the recipient: *Provided further*, That the Secretary may defer the interest and principal payment to the Rural Housing Service for up to 3 years and the term of such loans shall not exceed 30 years: *Provided further*, That of the funds made available under this heading, $19,860,000 shall be available for a demonstration program for the preservation and revitalization of the section 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That the Secretary may use any unobligated funds appropriated for the rural housing voucher program in a prior fiscal year to support information technology activities of the Rural Housing Service to the extent the Secretary determines that additional funds are not needed for this fiscal year to provide vouchers described in this paragraph: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior notification of the Committees on Appropriations of both Houses of Congress.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $38,727,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $41,500,000, to remain available until expended: *Provided*, That any balances to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects as authorized in Public Law 108–447 and Public Law 109–97 shall be transferred to and merged with the ''Rural Housing Service, Multi-family Housing Revitalization Program Account''.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $16,968,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $54,993,000, to remain available until expended: *Provided*, That $6,256,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $13,902,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $3,972,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account for programs authorized by section 306 and described in section 381E(d)(1) of such Act be transferred and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in sections 310B(f) and 381E(d)(3) of the Consolidated Farm and Rural Development Act, $97,116,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $2,979,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in

section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account for programs authorized by sections 306 and 310B and described in sections 310B(f) and 381E(d)(3) of such Act be transferred and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $33,536,000.

For the cost of direct loans, $8,464,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,035,000 shall be available through June 30, 2010, for Federally Recognized Native American Tribes and of which $2,070,000 shall be available through June 30, 2010, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,941,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $43,000,000 shall not be obligated and $43,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(i)), $38,854,000, of which $300,000 shall be for a cooperative research agreement with a qualified academic institution to conduct research on the national economic impact of all types of cooperatives; and of which $2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,463,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers and whose governing board and/or membership is comprised of at least 75 percent socially disadvantaged members; and of which $21,867,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL MICROENTERPRISE INVESTMENT PROGRAM ACCOUNT

For the cost of loans and grants, $22,000,000 as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.): *Provided*, That such costs of loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees and grants, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $68,130,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

BIOREFINERY ASSISTANCE PROGRAM ACCOUNT

For the cost of guaranteed loans, $17,339,000, as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $568,730,000, to remain available until expended, of which not to exceed $497,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $70,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally-recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That such loans and grants shall not be subject to any matching requirements: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $5,600,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $14,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That $17,500,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Costs Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of such Act be transferred to and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $6,500,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $250,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $295,000,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $39,959,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $531,699,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $37,755,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That $4,965,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $38,495,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $13,406,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, $813,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

In lieu of the amounts made available in section 14222(b) of the Food, Conservation, and Energy Act of 2008, for necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $16,799,584,000, to remain available through September 30, 2011, of which $10,051,707,000 is hereby appropriated and $6,747,877,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That of the total amount available, $5,000,000 shall be available to be awarded as competitive grants to implement section 4405 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), and may be awarded notwithstanding the limitations imposed by sections 4405(b)(1)(A) and 4405(c)(1)(A).

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the WIC Program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $7,552,000,000, to remain available through September 30, 2011: *Provided*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $61,351,846,000, of which $3,000,000,000, to remain available through September 30, 2011, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $233,388,000, to remain available through September 30, 2011: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2010 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2011: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $147,801,000.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $180,367,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Public Law 83–480 and the Food for Progress Act of 1985, $2,812,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses'': *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,690,000,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $6,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,465,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $355,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses''.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $199,500,000, to remain available until expended: *Provided*, That of this amount, the Secretary shall use up to $10,000,000 to conduct pilot projects to field test new and improved micronutrient fortified food products designed to meet energy and nutrient needs of program participants: *Provided further*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $2,995,218,000: *Provided*, That of the amount provided under this heading, $578,162,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2011 but collected in fiscal year 2010; $57,014,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $17,280,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; and $5,106,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379f, and shall be credited to this account and shall remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, and animal generic drug assessments for fiscal year 2010 received during fiscal year 2010, including any such fees assessed prior to fiscal year 2010 but credited for fiscal year 2010, shall be subject to the fiscal year 2010 limitations: *Provided further*, That none of these funds shall

be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $782,915,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $873,104,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than $51,545,000 shall be available for the Office of Generic Drugs; (3) $305,249,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $155,540,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $349,262,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $58,745,000 shall be for the National Center for Toxicological Research; (7) not to exceed $115,882,000 shall be for Rent and Related activities, of which $41,496,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (8) not to exceed $168,728,000 shall be for payments to the General Services Administration for rent; and (9) $185,793,000 shall be for other activities, including the Office of the Commissioner; the Office of Scientific and Medical Programs; the Office of Policy, Planning and Preparedness; the Office of International and Special Programs; the Office of Operations; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior notification of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $12,433,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $54,500,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSION)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 204 passenger motor vehicles, of which 170 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Section 10101 of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, (Public Law 110–329) is amended in subsection (b) by inserting at the end the following: ''In carrying out this section, the Secretary may transfer funds into existing or new accounts as determined by the Secretary.''.

SEC. 703. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior notification of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior notification of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without prior approval of the Committees on Appropriations of both Houses of Congress as required by section 712 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 704. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 705. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties: *Provided*, That this does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 706. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 707. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 708. Hereafter, none of the funds appropriated by this Act or any other Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 709. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 710. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 711. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer unless prior notification has been transmitted to the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 712. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United

States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, which-ever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 713. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2011 appropriations Act.

SEC. 714. None of the funds made available by this or any other Act may be used to close or relocate a Rural Development office unless or until the Secretary of Agriculture determines the cost effectiveness and/or enhancement of program delivery: *Provided,* That not later than 120 days before the date of the proposed closure or relocation, the Secretary notifies the Committees on Appropriation of the House and Senate, and the members of Congress from the State in which the office is located of the proposed closure or relocation and provides a report that describes the justifications for such closures and relocations.

SEC. 715. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Pharmaceutical Analysis in St. Louis, Missouri, outside the city or county limits of St. Louis, Missouri.

SEC. 716. There is hereby appropriated $499,000 for any authorized Rural Development program purpose, in communities suffering from extreme outmigration and situated in areas that were designated as part of an Empowerment Zone pursuant to section 111 of the Community Renewal Tax Relief Act of 2000 (as contained in appendix G of Public Law 106–554).

SEC. 717. None of the funds made available in fiscal year 2010 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided,* That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 718. There is hereby appropriated $3,497,000, to remain available until expended, for a grant to the National Center for Natural Products Research for construction or renovation to carry out the research objectives of the natural products research grant issued by the Food and Drug Administration.

SEC. 719. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 720. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) An Environmental Quality Incentives Program as authorized by sections 1241–240H of the Food Security Act of 1985, as amended (16 U.S.C. 3839aa–3839aa(8)), in excess of $1,180,000,000.

(2) a program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1).

(3) a program under subsection (b)(2)(A)(ii) of section 14222 of Public Law 110–246 in excess of $1,123,000,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out section 19(i)(1)(C) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of $25,000,000 until October 1, 2010: *Provided further*, That the unobligated balances under section 32 of the Act of August 24, 1935, $52,000,000 are hereby rescinded.

SEC. 721. Hereafter, notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 722. There is hereby appropriated $2,600,000, to remain available until expended, for the planning and design of construction of an agricultural pest facility in the State of Hawaii.

SEC. 723. There is hereby appropriated $4,000,000 to the Secretary of Agriculture to award grant(s) to develop and field test new food products designed to improve the nutritional delivery of humanitarian food assistance provided through the McGovern-Dole (section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1)) and the Food for Peace title II (7 U.S.C. 1691 et seq.) programs: *Provided,* That the Secretary shall use the authorities provided under the Research, Education, and Economics mission area of the Department in awarding such grant(s), with priority given to proposals that demonstrate partnering with and in-kind support from the private sector.

SEC. 724. The Rural Utilities Service, Rural Housing Service, and Rural Business and Cooperative Service shall permit an applicant to solicit and procure professional services and have prepared all environmental reviews, assessments, and impact statements: *Provided*, That such professional services will be funded by the applicants and selected by the agencies from procurement schedules of contractors determined qualified to perform said services: *Provided further*, That the Agencies shall establish the scope of work and procedures for such services as well as procedures to assure contractors have no financial or other conflicts of interest in the outcome of the action and the documentation meets the needs of the Agencies: *Provided further*, That nothing herein shall affect the responsibility of the Agencies to comply with the National Environmental Policy Act.

SEC. 725. Notwithstanding any other provision of law, and until receipt of the decennial Census for the year 2010, the Secretary of Agriculture shall consider—

(1) The unincorporated community of Los Osos, in the County of San Luis Obispo, California, to be a rural area for the purposes of eligibility for Rural Utilities Service water and waste disposal loans and grants; and

(2) The unincorporated community of Thermalito in Butte County, California, (including individuals and entities with projects within the community) eligible for loans and grants funded under the housing programs of the Rural Housing Service.

SEC. 726. There is hereby appropriated $3,000,000 for section 4404 of Public Law 107–171.

SEC. 727. Notwithstanding any other provision of law, there is hereby appropriated:

(1) $3,000,000 of which $2,000,000 shall be for a grant to the Wisconsin Department of Agriculture, Trade, and Consumer Protection, and $1,000,000 shall be for a grant to the Vermont Agency of Agriculture, Foods, and Markets, as authorized by section 6402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note); and

(2) $350,000 for a grant to the Wisconsin Department of Agriculture, Trade and Consumer Protection.

SEC. 728. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance—

(1) through the Watershed and Flood Prevention Operations program for the Pocasset River Floodplain Management Project in the State of Rhode Island;

(2) through the Watershed and Flood Prevention Operations program to carry out the East Locust Creek Watershed Plan Revision in Missouri, including up to 100 percent of the engineering assistance and 75 percent cost share for construction cost of site RW1;

(3) through the Watershed and Flood Prevention Operations program to carry out the Little Otter Creek Watershed project in Missouri. The sponsoring local organization may obtain land rights by perpetual easements;

(4) through the Watershed and Flood Prevention Operations program to carry out the DuPage County Watershed project in the State of Illinois;

(5) through the Watershed and Flood Prevention Operations program to carry out the Dunloup Creek Watershed Project in Fayette and Raleigh Counties, West Virginia;

(6) through the Watershed and Flood Prevention Operations program to carry out the Dry Creek Watershed project in the State of California; and

(7) through the Watershed and Flood Prevention Operations program to carry out the Upper Clark Fork Watershed project in the State of Montana.

SEC. 729. Section 17(r)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)(5)) is amended—

(1) by striking ''ten'' and inserting ''eleven'';

(2) by striking ''eight'' and inserting ''nine''; and

(3) by inserting ''Wisconsin,'' after the first instance of ''States shall be''.

SEC. 730. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act

may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 731. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of the fiscal year from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2011, for information technology expenses.

SEC. 732. (a) CHILD NUTRITION PROGRAMS.—Section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)) is amended by adding at the end the following:

''(14) COMBAT PAY.—

''(A) DEFINITION OF COMBAT PAY.—In this paragraph, the term 'combat pay' means any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this paragraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

''(i) is the result of deployment to or service in a combat zone; and

''(ii) was not received immediately prior to serving in a combat zone.

''(B) EXCLUSION.—Combat pay shall not be considered to be income for the purpose of determining the eligibility for free or reduced price meals of a child who is a member of the household of a member of the United States Armed Forces.''.

(b) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.—Section 17(d)(2) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

''(C) COMBAT PAY.—For the purpose of determining income eligibility under this section, a State agency shall exclude from income any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this subparagraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

''(i) is the result of deployment to or service in a combat zone; and

''(ii) was not received immediately prior to serving in a combat zone.''.

SEC. 733. (a) Section 531(g)(7)(F) of the Federal Crop Insurance Act (7 U.S.C. 1531(g)(7)(F)) is amended—

(1) in the matter preceding clause (i), by inserting ''(including multiyear assistance)'' after ''assistance''; and

(2) in clause (i), by inserting ''or multiyear production losses'' after ''a production loss''.

(b) Section 901(g)(7)(F) of the Trade Act of 1974 (19 U.S.C. 2497(g)(7)(F)) is amended—

(1) in the matter preceding clause (i), by inserting ''(including multiyear assistance)'' after ''assistance''; and

(2) in clause (i), by inserting ''or multiyear production losses'' after ''a production loss''.

SEC. 734. Notwithstanding section 17(g)(5) of the Child Nutrition Act of 1966 (42.U.S.C. 1786(g)(5)), not more than $15,000,000 of funds provided in this Act may be used for the purpose of evaluating program performance in the Special Supplemental Nutrition Program for Women, Infants and Children.

SEC. 735. Notwithstanding section 17(h)(10)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)(A)), $154,000,000 of funds provided in this Act shall be used for infrastructure, management information systems and breastfeeding peer counseling support: *Provided*, That of the $154,000,000, not less than $14,000,000 shall be used for infrastructure, not less than $60,000,000 shall be used for management information systems, and not less than $80,000,000 shall be used for breastfeeding peer counselors and other related activities.

SEC. 736. Agencies with jurisdiction for carrying out international food assistance programs under the jurisdiction of this Act, including title II of the Food for Peace Act and the McGovern-Dole International Food for Education Program, shall—

(1) provide to the Committees on Appropriations of the House and the Senate no later than March 1, 2010, the following:

(A) estimates on cost-savings and programmatic efficiencies that would result from increased use of pre-positioning of food aid commodities and processes to ensure such cargoes are appropriately maintained to prevent spoilage;

(B) estimates on cost-savings and programmatic efficiencies that would result from the use of longer-term commodity procurement contracts, the proportional distribution of commodity purchases throughout the fiscal year, longer-term shipping contracts, contracts which include shared-risk principles, and adoptions of other commercially acceptable contracting practices;

(C) estimates on costs of domestic procurement of commodities, domestic inland transportation of food aid commodities, domestic storage (including loading and unloading), foreign storage (including loading and unloading), foreign inland transportation, and ocean freight (including ocean freight as adjusted by the ocean freight differential reimbursement provided by the Secretary of Transportation), and costs relating to allocation and distribution of commodities in recipient countries;

(D) information on the frequency of delays in transporting food aid commodities, the cause or purpose of any delays (including how those delays are tracked, monitored and resolved), missed schedules by carriers and non-carriers (and resulting program costs due to such delays, including impacts to program beneficiaries);

(E) information on the methodologies to improve interagency coordination between host governments, the World Food Program, and non-governmental organization to develop more consistent estimates of food aid needs and the number of intended recipients to appropriately inform the purchases of commodities and in order to appropriately plan for commodity procurement for food aid programs;

(2) provide the matter described under subsection (1) of this section in the form of a consensus report under the signatures of the Secretaries of Agriculture, State, and Transportation; and

(3) estimates and cost savings analysis for this section shall be derived from periods representative of normal program operations.

SEC. 737. There is hereby appropriated $7,000,000 to carry out section 4202 of Public Law 110–246.

SEC. 738. There is hereby appropriated $2,600,000 to carry out section 1621 of Public Law 110–246.

SEC. 739. There is hereby appropriated $4,000,000 to carry out section 1613 of Public Law 110–246.

SEC. 740. There is hereby appropriated $250,000, to remain available until expended, for a grant to the Kansas Farm Bureau Foundation for work-force development initiatives to address out-migration in rural areas.

SEC. 741. There is hereby appropriated $800,000 to the Farm Service Agency to carry out a pilot program to demonstrate the use of new technologies that increase the rate of growth of re-forested hardwood trees on private non-industrial forests lands, enrolling lands on the coast of the Gulf of Mexico that were damaged by Hurricane Katrina in 2005.

SEC. 742. Applicants with very low, low, and moderate incomes shall be eligible for the program established in section 791 of Public Law 109–97.

SEC. 743. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of reconstituted infant formula specified in 7 C.F.R. 246.10 when issuing infant formula to participants. Such authorizations shall not otherwise impact the eligibility of manufacturers to remain eligible under the Special Supplemental Nutrition Program for Women, Infants and Children authorized by section 17 of the Child Nutrition Act of 1966.

SEC. 744. None of the funds made available by this Act may be used to establish or implement a rule allowing poultry products to be imported into the United States from the People's Republic of China unless the Secretary of Agriculture formally commits in advance to conduct audits of inspection systems, on-site reviews of slaughter and processing facilities, laboratories and other control operations before any Chinese facilities are certified as eligible to ship fully cooked poultry products to the United States, and at least once annually in subsequent years: *Provided*, That the Secretary commits in advance to implement a significantly increased level of port of entry re-inspection: *Provided further*, That the Secretary commits in advance to conduct information sharing with other countries importing poultry products from China that have conducted audits and plant inspections.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010''.

SA 1909. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, strike lines 9 through 18.

SA 1910. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, strike line 7 and all that follows through ''U.S.C. 918a):'' on line 12.

SA 1911. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related

Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, beginning on line 20, strike ''of which'' and all that follows through ''and'' on page 31, line 2.

SA 1912. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, strike line 20 and all that follows through page 32, line 10.

SA 1913. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, lines 8 through 11, strike '', of which $18,059,000 shall be for the purposes, and in the amounts, specified in the table titled 'Congressionally Designated Projects' in the report to accompany this Act''.

SA 1914. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, lines 2 through 5, strike '', and of which $21,511,000 shall be for the purposes, and in the amounts, specified in the table titled 'Congressionally Designated Projects' in the report to accompany this Act''.

SA 1915. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, lines 5 through 8, strike '', of which $16,750,000 shall be for the purposes, and in the amounts, specified in the table titled 'Congressionally Designated Projects' in the report to accompany this Act''.

SA 1916. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, lines 21 through 24, strike '', of which $7,898,000 shall be for the purposes, and in the amounts, specified in the table titled 'Congressionally Designated Projects' in the report to accompany this Act''.

SA 1917. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, on lines 3 through 6, strike '', of which $35,512,000 shall be for the purposes, and in the amounts, specified in the table titled 'Congressionally Designated Projects' in the report to accompany this Act''.

SA 1918. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 10, line 23, strike '', of which'' and all that follows through ''this Act'' on page 11, line 1.

SA 1919. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, lines 20 through 23, strike ''*Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland:''.

SA 1920. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 70, strike lines 14 through 25.

SA 1921. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 36, lines 12 through 17, strike ''That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*,''.

SA 1922. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 71, strike lines 1 through 6.

SA 1923. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, strike lines 18 through 21.

SA 1924. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, strike lines 1 through 13.

SA 1925. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, strike line 4 and all that follows through page 77, line 11.

SA 1926. Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Agriculture Compliance Laboratory Equipment, Delaware Department of Agriculture.

SA 1927. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for animal management and control, APHIS Mississippi.

SA 1928. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Berryman Institute, Jack Berryman Institute Utah, and Mississippi Agriculture and Forestry Experiment Station.

SA 1929. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other puruposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for bio-safety and antibiotic resistance, University of Vermont.

SA 1930. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other puruposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for blackbird management, APIIIS Louisiana.

SA 1931. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other puruposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for blackbird management, APIIIS North and South Dakota.

SA 1932. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other puruposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for bovine tuberculosis eradication Michigan, Michigan Department of Agriculture.

SA 1933. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the California county pest detection augmentation program, California Department of Food and Agriculture.

SA 1934. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the California county pest detection import inspection program, California Department of Food and Agriculture.

SA 1935. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Cogongrass control, Mississippi Department of Agriculture.

SA 1936. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the cooperative livestock protection program, APHIS Pennsylvania and Pennsylvania Department of Agriculture.

SA 1937. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cormorant control, APHIS Michigan.

SA 1938. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cormorant control, APHIS Mississippi.

SA 1939. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cormorant control, APHIS Vermont and Vermont Fish and Wildlife Department.

SA 1940. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for disease prevention, Louisiana Department of Wildlife and Fisheries.

SA 1941. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for disease surveillance in North Dakota, North Dakota State University and Dickinson State University.

SA 1942. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for genetically modified products, Iowa State University.

SA 1943. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Greater Yellowstone Interagency Brucellosis Committee, Idaho Department of Agriculture, Montana Department of Livestock, Wyoming Livestock Board.

SA 1944. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the gypsy moth, New Jersey, New Jersey Department of Agriculture.

SA 1945. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Hawaii interline, APHIS Hawaii.

SA 1946. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Hawaii wildlife services activities, APHIS Hawaii.

SA 1947. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Hemlock Woolly Adelgid, Tennessee, University of Tennessee.

SA 1948. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for integrated predation management activities, APHIS West Virginia.

SA 1949. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for invasive aquatic species, Lake Champlain Fish and Wildlife Management Cooperative, Vermont.

SA 1950. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Mormon crickets, APHIS Nevada.

SA 1951. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Agriculture Biosecurity Center, Kansas State University.

SA 1952. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, beginning on line 10, strike ": *Provided further*, That" and all that follows through "technologies" on line 20.

SA 1953. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for national farm animal identification and records, Holstein Association.

SA 1954. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) and intended to be proposed to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Wildlife Research Station, Texas A&M Hutchison.

SA 1955. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the New Mexico rapid syndrome validation program, New Mexico State University.

SA 1956. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Nez Perce Bio-control Center, Nez Perce Tribe.

SA 1957. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for noxious weed management, Nevada Department of Agriculture.

SA 1958. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Tri-State predator control, APHIS Idaho, Montana, and Wyoming.

SA 1959. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Varroa mite suppression, APHIS Hawaii.

SA 1960. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Wildlife Services South Dakota, South Dakota Department of Game, Fish, and Parks.

SA 1961. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Agricultural Research Center, Beltsville, Maryland.

SA 1962. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Agricultural Research Center, Logan, Utah.

SA 1963. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Agricultural Research Center, Pullman, Washington.

SA 1964. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Animal Bioscience Facility, Bozeman, Montana.

SA 1965. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the

fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Appalachian Fruit Laboratory, Kearneysville, West Virginia.

SA 1966. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the ARS Biotechnology Lab, Lorcom, Mississippi.

SA 1967. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the ARS Forage-Animal Production Research Facility, Lexington, Kentucky.

SA 1968. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the ARS Research and Development Center, Auburn, Alabama.

SA 1969. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the ARS Waste Management Research Facility, Bowling Green, KY.

SA 1970. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Dairy Forage Agricultural Research Center, Prairie du Sac, WI.

SA 1971. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Jamie Whitten Delta States Research Center, Stoneville, MS.

SA 1972. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Plant and Genetics Security Center, Columbia, MO.

SA 1973. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Pacific Basin Agricultural Research Center, Hilo, HI.

SA 1974. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Sugarcane Research Facility, Houma, LA.

SA 1975. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Systems Biology Research Facility, Lincoln, NE.

SA 1976. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Anthropod-Borne Animal Diseases Research Laboratory, ARS, Manhattan, KS.

SA 1977. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Aquaculture Fisheries Center, ARS, Harry K. Dupree National Aquaculture Center, AR.

SA 1978. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Aquaculture Initiatives, Harbor Branch Oceanographic Institute, ARS, Stuttgart, AR.

SA 1979. Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Biomass Crop Production, ARS, Brookings, SD.

SA 1980. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Biomedical Materials in Plants, ARS, Beltsville, MD.

SA 1981. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Bioremediation Research, ARS, Beltsville, MD.

SA 1982. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Biotechnology Research and Development Corporation, ARS, Washington, D.C.

SA 1983. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Center for Agroforestry, ARS, Booneville, AR.

SA 1984. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Computer Vision Engineer, ARS, Kearneysville, WV.

SA 1985. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Dairy Forage Research Center, ARS, Marshfield, WI.

SA 1986. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Dale Bumpers Small Farms Research Center, ARS, Booneville, AR.

SA 1987. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Diet Nutrition and Obesity Research, ARS, New Orleans, LA.

SA 1988. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Endophyte Research, ARS, Booneville, AR.

SA 1989. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Forage Crop Stress Tolerance and Virus Disease Management, ARS, Prosser, WA.

SA 1990. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Formosan Subterranean Termites Research, ARS, New Orleans, LA.

SA 1991. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Foundy Sand By-Products Utilization, ARS, Beltsville, MD.

SA 1992. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for genomics, ARS, University of Minnesota.

SA 1993. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Human Nutrition Research, ARS, Boston, MA.

SA 1994. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Human Nutrition Research, ARS, Houston, TX.

SA 1995. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Improved Crop Production Practices, ARS, Auburn, AL.

SA 1996. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Medicinal and Bioactive Crops, ARS, Washington, D.C.

SA 1997. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Bio and Agro Defense Facility, ARS, Manhattan, KS.

SA 1998. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Center for Agricultural Law, Agricultural Research Service, Beltsville, Maryland.

SA 1999. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the New England Plant, Soil, and Water Research Laboratory, Agricultural Research Service, Orono, Maine.

SA 2000. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the North Carolina Human Nutrition Center, Agricultural Research Service, Kannapolis, North Carolina.

SA 2001. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Northern Great Plains Research Laboratory, Agricultural Research Service, Mandan, North Dakota.

SA 2002. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Northwest Center for Small Fruits Research, Agricultural Research Service, Corvallis, Oregon.

SA 2003. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Pacific Basin Agricultural Research Center Staffing, Agricultural Research Service, Hilo, Hawaii.

SA 2004. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Phytoestrogen Research, Agricultural Research Service, New Orleans, Louisiana.

SA 2005. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Potato Diseases, Agricultural Research Service, Beltsville, Maryland.

SA 2006. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010,

and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Poultry Diseases, Agricultural Research Service, Beltsville, Maryland.

SA 2007. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Seismic and Acoustic Technologies in Soils Sedimentation Laboratory, Agricultural Research Service, Oxford, Mississippi.

SA 2008. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Sorghum Research, Agricultural Research Service, Little Rock, Arkansas.

SA 2009. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Termite Species in Hawaii, Agricultural Research Service, New Orleans, Louisiana.

SA 2010. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Tropical Aquaculture Feeds, Agricultural Research Service, Hilo, Hawaii.

SA 2011. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Water Management Research Laboratory, Agricultural Research Service, Brawley, California.

SA 2012. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Water Use Reduction, ARS, Dawson, GA.

SA 2013. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for wild rice, ARS, St. Paul, MN.

SA 2014. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for an agricultural pest facility, APHIS Hawaii.

SA 2015. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for market development, Vermont Agency of Agriculture, Foods, and Markets.

SA 2016. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for market development, Wisconsin Department of Agriculture, Trade, and Consumer Protection.

SA 2017. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Phase II construction, National Center for Natural Products Research, Oxford, Mississippi.

SA 2018. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for speciality markets, Wisconsin Department of Agriculture, Trade, and Consumer Protection.

SA 2019. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for workforce development and out-migration, Kansas Farm Bureau Foundation.

SA 2020. Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Childhood Farm Safety, Farm Safety 4 Just Kids, Urbandale, IA.

SA 2021. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Conservation Technology Transfer, University of Wisconsin Extension.

SA 2022. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for dairy education, Iowa State University.

SA 2023. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for E-commerce, Mississippi State University.

SA 2024. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for efficient irrigation, New Mexico State University, Texas AgriLife Research, College Station, TX.

SA 2025. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for an extension specialist, Mississippi State University.

SA 2026. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Food Production Education, Vermont Community Foundation, Middlebury, VT.

SA 2027. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for health education leadership, University of Kentucky Research Foundation.

SA 2028. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Institute for Sustainable Agriculture, University of Wisconsin-Madison.

SA 2029. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Invasive Phragmites Control and Outreach, Ducks Unlimited.

SA 2030. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Iowa Vitality Center, Iowa State University.

SA 2031. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Maine Cattle Health Assurance Program, Maine Department of Agriculture.

SA 2032. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the National Center for Farm Safety, Northeast Iowa Community College.

SA 2033. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food

and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for nutrition enhancement, University of Wisconsin Extension and Wisconsin Department of Public Institutions.

SA 2034. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Ohio-Israel Agriculture Initiative, The Negev Foundation, OH.

SA 2035. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for pilot technology transfer, Mississippi State University, Oklahoma State University.

SA 2036. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Potato Integrated Pest Management—Late Blight, University of Maine.

SA 2037. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for range improvement, New Mexico State University.

SA 2038. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for urban horticulture and marketing, Chicago Botanic Garden, Glencoe, IL.

SA 2039. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for urban horticulture, University of Wisconsin Extension and Growing Power.

SA 2040. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Veterinary Technology Satellite Program, Colby Community College.

SA 2041. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agriculture-based industrial lubricants, University of Northern Iowa.

SA 2042. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agriculture development in the American Pacific, University of Hawaii.

SA 2043. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agriculture waste utilization, West Virginia State University.

SA 2044. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Animal Health Research and Diagnostics, Murray State University.

SA 2045. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for applied agriculture and environment research, California State University.

SA 2046. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for aquaculture, Cheyney University, PA.

SA 2047. Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for biotechnology research, Alcorn State University, MS.

SA 2048. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Centers for Dairy and Beef Excellence, Pennsylvania Department of Agriculture.

SA 2049. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Clemon University Veterinary Institute, SC.

SA 2050. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for cotton research, Texas Tech University.

SA 2051. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Council for Agriculture Science and Technology, Ames, IA.

SA 2052. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for ethnobotanicals, Frostburg State University, MD.

SA 2053. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for farmland preservation, The Ohio State University.

SA 2054. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Florida Biomass to Biofuels Conversion Program, University of Central Florida.

SA 2055. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the International Center for Food Technology Development to Expand Markets, Purdue University.

SA 2056. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Kansas Biobased Polymer Initiative, Kansas Bioscience Authority.

SA 2057. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for medicinal and bioactive crops, Stephen S. Austin State University.

SA 2058. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for the Midwest Agribusiness Trade and Information Center (MATRIC), Iowa State University.

SA 2059. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7___. None of the funds made available under this Act may be used for Mississippi Valley State University.

SA 2060. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the New England Center for Invasive Plants, the University of Connecticut, the University of Vermont, and the University of Maine.

SA 2061. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for a PM–10 air quality study, Washington State University.

SA 2062. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for polymer research, Pittsburg State University, Kansas.

SA 2063. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for rural systems, Jackson State University, Mississippi.

SA 2064. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for shrimp aquaculture, University of Southern Mississippi.

SA 2065. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for viral hemorrhagic septicemia, Michigan Department of Natural Resources.

SA 2066. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for viral hemorrhagic septicemia, University of Toledo, Ohio.

SA 2067. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for water pollutants, Marshall University, West Virginia.

SA 2068. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for advanced genetic technologies, University of Kentucky Research Foundation.

SA 2069. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for advancing biofuel production, Baylor University, Texas.

SA 2070. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Aegilops cylindrica/biomass (jointed goatgrass), Washington State University.

SA 2071. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agricultural diversification, University of Hawaii.

SA 2072. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agricultural entrepreneurial alternatives, Pennsylvania State University.

SA 2073. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for agricultural science, The Ohio State University.

SA 2074. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration,

and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for air quality, Kansas State University; Texas AgriLife Research, College Station, Texas.

SA 2075. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Animal Science Food Safety Consortium, University of Arkansas Division of Agriculture, Iowa State University, Kansas State University.

SA 2076. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for aquaculture product and marketing development, West Virginia University.

SA 2077. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for aquaculture, Louisiana State University Agricultural Center.

SA 2078. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for aquaculture, Mississippi Agricultural and Forestry Experiment Station.

SA 2079. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for avian bioscience, University of Delaware.

SA 2080. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Barley for Rural Development, Montana State University, University of Idaho.

SA 2081. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for bio energy production and carbon sequestration, University of Tennessee.

SA 2082. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for biodesign and processing, Virginia Tech University.

SA 2083. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for biomass-based energy research, Oklahoma State University, Mississippi State University.

SA 2084. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Brucellosis Vaccine, Montana State University.

SA 2085. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cataloging genes associated with drought and disease resistance, New Mexico State University.

SA 2086. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Center for One Medicine.

SA 2087. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Center for Rural Studies, University of Vermont College of Agriculture and Life Sciences.

SA 2088. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for childhood obesity and nutrition, University of Vermont College of Agriculture and Life Sciences.

SA 2089. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for citrus canker/greening, University of Florida.

SA 2090. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the competitiveness of agricultural products, Washington State University and the University of Washington.

SA 2091. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cool season legume research, North Dakota State University, University of Idaho, Washington State University.

SA 2092. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cotton insect management and fiber quality, University of Georgia.

SA 2093. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cranberry/blueberry disease and breeding, Rutgers, The State University of New Jersey.

SA 2094. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for cranberry/blueberry, University of Massachusetts crop integration and production, South Dakota State University.

SA 2095. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for dairy and meat goat research, Prairie View A&M University.

SA 2096. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for dairy farm profitability, Pennsylvania State University.

SA 2097. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Delta revitalization project, Mississippi State University.

SA 2098. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for drought mitigation, University of Nebraska.

SA 2099. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for efficient irrigation, New Mexico State University, Texas AgriLife Extension Service and Texas AgriLife Research, College Station, TX.

SA 2100. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for emerald ash borer, the Ohio State University.

SA 2101. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration,

and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for environmentally safe products, University of Vermont College of Agriculture and Life Sciences.

SA 2102. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for floriculture, University of Hawaii.

SA 2103. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Food and Fuel Initiative, Iowa State University.

SA 2104. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Food and Agriculture Policy Institute.

SA 2105. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for forages for advancing livestock production, University of Kentucky.

SA 2106. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for fresh produce food safety, University of California.

SA 2107. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Genetically Enhanced Plants for Micro-nutrients and Genomics for Southern Crop Stress and Disease, Mississippi State University.

SA 2108. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for grain sorghum, Kansas State University.

SA 2109. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for grass seed cropping systems for sustainable agriculture, Oregon State University, Washington State University.

SA 2110. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for high performance computing, Utah State University.

SA 2111. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for human nutrition, Pennington Biomedical Research Center, Baton Rouge, LA.

SA 2112. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for infectious disease research, Colorado State University.

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for infectious disease research, Colorado State University.

SA 2113. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for inland marine aquaculture, Virginia Tech University.

SA 2114. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Institute for Food Science and Engineering, University of Arkansas.

SA 2115. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the integrated economic, environmental, and technical analysis of sustainable biomass energy systems, Purdue University.

SA 2116. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for invasive plant management, Montana State University.

SA 2117. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Joint U.S. China Biotechnology Research and Extension, Utah State University.

SA 2118. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Leopold Center hypoxia project, Iowa State University.

SA 2119. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for livestock and dairy policy, Cornell University, NY.

SA 2120. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for maple research at the University of Vermont College of Agriculture and Life Sciences.

SA 2121. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Midwest Center for Bioenergy Grasses at Purdue University.

SA 2122. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Midwest poultry consortium at Iowa State University.

SA 2123. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for milk safety at Pennsylvania State University.

SA 2124. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the national beef cattle genetic evaluation consortium at Colorado State University, Cornell University, or University of Georgia.

SA 2125. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for rgw National Center for Soybean Technology at University of Missouri-Columbia.

SA 2126. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for nematode resistance genetic engineering at New Mexico State University.

SA 2127. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Nevada arid rangelands initiative at the University of Nevada Reno.

SA 2128. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the New Century Farm at Iowa State University.

SA 2129. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for new crop opportunities in Lexington, Kentucky.

SA 2130. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for new satellite and computer-based technology for agriculture at Mississippi State University.

SA 2131. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for obtaining oil resources from desert plants at New Mexico State University.

SA 2132. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for organic cropping at Oregon State University.

SA 2133. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for organic cropping at Washington State University.

SA 2134. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for organic waste utilization at New Mexico State University.

SA 2135. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Pierce's disease at the University of California.

SA 2136. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for policy analyses for a National Secure and Sustainable Food, Fiber, Forestry and Energy Program at Texas AgriLife Research in College Station, Texas.

SA 2137. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for potato research at the Oregon State University, University of Idaho, Washington State University, or University of Maine.

SA 2138. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for precision agriculture at the University of Kentucky Research Foundation.

SA 2139. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for preharvest food safety at Kansas State University.

SA 2140. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for protein utilization at Iowa State University.

SA 2141. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for rangeland ecosystems dynamics at the University of Idaho.

SA 2142. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration,

and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for renewable energy and products at North Dakota State University.

SA 2143. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the ruminant nutrition consortium at South Dakota State University.

SA 2144. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Rural Policies Research Institute.

SA 2145. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Russian wheat aphid at Colorado State University.

SA 2146. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for seed technology at South Dakota State University.

SA 2147. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for small fruit research at Oregon State University, University of Idaho, or Washington State University.

SA 2148. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for soilborne disease prevention in irrigated agriculture at New Mexico State University.

SA 2149. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Southern Great Plains Dairy Consortium at New Mexico State University.

SA 2150. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the soybean cyst nematode at the University of Missouri.

SA 2151. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for soybean research at the National Soybean Research Laboratory at the University of Illinois.

SA 2152. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for specialty crops at the University of Arkansas Division of Agriculture.

SA 2153. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for sustainable agriculture and natural resources at Pennsylvania State University.

SA 2154. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for sustainable beef supply at Montana State University.

SA 2155. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for obtaining sustainable engineered materials from renewable resources at Virginia Tech.

SA 2156. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for sustainable production and processing research for lowbush specialty crops at the University of Maine.

SA 2157. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for tillage, silviculture, or waste management at Louisiana State University.

SA 2158. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for tropical and subtropical research or T STAR at the University of Hawaii.

SA 2159. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the virtual plant database enhancement project at the Missouri Botanical Garden.

SA 2160. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for virus-free wine grape cultivars at the Wine Grape Foundation Block at Washington State University.

SA 2161. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for viticulture consortium, University of California.

SA 2162. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for water conservation, Kansas State University.

SA 2163. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for wetland plants, Louisiana State University.

SA 2164. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for wheat genetic research, Kansas State University.

SA 2165. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Wildlife/Livestock Disease Research Partnership, WY.

SA 2166. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for wood utilization (ID, LA, ME, MI, MN, MS, NC, OR, WV).

SA 2167. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the World Food and Health Initiative (IL).

SA 2168. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Accelerated Soil Mapping Survey, NRCS Wyoming.

SA 2169. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Agricultural Development and Resource Conservation, Hawaii RC&D Councils.

SA 2170. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Agricultural Wildlife Conservation Center, MS.

SA 2171. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Appropriate Wetland and Wet-Mesic Species, Tallgrass Prairie Center, University of Northern Iowa.

SA 2172. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Center for Invasive Species Eradication, Texas AgriLife Research, College Station, TX.

SA 2173. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Certified Environmental Management Systems for Agriculture, Iowa Soybean Association.

SA 2174. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Chenier Plain Sustainability Initiative, McNeese State University.

SA 2175. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Conservation Fuels Management and Restoration, Wildfire Support Group, Nevada.

SA 2176. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Conservation Internships, Wisconsin Land and Water Conservation Association.

SA 2177. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Conservation Technical Assistance, Natural Resources Conservation Service, New Jersey.

SA 2178. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Conservation Technical Assistance, Natural Resources Conservation Service, Tennessee.

SA 2179. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Conservation Technology Transfer, University of Wisconsin.

SA 2180. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Delta Conservation Demonstration, Washington County, Mississippi.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Delta Water Study, Natural Resources Conservation Service, Mississippi.

SA 2182. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Farm Viability Program, Vermont Housing and Conservation Board.

SA 2183. Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Georgia Soil and Water Conservation Commission Cooperative Agreement.

SA 2184. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Gilbert M. Grosvenor Center for Geographic Education Watershed Project, Texas State University.

SA 2185. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Grazing Land Conservation Initiative, Natural Resources Conservation Service, Wisconsin.

SA 2186. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Great Lakes Basin Soil and Erosion Control, Great Lakes Commission.

SA 2187. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Great Plain Riparian Initiative, National Wild Turkey Federation.

SA 2188. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Green River Water Quality and Biological Diversity Project, Western Kentucky Research Foundation.

SA 2189. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Hungry Canyons Alliance, IA.

SA 2190. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Illinois Conservation Initiative, Illinois Department of Natural Resources.

SA 2191. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Kentucky Soil Erosion Control, NRCS Kentucky.

SA 2192. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Mississippi Conservation Initiative, NRCS Mississippi.

SA 2193. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Municipal Water District of Orange County for Efficient Irrigation, CA.

SA 2194. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for nitrate pollution reduction, NRCS Rhode Island.

SA 2195. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Operation Oak Program, National Wild Turkey Federation.

SA 2196. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Phosphorous Loading in Lake Champlain, Poultney Conservation District.

SA 2197. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Phosphorous Reduction Cooperative Agreement, Kansas Livestock Foundation.

SA 2198. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Potomac River Tributary Strategy, NRCS West Virginia.

SA 2199. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for riparian restoration along the Rio Grande, Pecos, and Canadian Rivers, New Mexico Association of Soil and Water Conservation Districts.

SA 2200. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Risk Management Initiative, NRCS West Virginia.

SA 2201. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Soil Phosphorus Studies, NRCS West Virginia.

SA 2202. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Soil Surveys, NRCS Rhode Island.

SA 2203. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for technical assistance grants to Kentucky Soil Conservation Districts, Kentucky Division of Conservation.

SA 2204. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the UMASS-Amherst Ecological Conservation Initiative, MA.

SA 2205. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Utah Conservation Initiative, NRCS Utah.

SA 2206. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Watershed Demonstration Project, Iowa Soybean Association.

SA 2207. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Watershed Planning Staff, NRCS Pacific Island Area.

SA 2208. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Yankee Tank Dam, NRCS Kansas.

SA 2209. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Ashley Valley Flood Control, Uintah County, UT.

SA 2210. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration,

and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Dry Creek Watershed, City of Rocklin, CA.

SA 2211. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Dunloup Creek Watershed Project, NRCS West Virginia.

SA 2212. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the DuPage County Watershed, IL.

SA 2213. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Lahaina Watershed, NRCS Hawaii.

SA 2214. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Lost River, NRCS West Virginia.

SA 2215. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Lower Hamakua Ditch Watershed, NRCS Hawaii.

SA 2216. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Missouri Watershed Projects, NRCS Missouri.

SA 2217. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Pocasset River Watershed, NRCS Rhode Island.

SA 2218. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Upcountry Maui Watershed, NRCS Hawaii.

SA 2219. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for the Upper Clark Fork Watershed, Watershed Restoration Coalition, MT.

SA 2220. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Wailuku-Alenaio, NRCS Hawaii.

SA 2221. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used for Appropriate Technology Transfer for Rural Areas, National Center for Appropriate Technology.

SA 2222. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

On page 26, after line 20, add the following:

SEC. 9. SENSE OF THE SENATE ON MEDICARE AND MEDICAID SAVINGS AND MEDICAID EXPANSION.

(a) FINDINGS.—The Senate finds that—

(1) the Federal Hospital Insurance Trust Fund established under section 1817 of the Social Security Act (42 U.S.C. 1395i) is projected to be insolvent by 2017; and

(2) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is currently the largest source of general revenue spending on health care for both the Federal government and the States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) any savings under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) should be invested back into the Medicare program, rather than creating new entitlement programs; and

(2) the Federal Government should not expand the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) in a manner that imposes an unfunded mandate on States when State budgets are already heavily burdened by federally imposed requirements that force those budgets into the red.

SA 2223. Mr. SESSIONS proposed an amendment to the bill H.R. 3357, to restore sums to the Highway Trust Fund, and for other purposes; as follows:

Strike all after the enacting caluse and replace:

SECTION 1. FUNDING OF THE HIGHWAY TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 (relating to determination of trust fund balances after September 30, 1998) is amended—

(1) by striking paragraph (2), and

(2) by adding at the end of the following new paragraph:

''(2) INCREASE IN FUND BALANCE.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated (without fiscal year limitation) to the Highway Trust Fund $7,000,000,000.''.

SEC. 2. ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS.

The item relating to ''Department of Labor—Employment and Training Administration—Advances to the Unemployment Trust Fund and Other Funds'' in title I of division F of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 754) is amended by striking ''to remain available through September 30, 2010'' and all that follows (before the heading for the following item) and inserting ''such sums as may be necessary''.

SEC. 3. FHA MORTGAGE INSURANCE COMMITMENT AUTHORITY.

The item relating to ''Federal Housing Administration—Mutual Mortgage Insurance Program Account'' in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 966) is amended by striking ''$315,000,000,000'' and inserting ''$400,000,000,000''.

SEC. 4. GNMA MORTGAGE-BACKED SECURITIES GUARANTEE COMMITMENT AUTHORITY

The item relating to ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'' in title II of division I of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 967) is amended by striking ''$300,000,000,000'' and inserting ''$400,000,000,000''.

SEC. 5. USE OF STIMULUS FUNDS TO OFFSET APPROPRIATION OF FUNDS.

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is rescinded pro rata such that the aggregate amount of such rescissions equals the aggregate amount appropriated under the amendments made by this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

SA 2224. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, between lines 13 and 14, insert the following:

(3) The unincorporated community of Bolton Lakes Regional Water Pollution Control Authority Area in Vernon and Bolton, Connecticut, to be a rural area for the purposes of eligibility for water or waste disposal grants and direct or guaranteed loans described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(2))).

SA 2225. Mrs. MURRAY (for herself and Mr. BAUCUS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. Section 1001(f)(6)(A) of the Food Security Act of 1985 (7 U.S.C. 1308(f)(6)(A)) is amended by inserting ''(other than the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of this Act)'' before the period at the end.

SA 2226. Mr. NELSON of Florida (for himself, Mr. REID, and Mr. MARTINEZ) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 745. No agency or department of the United States may use funds made available under this Act to enforce a travel or conference policy that prohibits an event from being held in a certain location based on a perception that the location is a resort or vacation destination.

SA 2227. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) Section 384E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc-4) is amended by adding at the end the following:

''(e) INVESTMENT LIMITATIONS.—A rural business investment company participating in the program established under this subtitle may not issue debentures guaranteed by the Secretary for any 1 company in an aggregate amount that is more than 10 percent of the sum of—

''(1) the regulatory capital of the rural business investment company; and

''(2) the total amount of financial assistance provided to the rural business investment company by the Secretary through purchase or guarantee of the debentures of the rural business investment company as of the date on which the Secretary granted final approval to the rural business investment company to participate in the program under this subtitle.''.

(b) Section 384E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc-4(d)) is amended by striking ''Under'' and inserting ''Subject to subsection (e), under''.

SA 2228. Mr. NELSON of Florida (for himself, Mr. REID, Mr. MARTINEZ, Mr. AKAKA and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 1023, to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. __. LIMITATION ON CERTAIN TRAVEL AND CONFERENCES POLICIES.

No agency or department of the United States may establish a travel or conference policy that takes into account the perception of a location as a resort or vacation destination in determining the location for an event.

SA 2229. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. (a) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of rare diseases: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of rare diseases, including specific expertise in developing or carrying out clinical trials.

(b) The Commissioner of Food and Drugs shall establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of neglected diseases of the developing world: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of neglected diseases of the developing world, including specific expertise in developing or carrying out clinical trials: *Provided further*, That for the purposes of this section the term ''neglected disease of the developing world'' means a tropical disease, as defined in section 524(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n(a)(3)).

(c) The Commissioner of Food and Drugs shall—

(1) submit, not later than 1 year after the date of the enactment of this Act, a report to

Congress that describes both the findings and recommendations made by the review groups under subsections (a) and (b);

(2) issue, not later than 180 days after submission of the report to Congress under paragraph (1), guidance based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world; and

(3) develop, not later than 180 days after submission of the report to Congress under paragraph (1), internal review standards based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world.

SA 2230. Mr. KOHL (for Mr. TESTER) proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 17, beginning on line 17, strike ''$14,607,000'' and all that follows through ''program'' on line 18 and insert the following: ''$7,300,000 shall be for a National Animal Identification program and may only be used for ongoing activities and purposes (as of the date of enactment of this Act) relating to proposed rulemaking for that program under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act')''.

SA 2231. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used to relocate the Arthropod-Borne Animal Diseases Research Laboratory from the location of the laboratory as of the date of enactment of this Act.

SA 2232. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBACK) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7____. None of the funds made available under this Act may be used to relocate the Arthropod-Borne Animal Diseases Research Laboratory from the location of the laboratory as of the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, July 30, 2009, at 9:30 a.m.

The PRESIDING OFFICER. without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 30, 2009 at 10 a.m., to conduct a hearing entitled ''Minimizing Potential Threats from Iran: Assessing Economic Sanctions and Other U.S. Policy Options.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. 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 Thursday, July 30, 2009, at 2 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, July 30, 2009 at 10 a.m. in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 30, 2009, at 10 a.m., to hold a hearing entitled ''Toward a Comprehensive Strategy in Sudan.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. 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 Thursday, July 30, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, July 30, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on the Constitution, be authorized to meet during the session of the Senate, on July 30, 2009, at 2 p.m. in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the Public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, August 6, 2009, at 10:00 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nominations of John R. Norris, to be a Member of the Federal Energy Regulatory Commission, Jose Antonio Garcia, to be Director of the Office of Minority Economic Impact, Department of Energy, and Joseph G. Pizarchik, to be Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150.

For further information, please contact Sam Fowler or Amanda Kelly.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, August 4, 2009, at 2:45 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending nominations and legislation.

For further information, please contact Sam Fowler or Amanda Kelly.

PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, on behalf of Senator BINGAMAN I ask unanimous consent that Paul Stauder, Lindsey Frick, Lauren Harding, Conor Sanchez, Jose Campos, and Laura Stayman be granted the privilege of the floor during the pendency of H.R. 3357 and all amendments thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that Landon Fulmer, Andrew Lustig, Rachana Chhin, Sara Foley, Carrie Pennewell, Luis Chimbo, May Davis, and Hannah Robinow be granted the privilege of the floor for the duration of the debate on the Agriculture appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Greg Deschler of my Finance Committee staff be given the privilege of the floor during the remainder of July 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I ask unanimous consent that Andrea Harris and Andrew Garrett, staff in Senator KENNEDY's office, be granted floor privileges for today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

On Wednesday, July 29, 2009, the Senate passed H.R. 3183, as amended, as follows:

H.R. 3183

Resolved, That the bill from the House of Representatives (H.R. 3183) entitled ''An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

GENERAL INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $170,000,000, to remain available until expended.

CONSTRUCTION, GENERAL

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,924,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects (including only Chickamauga Lock, Tennessee; Kentucky Lock and Dam, Tennessee River, Kentucky; Lock and Dams 2, 3, and 4 Monongahela River, Pennsylvania; Markland Locks and Dam, Kentucky and Indiana; Olmsted Lock and Dam, Illinois and Kentucky; and Emsworth Locks and Dam, Ohio River, Pennsylvania) shall be derived from the Inland Waterways Trust Fund: Provided, That the Chief of Engineers is directed to use $18,000,000 of the funds appropriated herein for the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: 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: Provided further, That the Federal and non-Federal shares shall be determined in accordance with the ability-to-pay provisions prescribed in section 103(m) of the Water Resources Development Act of 1986, as amended: Provided further, That the Chief of Engineers is directed to use $2,750,000 of the funds appropriated herein for planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Chief of Engineers is directed to use $4,000,000 of the funds appropriated herein to continue planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That none of the funds made available by this Act may be used to carry out any portion of the Delaware River Main Channel Deepening Project identified in the committee report accompanying this Act that is located in the State of Delaware until the date on which the government of the State of Delaware issues an applicable project permit for the Delaware River Main Channel Deepening Project.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $340,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund: Provided, That the Secretary of the Army, acting through the Chief of Engineers is directed to use $10,000,000 appropriated herein for construction of water withdrawal features of the Grand Prairie, Arkansas, project.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,450,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)), shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of the Water Resources Development Act of 1996 (Public Law 104–303), shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate; and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $190,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the United States Army Corps of Engineers, and the offices of the Division Engineers; and for the management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, $186,000,000, to remain available until expended, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision

and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

For the Office of Assistant Secretary of the Army (Civil Works) as authorized by 10 U.S.C. 3016(b)(3), $5,000,000, to remain available until expended.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2010, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: Provided, That for a base level less than $100,000, the reprogramming limit is $25,000: Provided further, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: Provided, That for a base level less than $2,000,000, the reprogramming limit is $300,000: Provided further, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: Provided further, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers must notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount a limit of $5,000,000 per project, study or activity is allowed: Provided further, That for a base level less than $1,000,000, the reprogramming limit is $150,000: Provided further, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The same reprogramming guidelines for the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account as listed above; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(c) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided, That the report shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to implement any pending or future competitive sourcing actions under OMB Circular A–76 or High Performing Organizations for the U.S. Army Corps of Engineers.

SEC. 103. Within 90 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

WATER REALLOCATION, LAKE CUMBERLAND, KENTUCKY

SEC. 104. (a) IN GENERAL.—Subject to subsection (b), none of the funds made available by this Act may be used to carry out any water reallocation project or component under the Wolf Creek Project, Lake Cumberland, Kentucky, authorized under the Act of June 28, 1938 (52 Stat. 1215, ch. 795) and the Act of July 24, 1946 (60 Stat. 636, ch. 595).

(b) EXISTING REALLOCATIONS.—Subsection (a) shall not apply to any water reallocation for Lake Cumberland, Kentucky, that is carried out subject to an agreement or payment schedule in effect on the date of enactment of this Act.

SEC. 105. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development shall be used to award any continuing contract that commits additional funding from the Inland Waterway Trust Fund unless or until such time that a permanent solution long-term mechanism to enhance revenues in the fund is enacted.

SEC. 106. Section 592(g) of Public Law 106–53 (113 Stat. 380), as amended by section 120 of Public Law 108–137 (117 Stat. 1837) and section 5097 of Public Law 110–114 (121 Stat. 1233), is further amended by striking ''$110,000,000'' and inserting ''$200,000,000'' in lieu thereof.

SEC. 107. The project for flood control, Big Sioux River and Skunk Creek, Sioux Falls, South Dakota authorized by section 101(a)(28) of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3666), is modified to authorize the Secretary to construct the project at an estimated total cost of $53,500,000, with an estimated Federal cost of $37,700,000 and an estimated non-Federal cost of $15,800,000.

SEC. 108. Section 595(h) of Public Law 106–53 (113 Stat. 384), as amended by section 5067 of Public Law 110–114 (121 Stat. 1219), is further amended by—

(1) striking the phrase ''$25,000,000 for each of Montana and New Mexico'' and inserting the following language in lieu thereof: ''$75,000,000 for Montana, $25,000,000 for New Mexico''; and

(2) striking ''$50,000,000'' and inserting ''$100,000,000'' in lieu thereof.

SEC. 109. The project for flood damage reduction, Des Moines and Raccoon Rivers, Des Moines Iowa, authorized by section 1001(21) of the Water Resources Development Act of 2007 (121 Stat. 1053), is modified to authorize the Secretary to construct the project at a total cost of $16,500,000 with an estimated Federal cost of $10,725,000 and an estimated non-Federal cost of $5,775,000.

SEC. 110. The project for flood damage reduction, Breckenridge, Minnesota, authorized by section 320 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2605), is modified to authorize the Secretary to construct the project at a total cost of $39,360,000 with an estimated Federal cost of $25,000,000 and an estimated non-Federal cost of $14,360,000.

SEC. 111. Section 122 of title I of division D of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7; 117 Stat. 141) is amended by striking ''$10,000,000'' and inserting ''$27,000,000'' in lieu thereof.

SEC. 112. The Secretary of the Army is authorized to carry out structural and non-structural projects for storm damage prevention and reduction, coastal erosion, and ice and glacial damage in Alaska, including relocation of affected communities and construction of replacement facilities: Provided, That the non-Federal share of any project carried out pursuant to this section shall be no more than 35 percent of the total cost of the project and shall be subject to the ability of the non-Federal interest to pay, as determined in accordance with 33 U.S.C. 2213(m).

SEC. 113. Section 3111(1) of the Water Resources Development Act, 2007 (Public Law 110–114; 121 Stat. 1041) is amended by inserting after the word ''before'', the following: '', on and after''.

SEC. 114. The flood control project for West Sacramento, California, authorized by section 101(4), Water Resources Development Act, 1992, Public Law 102–580; Energy and Water Development Appropriations Act, 1999, Public Law 105–245, is modified to authorize the Secretary of Army, acting through the Chief of Engineers, to construct the project at a total cost of $53,040,000 with an estimated first Federal cost of $38,355,000 and an estimated non-Federal first cost of $14,685,000.

(RESCISSION)

SEC. 115. The amount of $2,100,000 made available in division C, of Public Law 111–8, under the heading ''Mississippi River and Tributaries'' for site restoration of the St. Johns Bayou-New Madrid Floodway, Missouri, project less any funds needed for contract termination, are hereby rescinded and $2,100,000 is appropriated under the heading ''Mississippi River and Tributaries'' for the Mississippi Channel Improvement, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee construction project.

(RESCISSION)

SEC. 116. The amount of $1,800,000 made available in division C, of Public Law 111–8, under the heading ''Construction, General'' for site restoration of the St. Johns Bayou-New Madrid Floodway, Missouri, project less any funds needed for contract termination, and are hereby rescinded and $1,800,000 is appropriated under the heading ''Construction, General'' for section 206 (Public Law 104–303), Aquatic Ecosystem Restoration, as amended.

PROJECT FOR PERMANENT PUMPS AND CLOSURE STRUCTURES, LAKE PONTCHARTRAIN, LOUISIANA

SEC. 117. (a) DEFINITIONS.—In this section:

(1) PROJECT.—The term ''project'' means the project for permanent pumps and closure structures at or near the lakefront at Lake Pontchartrain and modifications to the 17th Street, Orleans Avenue, and London Avenue canals in and near the city of New Orleans 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) PUMPING STATION REPORT.—The term ''pumping station report'' means the report—

(A) prepared by the Secretary that contains the results of the investigation required under section 4303 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 154); and

(B) dated August 30, 2007.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(b) STUDY.—

(1) IN GENERAL.—In implementing the project, not later than 1 year after the date of enactment of this Act, the Secretary shall complete a study of the residual risks associated with the options identified as ''Option 1'', ''Option 2'', and ''Option 2a'', as described in the pumping station report.

(2) REQUIREMENTS.—In carrying out the study under paragraph (1), the Secretary shall identify which option described in that paragraph—

(A) is most technically advantageous;

(B) is most effective from an operational perspective in providing the greatest long-term reliability in reducing the risk of flooding to the New Orleans area;

(C) is most advantageous considering the engineering challenges and construction complexities of each option; and

(D) is most cost-effective.

(3) INDEPENDENT EXTERNAL PEER REVIEW.—

(A) DUTY OF SECRETARY.—In accordance with Section 2034 of the Water Resource Development Act of 2007, the Chief shall carry out an independent external peer review of—

(i) the results of the study under paragraph (1); and

(ii) each cost estimate completed for each option described in paragraph (1).

(B) REPORT.—

(i) IN GENERAL.—Not later than 90 days after the date of completion of the independent external peer review under subparagraph (A), in accordance with clause (ii), the Secretary shall submit a report to—

(I) the Committee on Environment and Public Works of the Senate;

(II) the Committee on Appropriations of the Senate;

(III) the Committee on Transportation and Infrastructure of the House of Representatives; and

(IV) the Committee on Appropriations of the House of Representatives.

(ii) CONTENTS.—The report described in clause (i) shall contain—

(I) the results of the study described in paragraph (1);

(II) a description of the findings of the independent external peer review carried out under subparagraph (A); and

(III) a written response for any recommendations adopted or not adopted from the peer review.

(4) SUSPENSION OF CERTAIN ACTIVITIES.—The Secretary shall suspend each activity of the Secretary that would result in the design and construction of any pumping station covered by the pumping station report unless the activity is consistent with each option described in paragraph (1).

(5) FEASIBILITY REPORT.—Within 18 months of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains a feasibility level of analysis (including a cost estimate) for the project, as modified under this subsection.

(6) FUNDING.—In carrying out this subsection, 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 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).

TEN MILE CREEK WATER PRESERVE AREA

SEC. 118. 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.''.

SEC. 119. As soon as practicable after the date of enactment of this Act, from funds made available before the date of enactment of this Act for the Tampa Harbor Big Bend Channel project, the Secretary of the Army may reimburse the non-Federal sponsor of the Tampa Harbor Big Bend Channel project for the Federal share of the dredging work carried out for the project.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $40,300,000, to remain available until expended, of which $1,500,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,704,000, to remain available until expended. For fiscal year 2010, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $993,125,000, to remain available until expended, of which $53,240,000 shall be available for transfer to the Upper Colorado River Basin Fund and $17,936,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a nonreimbursable basis.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $35,358,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $41,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That the use of any funds provided to the California Bay-Delta Authority for programwide management and oversight activities shall be subject to the approval of the Secretary of the Interior: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $61,200,000, to be derived from the Reclamation Fund and be

nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed seven passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2010, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term ''transfer'' means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program-Alternative Repayment Plan'' and the ''SJVDP-Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 204. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation.

SEC. 205. Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106–382; 114 Stat. 1457) is amended by striking ''over a period of 10 fiscal years'' each place it appears in subsections (a)(1) and (b) and inserting ''through fiscal year 2015''.

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).

SEC. 209. Notwithstanding the provisions of section 11(c) of Public Law 89–108, as amended by section 9 of Public Law 99–294, the Commissioner is directed to modify the April 9, 2002, Grant Agreement Between Bureau of Reclamation and North Dakota Natural Resources Trust to provide funding for the Trust to continue its investment program/Agreement No. 02FG601633 to authorize the North Dakota Natural Resources Trust Board of Directors to expend all or any portion of the funding allocation received pursuant to section 11(a)(2)(B) of the Dakota Water Resources Act of 2000 for the purpose of operations of the Natural Resource Trust whether such amounts are principal or received as investment income: Provided, That operational expenses that may be funded from the principal allocation shall not exceed 105 percent of the previous fiscal year's operating costs: Provided further, That the Commissioner of Reclamation is authorized to include in such modified agreement with the Trust authorized under this section appropriate provisions regarding the repayment of any funds that constitute principal from the Trust Funds.

SEC. 210. Title I of Public Law 108–361 is amended by striking ''2010'' wherever it appears and inserting ''2015'' in lieu thereof.

SEC. 211. (a) Section 3405(a)(1)(M) of Public Law 102–575 (106 Stat. 4709) is amended by striking ''countries'' and inserting ''counties''.

(b) A transfer of water between a Friant Division contractor and a south-of-Delta CVP agricultural water service contractor, approved during a two-year period beginning on the date of enactment of this Act 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 30, 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).

SEC. 212. Section 805(a)(2) of Public Law 106–541 (114 Stat. 2704) is amended by striking ''2010'' each place it appears and inserting ''2013''.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,233,967,000, to remain available until expended: Provided, That, of the amount appropriated in this paragraph, $148,075,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Energy Efficiency and Renewable Energy Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act: Provided further, That within existing funds for industrial technologies $15,000,000 shall be used to make technical assistance grants under subsection (b) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1(b)). Of the $85,000,000 provided under the wind energy subaccount under the Energy Efficiency & Renewable Energy, up to $8,000,000 shall be competitively awarded to universities for turbine and equipment purchases for the purposes of studying turbine to turbine wake interaction, wind farm interaction, and wind energy efficiencies, provided that such equipment shall not be used for merchant power production.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $179,483,000, to remain available until expended: Provided, That, within the funding available funding the Secretary shall establish an independent national energy sector cyber security organization to institute research, development and deployment priorities, including policies and protocol to ensure the effective deployment of tested and validated technology and software controls to protect the bulk power electric grid and integration of smart grid technology to enhance the security of the electricity grid: Provided further, That within 60 days of enactment, the Secretary shall invite applications from qualified entities for the purpose of forming and governing a national energy sector cyber organization that have the knowledge and capacity to focus cyber security research and development and to identify and disseminate best practices; organize the collection, analysis and dissemination of infrastructure vulnerabilities and threats; work cooperatively with the Department of Energy and other Federal agencies to identify areas where Federal agencies with jurisdiction may best support efforts to enhance security of the bulk power electric grid: Provided further, That, of the amount appropriated in this paragraph, $6,475,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Electricity Delivery and Energy Reliability Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

NUCLEAR ENERGY

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 36 passenger motor vehicles, including one ambulance, all for replacement only, $761,274,000, to remain available until expended: Provided, That, of the amount appropriated in this paragraph, $2,000,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Nuclear Energy Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $699,200,000, to remain available until expended: Provided, That for all programs funded under Fossil Energy appropriations in this Act or any other Act, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States: Provided further,

That, of the amount appropriated in this paragraph, $27,300,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Fossil Energy Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, including the hire of passenger motor vehicles, $23,627,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $259,073,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, $11,300,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $110,595,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $259,829,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $588,322,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 50 passenger motor vehicles for replacement only, including one law enforcement vehicle, two ambulances, and three buses, $4,898,832,000, to remain available until expended: Provided, That, of the amount appropriated in this paragraph, $41,150,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Science Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended (the ''NWPA''), $98,400,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: Provided, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 2.54 percent shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPA: Provided further, That notwithstanding the lack of a written agreement with the State of Nevada under section 117(c) of the NWPA, 0.51 percent shall be provided to Nye County, Nevada, for on-site oversight activities under section 117(d) of the NWPA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 4.57 percent shall be provided to affected units of local government, as defined in the NWPA, to conduct appropriate activities and participate in licensing activities under Section 116(c) of the NWPA: Provided further, That of the amounts provided to affected units of local government, 7.5 percent of the funds provided for the affected units of local government shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada affected units of local government: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 0.25 percent shall be provided to the affected Federally-recognized Indian tribes, as defined in the NWPA, solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities under section 118(b) of the NWPA: Provided further, That notwithstanding the provisions of chapters 65 and 75 of title 31, United States Code, the Department shall have no monitoring, auditing or other oversight rights or responsibilities over amounts provided to affected units of local government: Provided further, That the funds for the State of Nevada shall be made available solely to the Office of the Attorney General by direct payment and to units of local government by direct payment: Provided further, That 4.57 percent of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities shall be provided to Nye County, Nevada, as payment equal to taxes under section 116(c)(3) of the NWPA: Provided further, That within 90 days of the completion of each Federal fiscal year, the Office of the Attorney General of the State of Nevada, each affected Federally-recognized Indian tribe, and each of the affected units of local government shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the NWPA and this Act: Provided further, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action, except for normal and recognized executive-legislative communications, on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the NWPA, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended: Provided further, That no funds provided in this Act or any previous Act may be used to pursue repayment or collection of funds provided in any fiscal year to affected units of local government for oversight activities that had been previously approved by the Department of Energy, or to withhold payment of any such funds.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, $43,000,000 is appropriated, to remain available until expended: Provided further, That $43,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2010 appropriations from the general fund estimated at not more than $0: Provided further, That, in administering amounts made available by prior Acts for projects covered by title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.), the Secretary of Energy is required by that title to consider low-risk finance programs that substantially reduce or eliminate upfront costs for building owners to renovate or retrofit existing buildings to install energy efficiency or renewable energy technologies as eligible for loan guarantees authorized under sections 1703 and 1705 of that Act (42 U.S.C. 16513, 16516).

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $20,000,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for Departmental Administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $293,684,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $119,740,000 in fiscal year 2010 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2010, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2010 appropriation from the general fund estimated at not more than $173,944,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $51,927,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization

Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed one ambulance; $6,468,267,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, $2,136,709,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $973,133,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed $12,000, $420,754,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed four ambulances and three passenger motor vehicles for replacement only, $5,763,856,000, to remain available until expended, of which $463,000,000 shall be transferred to the ''Uranium Enrichment Decontamination and Decommissioning Fund'': Provided, That, of the amount appropriated in this paragraph, $4,000,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Defense Environmental Cleanup Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 12 passenger motor vehicles for replacement only, $854,468,000, to remain available until expended: Provided, That of the amount appropriated in this paragraph, $2,000,000 shall be used for projects specified in the table that appears under the heading ''Congressionally Directed Other Defense Activities Projects'' in the report of the Committee on Appropriations of the United States Senate to accompany this Act.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $98,400,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Leaburg Fish Sorter, the Okanogan Basin Locally Adapted Steelhead Supplementation Program, and the Crystal Springs Hatchery Facilities, and, in addition, for official reception and representation expenses in an amount not to exceed $1,500. During fiscal year 2010, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $7,638,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $7,638,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than $0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $70,806,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That notwithstanding the provisions of 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, all funds collected by the Southeastern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $44,944,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $31,868,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than $13,076,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $38,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, all funds collected by the Southwestern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500,000; $256,711,000 to remain available until expended, of which $245,216,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $147,530,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than $109,181,000, of which $97,686,000 is derived from the Reclamation Fund: Provided further, That of the amount herein appropriated, $7,584,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That notwithstanding 31 U.S.C. 3302, up to $349,807,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That of the amount herein appropriated, up to $18,612,000 is provided on a nonreimbursable basis for environmental remediation at the Basic Substation site in Henderson, Nevada: Provided further, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), funds collected by the Western Area Power Administration from the sale of power and related services that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with

such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,568,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255) as amended: Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $2,348,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than $220,000: Provided further, That notwithstanding the provisions of section 2 of the Act of June 18, 1954 (68 Stat. 255) as amended, and 31 U.S.C. 3302, all funds collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams that are applicable to the repayment of the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $298,000,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $298,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2010 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

SEC. 301. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

SEC. 302. None of the funds appropriated by this Act may be used—

(1) to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) unless the Department of Energy submits a reprogramming request to the appropriate congressional committees; or

(2) to provide enhanced severance payments or other benefits for employees of the Department of Energy under such section; or

(3) develop or implement a workforce restructuring plan that covers employees of the Department of Energy.

SEC. 303. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 304. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 305. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 306. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for fiscal year 2010.

SEC. 307. Of the funds made available by the Department of Energy for activities at Government-owned, contractor-operated laboratories funded in this Act or subsequent Energy and Water Development Appropriations Acts, the Secretary may authorize a specific amount, not to exceed 8 percent of such funds, to be used by such laboratories for laboratory directed research and development: Provided, That the Secretary may also authorize a specific amount not to exceed 4 percent of such funds, to be used by the plant manager of a covered nuclear weapons production plant or the manager of the Nevada Site Office for plant or site directed research and development.

SEC. 308. Not to exceed 5 per centum, or $100,000,000, of any appropriation, whichever is less, made available for Department of Energy activities funded in this Act or subsequent Energy and Water Development Appropriations Acts may hereafter be transferred between such appropriations, but no such appropriation, except as otherwise provided, shall be increased or decreased by more than 5 per centum by any such transfers, and request of such transfers shall be submitted promptly to the Committees on Appropriations of the House and Senate.

SEC. 309. (a) Subject to subsection (b), no funds appropriated or otherwise made available by this Act or any other Act may be used to record transactions relating to the increase in borrowing authority or bonds outstanding at any time under the Federal Columbia River Transmission System Act (16 U.S.C. 838 et seq.) referred to in section 401 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 140) under a funding account, subaccount, or fund symbol other than the Bonneville Power Administration Fund Treasury account fund symbol.

(b) Funds appropriated or otherwise made available by this Act or any other Act may be used to ensure, for purposes of meeting any applicable reporting provisions of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), that the Bonneville Power Administration uses a fund symbol other than the Bonneville Power Administration Fund Treasury account fund symbol solely to report accrued expenditures of projects attributed by the Administrator of the Bonneville Power Administration to the increased borrowing authority.

(c) This section is effective for fiscal year 2010 and subsequent fiscal years.

SEC. 310. None of the funds made available by this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, Other Transaction Agreement, or to issue a letter of intent totaling in excess of $1,000,000, or to announce publicly the intention to make such an award, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an award or issuing such a letter: Provided, That if the Secretary of the Department of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification and the Committees on Appropriations of the Senate and the House of Representatives shall be notified not later than 5 full business days after such an award is made or letter issued.

SEC. 311. (a) In any fiscal year in which the Secretary of Energy determines that additional funds are needed to reimburse the costs of defined benefit pension plans for contractor employees, the Secretary may transfer not more than 1 percent from each appropriation made available in this and subsequent Energy and Water Development Appropriation Acts to any other appropriation available to the Secretary in the same Act for such reimbursements.

(b) Where the Secretary recovers the costs of defined benefit pension plans for contractor employees through charges for the indirect costs of research and activities at facilities of the Department of Energy, if the indirect costs attributable to defined benefit pension plan costs in a fiscal year are more than charges in fiscal year 2008, the Secretary shall carry out a transfer of funds under this section.

(c) In carrying out a transfer under this section, the Secretary shall use each appropriation made available to the Department in that fiscal year as a source for the transfer, and shall reduce each appropriation by an equal percentage, except that appropriations for which the Secretary determines there exists a need for additional funds for pension plan costs in that fiscal year, as well as appropriations made available for the Power Marketing Administrations, the title XVII loan guarantee program, and the Federal Energy Regulatory Commission, shall not be subject to this requirement.

(d) Each January, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the Senate on the state of defined benefit pension plan liabilities in the Department for the preceding year.

(e) This transfer authority does not apply to supplemental appropriations, and is in addition to any other transfer authority provided in this or any other Act. The authority provided under this section shall expire on September 30, 2015.

AUTHORITY OF NUCLEAR REGULATORY COMMISSION

SEC. 312. 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).

SEC. 313. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Energy to enter into any federal contract unless such contract is entered into in accordance with the requirements of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 314. (a) Except as provided in subsection (b), none of the funds appropriated or otherwise made available by this title for the Strategic Petroleum Reserve may be made available to any person that as of the enactment of this Act—

(1) is selling refined petroleum products valued at $1,000,000 or more to the Islamic Republic of Iran;

(2) is engaged in an activity valued at $1,000,000 or more that could contribute to enhancing the ability of the Islamic Republic of Iran to import refined petroleum products, including—

(A) providing ships or shipping services to deliver refined petroleum products to the Islamic Republic of Iran;

(B) underwriting or otherwise providing insurance or reinsurance for such an activity; or

(C) financing or brokering such an activity; or

(3) is selling, leasing, or otherwise providing to the Islamic Republic of Iran any goods, services, or technology valued at $1,000,000 or more that could contribute to the maintenance or expansion of the capacity of the Islamic Republic of Iran to produce refined petroleum products.

(b) The prohibition on the use of funds under subsection (a) shall not apply with respect to any contract entered into by the United States Government before the date of the enactment of this Act.

(c) If the Secretary determines a person made ineligible by this section has ceased the activities enumerated in (a)(1)–(3), that person shall no longer be ineligible under this section.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $76,000,000, to remain available until expended: Provided, That any congressionally directed spending shall be taken from within that State's allocation in the fiscal year in which it is provided.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $26,086,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $13,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $11,965,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $25,000), $1,061,000,000, to remain available until expended: Provided, That of the amount appropriated herein, $29,000,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $902,402,000 in fiscal year 2010 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation estimated at not more than $158,598,000: Provided further, That of the amounts appropriated, $10,000,000 is provided to support university research and development in areas relevant to their respective organization's mission, and $5,000,000 is to support a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $10,860,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $9,774,000 in fiscal year 2010 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2010 so as to result in a final fiscal year 2010 appropriation estimated at not more than $1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,891,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act of 2004, $4,466,000 until expended: Provided, That any fees, charges, or commissions received pursuant to section 802 of Public Law 110–140 in fiscal year 2010 in excess of $4,683,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISION

SEC. 401. Section 382B of the Delta Regional Authority Act of 2000 is amended by deleting (c)(1) and inserting in lieu thereof the following: '''(1) IN GENERAL—VOTING.—A decision by the Authority shall require the affirmative vote of the Federal cochairperson and a majority of the State members (not including any member representing a State that is delinquent under subsection (g)(2)(C)) to be effective.''.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act or any other appropriation Act.

SEC. 503. 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:

''SEC. 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.''.

AGENCY ADMINISTRATIVE EXPENSES

SEC. 504. (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.

SEC. 505. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in an appropriations Act shall be posted on the public Website of that Agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

This Act may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2010''.

RECOGNIZING BISHOP MUSEUM

Mr. BROWN. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 195 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 195) 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent 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 be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 195) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 195

Whereas Bishop Museum was founded in 1889 in Honolulu, Hawai'i by Charles Reed Bishop in memory of his beloved wife, Princess Bernice Pauahi Bishop, the great granddaughter of Kamehameha I, to house the personal legacies and bequests of the royal Kamehameha and Kalākaua families;

Whereas the mission of Bishop Museum since its inception has been to study, preserve, and tell the stories of the cultures and natural history of Hawai'i and the Pacific;

Whereas the collections of Bishop Museum include more than 24,000,000 objects, collectively the largest Hawai'i and Pacific area collection in the world, which includes more than 1,200,000 cultural objects representing Native Hawaiian, Pacific Island, and Hawai'i immigrant life, more than 125,000 historical publications (including many in the Hawaiian language), more than 1,000,000 historical photographs, films, works of art, audio recordings, and manuscripts, and more than 22,000,000 plant and animal specimens;

Whereas a primary goal of Bishop Museum is to serve and represent the interests of Native Hawaiians by advancing Native Hawaiian culture and education, protecting the collections and increasing access to them, and strengthening the museum's connections with the schools of Hawai'i;

Whereas the national significance of Bishop Museum's cultural collection lies in the Native Hawaiian collection, which collectively represents the largest public resource in the world documenting a way of life, and has been a source of knowledge and inspiration for numerous visitors, researchers, students, native craftsmen, teachers, and community and spiritual leaders over the years, especially since the cultural revival, which has been steadily growing and gaining in popularity;

Whereas more than 300,000 people visit Bishop Museum each year to learn about Hawaiian culture and experience Hawaiian Hall;

Whereas the desire to see Hawaiian Hall and to learn about Hawaiian culture is the primary reason 400,000 visitors each year give for visiting Bishop Museum;

Whereas Hawaiian Hall is the Nation's only showcase of its size, proportion, design, and historic context that is devoted to the magnificent legacy of Hawai'i's kings and queens, and the legacies of its Native Hawaiian people of all walks of life and ages;

Whereas Hawaiian Hall, constructed between 1889 and 1903 and 1 of 3 interconnected structures known as the Hawaiian Hall Complex, is considered a masterpiece of late Victorian museum design with its Kamehameha blue stone exterior quarried on site and extensive use of native koa wood, and is one of the few examples of Romanesque Richardsonian style museum buildings to have survived essentially unchanged;

Whereas Hawaiian Hall, designed by noted Hawai'i architects C.B. Ripley and C.W. Dickey in 1898, was placed on the National Register of Historic Places in 1982, based on its unique combination of architectural, cultural, scientific, educational, and historical significance;

Whereas the restoration and renovation of Hawaiian Hall and its exhibits by noted Hawai'i architect Glenn Mason and noted national and international museum exhibit designer Ralph Appelbaum are integral to the museum's ability to fulfill its mission and achieve its primary goal of serving and representing the interests of Native Hawaiians;

Whereas the restoration and renovation of Hawaiian Hall, begun in 2005, included the building of a new gathering place in an enclosed, glass walled atrium, improved access to the hall through the installation of an elevator in the new atrium to all 3 floors of the hall and other buildings in the Hawaiian Hall Complex, improved collection preservation through the installation of new, state-of-the-art environmental controls, lighting, security, and fire suppression systems, and restored original woodwork and metalwork;

Whereas the restoration and renovation of the hall's exhibits bring multiple voices and a Native Hawaiian perspective to bear on Bishop Museum's treasures, by conveying the essential values, beliefs, complexity, and achievements of Hawaiian culture through exquisite and fragile artifacts in a setting that emphasizes their ''mana'' (power and essence) and the place in which they were created;

Whereas the new exhibit incorporates contemporary Native Hawaiian artwork illustrating traditional stories, legends, and practices, and contemporary Native Hawaiian voices interpreting the practices and traditions through multiple video presentations;

Whereas the new exhibit features more than 2,000 objects and images from the museum's collections on the open floor, mezzanines, and the center space, conceptually organized to represent 3 traditional realms or ''wao'' of the Hawaiian world—Kai Ākea, the expansive sea from which gods and people came, Wao Kānaka, the realm of people, and Wao Lani, the realm of gods and the ''ali'i'' (chiefs) who descended from them;

Whereas the new exhibit's ending display celebrates the strength, glory, and achievements of Native Hawaiians with a large 40-panel mural titled ''Ho'ohuli, To Cause An Overturning, A Change'', made by students of Native Hawaiian charter schools in collaboration with Native Hawaiian artists and other students, and interpreted by Native Hawaiian artists and teachers in a video presentation; and

Whereas the people of the United States wish to convey their sincerest appreciation to Bishop Museum for its service and devotion: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the reopening of historic Hawaiian Hall on the 120th anniversary of the founding of Bishop Museum in Honolulu, Hawai'i; and

(2) on the occasions of the reopening and anniversary of the museum, honors and praises Bishop Museum for its work to ensure the preservation, study, education, and appreciation of Native Hawaiian culture and history.

ORDER FOR STAR PRINT—S. RES. 222

Mr. BROWN. Mr. President, I ask unanimous consent that S. Res. 222 be star printed with the changes that are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 1552

Mr. BROWN. Mr. President, I understand S. 1552, introduced earlier today by Senator LIEBERMAN, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1552) to reauthorize the DC opportunity scholarship program and for other purposes.

Mr. BROWN. I ask now for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

ORDERS FOR FRIDAY, JULY 31, 2009

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Friday, July 31; 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. 105, H.R. 2997, the Agriculture appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN. Mr. President, as previously announced, there will be no rollcall votes during tomorrow's session of the Senate.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:12 p.m., adjourned until Friday, July 31, 2009, at 9:30 a.m.