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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 23, 2009.

I hereby appoint the Honorable TIM HOLDEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rev. Dr. Martha Taylor, Elmhurst Presbyterian Church, Oakland, California, offered the following prayer:

Almighty and everlasting God, the Creator of the universe, the heavens, the Moon and the stars are Your work. You laid the foundation of this Earth. We pause in the midst of pressing demands to open our hearts and minds to hear from You.

Bless this Nation. Bless our President and each Representative of the people whom they represent and all that labor with them.

Help us not to forget the timeless principles penned by our Founding Fathers: that men and women are created equal, that we are endowed by You, our Creator, with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

Prick our heart to make decisions that embrace these principles. Let the peace of God rule in our hearts. We pray this prayer in the name of the Most High.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. REHBERG led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MAKING SURE SMALL BUSINESS THRIVES AND EXPANDS

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

Mr. WILSON of Ohio. Mr. Speaker, I come to the floor this morning to dispel a misleading rumor I recently heard about small business and health care reform.

Some are saying that, by requiring employers to offer health insurance for their employees or to opt out, we are going to crush small business. As a small business owner for over 40 years, I can assure you, Mr. Speaker, that this reform will not cost us jobs in small business.

Under our current system, there is no requirement for employers to offer insurance. Yet 99 percent of large firms do offer and nearly 65 percent of small firms offer insurance to their employees. For the firms already offering coverage, health care reform will bring much-needed competition and affordability to the insurance market. In addition, the smallest firms will be exempt. Finally, a 50 percent credit will be available to help pay premiums for the small businesses' insurance expenses.

In Ohio's Sixth Congressional District, which I serve, over 11,000 small businesses will receive credits to help cover their employees. As we continue to work on health care reform, I am committed to making sure small business continues to thrive and expand.

AMERICANS DESERVE BETTER

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

Mr. REHBERG. Mr. Speaker, in Montana, we often say there are only two seasons: winter and construction.

This August, at the peak of the construction season, I drove almost 3,500 miles around Montana, having listening sessions.

While it's not strange to see road construction in Montana in August, signs telling drivers that the funds for the construction came from the so-called ''stimulus'' were new. These signs provide no jobs or long-term investment in our economy. Instead, they represent the worst kind of political credit-taking.

What's more, the signs are wrong. The dollars Congress allocates come from taxpayers. In this case, it would have been more accurate to say: ''A project funded by our children and grandchildren.'' There are better ways to fund and to spend millions of dollars.

Last week, the Senate had a chance to stop wasting money on these signs, but failed to do so. We can do better in the House, and we must because Americans deserve better.

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HEALTH CARE

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

Mr. OLVER. Mr. Speaker, economic recovery requires not only solving the employment and housing crises but the health care crisis as well.

In this decade, the premiums charged by private health insurance companies have risen more than 75 percent while workers' wages have risen less than 25 percent. Meanwhile, the profits of the 10 largest health insurers have risen by 400 percent, and the salaries of their CEOs have tripled.

America now has 50 percent higher health care costs than the highest of the next 20 most industrialized nations. Yet Americans suffer shorter life expectancies and higher infant mortalities than any of those nations. Fifty million American citizens who cannot afford basic health insurance receive crisis care in the most expensive way possible: in emergency rooms for which the rest of Americans pay. The uninsured fail to receive the preventative care they need, and the insured shoulder the enormous long-term costs in both lives and dollars of preventable diabetes, heart disease, and cancer.

There is something morally and fiscally wrong with this picture. Wake up, America. We need health care reform now.

SUPPORT OUR TROOPS IN AFGHANISTAN

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday's Washington Post editorial was correct when they stated that President Obama's goals in Afghanistan, as he outlined in March, were essential to preventing another attack on the United States by al Qaeda and its extremist allies. Indeed, there is much at stake in Afghanistan in establishing security and stability throughout the region. President Obama's original strategy is vital to ensuring that terrorist organizations do not reestablish safe havens or return the Taliban to power.

Our military commanders and troops on the ground are doing extraordinary work. We need to ensure they have the resources to complete their mission: to defeat the terrorists and to help provide, as President Obama mentioned in March, stability in the region.

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

HEALTH INSURANCE REFORM DAILY MYTHBUSTER: IMPACT ON SENIORS

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

Mr. CARNAHAN. Mr. Speaker, I rise to address seniors in this country about many myths that have been perpetrated about current health care reform.

The fact is that health care reform in this House, which we've talked about, simply provides Medicare reimbursement to doctors who spend time with their patients who wish to speak to their doctors about their values and their preferences with regard to end-of-life-care decisions. It empowers older Americans who want to have their wishes observed.

The other myth we've heard about is rationed care. The fact is nothing will stand between you and your doctor or will prevent you from making the best health care decisions, and if you're enrolled in Medicare, it will improve the level of care you can get.

With regard to a so-called ''government takeover'' of health care, this bill would build on the system of private health care in this country. The CBO said it will actually expand coverage under private care by 16 million and that only about 3 percent of Americans would choose to enroll in a new public health care plan.

Also, with regard to Medicare, we are going to have savings from overpayments to Medicare Advantage plans of $150 billion, which will help improve the stability of Medicare.

Mr. Speaker, we need to pass this now and get on with the serious business of health care reform for our seniors.

REMOVE THE CMS GAG ORDER

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

Mr. FLEMING. Mr. Speaker, it was recently reported that the Centers for Medicare and Medicaid Services has issued a gag order on private insurance companies to prevent them from providing information to their beneficiaries regarding the administration's proposed cuts to Medicare Advantage and how the Democrat health reform could take away their current coverage.

The CBO, by the way, agrees with this. That is a fact that coverage is being taken away.

However, the one entity not being affected by this gag order is the AARP, which has been a prime advocate of the Democrats' government takeover of health care. Even as AARP advocates for cutting Medicare Advantage plans by more than $150 billion, an analysis of the organization's operation reveals that it stands to receive tens of millions of dollars at the expense of seniors' medical care. Under the Democrats' plan, seniors are going to have to fund kickbacks to AARP-sponsored plans, and there isn't a single provision attempting to impose any new restrictions on AARP policies.

Did CMS somehow forget to include AARP among the organizations whose First Amendment rights to inform seniors of harmful Medicare provisions were restricted, or did the administration only wish to silence its critics?

HEALTH CARE

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

Mr. PASCRELL. Mr. Speaker, 2 weeks ago when the President addressed the Nation from this very Chamber, my Republican colleagues made a big show of waving their plans for the health reform and of waving them all over the floor, five bills and particularly a specific bill.

Unfortunately, just as I hope all of us read our bill, I hope all of you read your own bills. The plans that have been bandied about by my Republican friends lack any commitment to guaranteeing affordable, quality health care for all Americans.

The truth about the Republican plans is that they dismantle and disrupt the health insurance system. Get this, the American people: the provisions espoused by the Republicans would unravel the employer-based system where 159 million Americans get their health coverage. It erodes the employer-provided coverage. It provides fewer choices at higher costs for those who need insurance the most.

Wait until Americans read the Republican plans for us and what they have available.

By the way, the CBO does not in any manner, shape or form tell us how we're going to pay for this under the Republican plans. You've criticized us, and hypocritically, you've done what you say we've done.

AFGHANISTAN

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I'll bet Osama bin Laden and his buddies are high-fiving each other in their caves after hearing that the administration is soft-pedaling on its promise for an aggressive fight in Afghanistan.

In March, the President unveiled a new plan for success for Afghanistan and Pakistan. Sadly, now he's singing a different tune at just the wrong time. General McChrystal recently warned that America and our allies are in danger of losing the war if we do not create a bold, new strategy for America that requires more troops.

The President should heed the general's advice and should stand strong for freedom and security by giving our troops the tools they want, need, and deserve for victory so they can return home with honor.

To quote the President: The world cannot afford the price that will come

due if Afghanistan slides back into chaos.

PROMOTING GENUINE HEALTH CARE REFORM

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

Mr. YARMUTH. Mr. Speaker, our Republican colleagues would have you believe that there is a considerable amount of agreement between the two sides on how we should best enact health care reform. Well, I think the reality is we have substantial agreement on what the problems are, but very different opinions about how we go about approaching them.

As my colleague Mr. PASCRELL said, last week or 2 weeks ago they were waving this bill, one of many, H.R. 3400, at the President when he spoke here. They might as well have been waving the insurance companies' financial reports because this bill just provides another government subsidy to the insurance companies, which have put us in the big hole that we're in right now. Furthermore, they don't even pay for it.

We are interested in genuine health care reform that's going to provide security and stability for every American citizen and that will help fix Medicare so that it provides continuing great service to our seniors.

The Republican proposals don't do anything like that. We wish they would join us in a sincere effort to promote effective health care reform. We haven't seen that effort yet.

□ 1015

MEDIA IGNORE HEALTH CARE POLL

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

Mr. SMITH of Texas. Mr. Speaker, a new Investor's Business Daily poll of more than 1,300 physicians found that nearly two-thirds do not support the administration's health care plan. More than 7 in 10 say the government cannot provide insurance coverage without harming quality.

IBD's findings contradict stories in the national media that claim most doctors support the administration's plan. The media know that the American Medical Association does not speak for all doctors. In fact, only 17 percent of all doctors belong to the AMA in large part because it is too liberal.

It's not a surprise that the national media ignored IBD's poll. It doesn't fit their agenda of more government control and less individual freedom.

NATION'S HEALTH INSURANCE SYSTEM IS BROKEN

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

Mr. HEINRICH. Mr. Speaker, it's clear that our Nation's health insurance system is broken and that the status quo is simply unsustainable.

Over the last decade, health insurance premiums in New Mexico have grown 118 percent for the average family, compared to just 50 percent growth in wages. Again, the cost of health insurance grew more than twice as much as wages earned by New Mexico's working families. That same trend has made health care insurance unaffordable for more than one in five adults who went uninsured last year.

Mr. Speaker, we must hold insurance companies accountable for these skyrocketing costs. If we are successful in health insurance reform, we will lower the cost of care for our families. Seniors will actually be able to afford their medications all year long, small businesses will save money, and it will end this impediment to this Nation's competitiveness in the 21st century economy. We simply cannot afford to let this historic opportunity slip away.

CONGRESS NEEDS TIME TO READ BILLS

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

Mr. WALDEN. Mr. Speaker, I rise today to call my colleagues to join me and Congressman BRIAN BAIRD and Congressman CULBERSON in signing a discharge petition to change the rules of the House so that Members of Congress have at least 72 hours to read bills like this.

This is the so-called stimulus. We had 12 hours. Now, the Speaker has said we will all have 24 hours. We are asking for 72. The stimulus was 1,073 pages, $787 billion.

This is the cap-and-tax bill, 16½ hours to digest it, 1,428 pages, $846 billion.

We should have a chance to read these bills and understand them. Congressman BAIRD and about 90 of us are cosponsors of H.R. 544. It's time to bring it to the floor for a vote. Sign the discharge petition.

Let's bring sunshine into the process. Let's allow Americans, their Representatives and the press the time to read these bills before we have to vote on them here on the House floor.

AGREE ABOUT HEALTH CARE REFORM

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

Mr. KAGEN. Mr. Speaker, let's all agree about three things when it comes to health care reform. The first message has to be we have to fix what is broken and improve on what we already have and make certain it's at a price we can all afford to pay.

Secondly, and this is in every piece of legislation moving through Congress on health care, we have to guarantee that no citizen anywhere in this country shall be discriminated against because of preexisting medical conditions.

Isn't it time to finally establish a transparent medical marketplace where all prices for health care service and products are openly disclosed to the public at all times on the Internet? Isn't it time that every customer, when they go to the doctor or hospital or purchase insurance policies, gets to pay the lowest price that's openly disclosed and accepted as payment in full from everyone else?

It's time to have a transparent medical system and make sure that we can drive down prices for everyone.

CMS GAG RULE

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

Mr. HERGER. Mr. Speaker, the Obama administration keeps trying to silence critics of its government-run health care plan. This week, the Centers for Medicare and Medicaid Services decided that Medicare Advantage plans were offering the wrong opinions about the health care bill. So CMS ordered them to stop telling their customers about the proposed cuts to Medicare benefits.

Mr. Speaker, this Chicago-style politics is a shocking abuse of power that flies in the face of the President's call for open and honest debate. It's time to remind the President and CMS that all Americans have a constitutional right to speak their mind, even when that holds back a government takeover of health care.

HEALTH CARE REFORM MUST BE DONE

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

Ms. EDWARDS of Maryland. Mr. Speaker, health care reform is an imperative. We must get it done now. People want to know and deserve to know what's in it for them.

If you are a senior, it means continued quality medical care and lower prescription drugs. If you are a small business, it means you can afford health care for your family, for yourself, for your employees, and you will get help doing it.

If you have a preexisting condition, diabetes, a heart condition, multiple sclerosis, even acne, you won't be excluded from getting quality affordable health care. If you are a young person no longer on your parents' insurance, it means you can choose insurance you can afford. If, like millions of Americans, most Americans, you already have insurance, you like it, you keep it and you won't see skyrocketing premiums, deductibles and copays.

For all Americans, it means lower cost, quality care, affordable care and choice. You can take your insurance with you when you change jobs. You won't go broke because of limits on yearly health care expenses. It means no copayments for routine preventive care like colonoscopies and mammograms.

You choose your doctor, you choose to change, you choose to stay the same. Choose a public plan, choose a private plan. It's time for Congress to get this done.

INFLATION IS COMING

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

Mr. KIRK. Mr. Speaker, when interest rates go up, the value of bonds go down. But this presents a dilemma for the newest and largest bondholder on Earth, the Federal Reserve.

With interest rates low, quantitative easing policies and record spending, inflation is coming. Normally, we would expect the Fed to raise interest rates to protect the value of our dollars from runaway inflation, but now that the Feds owe over $1 trillion in bonds, an interest rate boost of only 70 basis points would trigger a loss of the entire $51 billion of the Fed's remaining net capital.

Robert Eisenbeis, the former vice president for the Atlanta Fed, has highlighted this danger. With inflation coming, we do not want the losses that the Feds would have to their own holdings to stop them from doing what will be needed to protect us, and especially seniors, from next year's expected inflation.

MEDICARE CUTS WOULD IMPACT OUR SENIORS

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

Mr. BOUSTANY. Mr. Speaker, yesterday the Director of the Congressional Budget Office stated that seniors with current private Medicare plans could see their benefits cut or costs increase under one of the health care overhaul proposals currently being debated. Many seniors, including more than 140,000 in my home State of Louisiana, depend on these Medicare benefits for their health care.

Far too often, patients in our current government-run programs lack real access to a doctor. Now, under congressional Democrats' plans, they would see their benefits cut or higher costs, according to CBO, the official scorekeeper for Congress.

We can do better. We can achieve commonsense solutions in a bipartisan way. But the current bills in Congress focus on where we disagree. House Republicans have put forward a commonsense plan to revitalize the American health care system to lower costs for families and businesses and to improve quality.

Our plan puts patients first and their doctors back in control of health care decisions. Our plan makes health care affordable and more accessible with patients able to see their doctor of choice.

Let's work together to put the patient and doctor back in control of their health care destiny.

STOP FUNDING ACORN WITH TAXPAYER DOLLARS

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

Mr. TIAHRT. Mr. Speaker, I rise again to fight on behalf of Kansans who are furious that ACORN, the political machine of President Obama, is being funneled millions of taxpayer dollars to carry out fraudulent and illegal activities.

It's no secret President Obama paid ACORN over $800,000 to help him win the White House. For years, this organization has been funded by liberal Democrats, and they have used the money to promote voter fraud and tax fraud, along with other illegal activities.

Despite the dozens of ACORN voter fraud scandals and its 70 convicted members, ACORN receives an outrageous 40 percent of its funding from hardworking taxpayers. This must stop. That's why we are fighting to defund this political machine and prevent further abuse of taxpayer money.

In addition to taking away every single tax dollar ACORN receives, we should strip its tax-exempt status. That's why this week I am introducing a resolution calling for the IRS to stop giving ACORN special tax treatment.

Let's help stop ACORN from using its tax-exempt status to advance liberal political agendas filled with corruption. It's time for Congress to put an end to this fraudulent use of public tax dollars and start working to revive our economy and create jobs.

GOVERNMENT TAKEOVER OF HEALTH CARE

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

Ms. FOXX. Mr. Speaker, it's clear from town hall meetings held across the country that the American people are rejecting the Democrat plan for a government takeover of health care. The President and Democrats in Congress need to start over on their health care plan.

House Republicans have a plan for reform that expands access to affordable health care and gives families the freedom to choose the health care that fits their needs. It's time for the President and Democrats in Congress to begin working with Republicans on real solutions to the challenges our country faces, including health care reform.

According to economic modeling by the President's own chief economic adviser, the business tax increases alone will destroy up to 5.5 million jobs. An independent analysis by the nonpartisan Lewin Group found that as many as 114 million Americans could lose their current health insurance.

The Democrats' health care plan also includes harmful cuts to Medicare Advantage, and according to the Congressional Budget Office, will raise seniors' Medicare prescription drug premiums by 20 percent over the next decade.

Despite claims that reform will reduce health care costs, the Congressional Budget Office has said the Democrats' health care plan will actually increase government spending and increase our national debt. The last thing we need is a government takeover of health care.

HEALTH INSURANCE NEEDS TO BE AFFORDABLE

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

Mr. BOOZMAN. Mr. Speaker, I rise today to talk of health care. Last week I had the opportunity to speak and listen at a town hall meeting in Bella Vista, Arkansas. This retirement community voiced their concern that insurance needed to be much more affordable and that we should do away with preexisting conditions. They did not want this paid for, though, on the backs of seniors.

In the current proposal, $500 billion is taken away from Medicare. They do this by decreasing or eliminating the subsidy on Advantage plans, so most seniors would lose this opportunity to help them. There would be less money to providers when, in the situation we have now, it's very difficult to even find a Medicare provider in some cases.

Again, it makes no sense, Mr. Speaker, to cut Medicare $500 billion, increase the patient load by 30 percent, not provide any more doctors to take care of the people, and no more facilities. We need reform, but we need commonsense reform. We must not do something just for the sake of doing it.

LIVINGSTONE AND JOHNSON C. SMITH TO RENEW 117-YEAR RIVALRY

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

Mr. WATT. Mr. Speaker, on December 27, 1892, the first college football game between two historically black institutions of higher education was played in Salisbury, North Carolina. On October 3, 2009, The Livingstone College and Johnson C. Smith University football teams will extend this 117-year rivalry in the 2009 Commemorative Classic football game.

I rise to recognize and pay tribute to Livingstone College and Johnson C. Smith University as they prepare to participate in this historic game, which is being played in my congressional district. Collegiate sports provide a backdrop for a multitude of life's lessons and a crucible in which many of society's leaders are shaped.

To quote Livingstone College President S.E. Duncan: The claim that football engenders school spirit has seldom been challenged. For the stimulation of academic improvement, its impact on citizenship and the outcome of our students on physical fitness, football comes increasingly to their attention for consideration.

I wish continued success to Livingstone College and Johnson C. Smith University and wish both of them success in this year's game.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

DEFENSE PRODUCTION ACT REAUTHORIZATION OF 2009

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1677) to reauthorize the Defense Production Act of 1950, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1677

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Defense Production Act Reauthorization of 2009''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Reauthorization of Defense Production Act of 1950.
Sec. 3. Declaration of policy.
Sec. 4. Priority in contracts and orders.
Sec. 5. Designation of energy as a strategic and critical material.
Sec. 6. Strengthening domestic capability.
Sec. 7. Expansion of productive capacity and supply.
Sec. 8. Definitions.
Sec. 9. Voluntary agreements and plans of action for national defense.
Sec. 10. Employment of personnel; appointment policies; nucleus executive reserve; use of confidential information by employees; printing and distribution of reports.
Sec. 11. Defense Production Act Committee.
Sec. 12. Annual report on impact of offsets.

SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) TERMINATION OF ACT.—

(1) TERMINATION.—Section 717 of the Defense Production Act of 1950 (50 U.S.C. App. 2166) is amended—

(A) by striking subsections (a) and (b) and inserting the following:

''(a) Title I (except section 104), title III, and title VII (except sections 707, 708, and 721) shall terminate on September 30, 2014, except that all authority extended under title III on or after the date of enactment of the Defense Production Act Reauthorization of 2009 shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) Notwithstanding subsection (a), any agency created under a provision of law that is terminated under subsection (a) may continue in existence, for purposes of liquidation, for a period not to exceed 6 months, beginning on the date of termination of the provision authorizing the creation of such agency under subsection (a).''; and

(B) in subsection (c), by striking the second undesignated paragraph.

(2) REPEALS.—Titles II, IV, V, and VI of the Defense Production Act of 1950 (50 U.S.C. App. 2151 et seq., 2101 et seq., 2121 et seq., and 2131 et seq.) are repealed.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''(including'' and all that follows through '') by'' and inserting ''by''; and

(B) by striking ''(a) AUTHORIZATION.—Except as provided in subsection (b), there'' and inserting ''There''; and

(2) by striking subsection (b).

SEC. 3. DECLARATION OF POLICY.

(a) FINDINGS.—Section 2 of the Defense Production Act of 1950 (50 U.S.C. App. 2062) is amended to read as follows:

''SEC. 2. DECLARATION OF POLICY.

''(a) FINDINGS.—Congress finds that—

''(1) the security of the United States is dependent on the ability of the domestic industrial base to supply materials and services for the national defense and to prepare for and respond to military conflicts, natural or man-caused disasters, or acts of terrorism within the United States;

''(2) to ensure the vitality of the domestic industrial base, actions are needed—

''(A) to promote industrial resources preparedness in the event of domestic or foreign threats to the security of the United States;

''(B) to support continuing improvements in industrial efficiency and responsiveness;

''(C) to provide for the protection and restoration of domestic critical infrastructure operations under emergency conditions; and

''(D) to respond to actions taken outside of the United States that could result in reduced supplies of strategic and critical materials, including energy, necessary for national defense and the general economic well-being of the United States;

''(3) in order to provide for the national security, the national defense preparedness effort of the United States Government requires—

''(A) preparedness programs to respond to both domestic emergencies and international threats to national defense;

''(B) measures to improve the domestic industrial base for national defense;

''(C) the development of domestic productive capacity to meet—

''(i) essential national defense needs that can result from emergency conditions; and

''(ii) unique technological requirements; and

''(D) the diversion of certain materials and facilities from ordinary use to national defense purposes, when national defense needs cannot otherwise be satisfied in a timely fashion;

''(4) to meet the requirements referred to in this subsection, this Act provides the President with an array of authorities to shape national defense preparedness programs and to take appropriate steps to maintain and enhance the domestic industrial base;

''(5) in order to ensure national defense preparedness, it is necessary and appropriate to assure the availability of domestic energy supplies for national defense needs;

''(6) to further assure the adequate maintenance of the domestic industrial base, to the maximum extent possible, domestic energy supplies should be augmented through reliance on renewable energy sources (including solar, geothermal, wind, and biomass sources), more efficient energy storage and distribution technologies, and energy conservation measures;

''(7) much of the industrial capacity that is relied upon by the United States Government for military production and other national defense purposes is deeply and directly influenced by—

''(A) the overall competitiveness of the industrial economy of the United States; and

''(B) the ability of industries in the United States, in general, to produce internationally competitive products and operate profitably while maintaining adequate research and development to preserve competitiveness with respect to military and civilian production; and

''(8) the inability of industries in the United States, especially smaller subcontractors and suppliers, to provide vital parts and components and other materials would impair the ability to sustain the Armed Forces of the United States in combat for longer than a short period.

''(b) STATEMENT OF POLICY.—It is the policy of the United States that—

''(1) to ensure the adequacy of productive capacity and supply, Federal departments and agencies that are responsible for national defense acquisition should continuously assess the capability of the domestic industrial base to satisfy production requirements under both peacetime and emergency conditions, specifically evaluating the availability of adequate production sources, including subcontractors and suppliers, materials, skilled labor, and professional and technical personnel;

''(2) every effort should be made to foster cooperation between the defense and commercial sectors for research and development and for acquisition of materials, components, and equipment;

''(3) plans and programs to carry out the purposes of this Act should be undertaken with due consideration for promoting efficiency and competition;

''(4) in providing United States Government financial assistance under this Act to correct a domestic industrial base shortfall, the President should give consideration to the creation or maintenance of production sources that will remain economically viable after such assistance has ended;

''(5) authorities under this Act should be used to reduce the vulnerability of the United States to terrorist attacks, and to minimize the damage and assist in the recovery from terrorist attacks that occur in the United States;

''(6) in order to ensure productive capacity in the event of an attack on the United States, the United States Government should encourage the geographic dispersal of industrial facilities in the United States to discourage the concentration of such productive facilities within limited geographic areas that are vulnerable to attack by an enemy of the United States;

''(7) to ensure that essential national defense requirements are met, consideration should be given to stockpiling strategic materials, to the extent that such stockpiling is economical and feasible; and

''(8) in the construction of any industrial facility owned by the United States Government, in the rendition of any financial assistance by the United States Government for the construction, expansion, or improvement of any industrial facility, and in the production of goods and services, under this Act or any other provision of law, each department and agency of the United States Government should apply, under the coordination of the Federal Emergency Management Agency, when practicable and consistent with existing law and the desirability for maintaining a sound economy, the principle of geographic dispersal of such facilities in the interest of national defense.''.

SEC. 4. PRIORITY IN CONTRACTS AND ORDERS.

Section 101 of the Defense Production Act of 1950 (50 U.S.C. App. 2071) is amended by adding at the end the following:

''(d) The head of each Federal agency to which the President delegates authority under this section shall—

''(1) not later than 270 days after the date of enactment of the Defense Production Act Reauthorization of 2009, issue final rules, in accordance with section 553 of title 5, United States Code, that establish standards and procedures by which the priorities and allocations authority under this section is used to promote the national defense, under both emergency and nonemergency conditions; and

''(2) as appropriate and to the extent practicable, consult with the heads of other Federal agencies to develop a consistent and unified Federal priorities and allocations system.''.

SEC. 5. DESIGNATION OF ENERGY AS A STRATEGIC AND CRITICAL MATERIAL.

Section 106 of the Defense Production Act of 1950 (50 U.S.C. App. 2076) is amended—

(1) by striking ''such designation'' and all that follows through ''(1)'' and inserting ''such designation'';

(2) by striking ''; or'' and inserting a period; and

(3) by striking paragraph (2).

SEC. 6. STRENGTHENING DOMESTIC CAPABILITY.

Section 107 of the Defense Production Act of 1950 (50 U.S.C. App. 2077) is amended—

(1) in subsection (a)—

(A) by inserting ''restore,'' after ''modernize,''; and

(B) by inserting ''materials,'' after ''items,''; and

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1), as so redesignated, by striking ''or critical technology items'' and inserting '', critical technology items, essential materials, and industrial resources''.

SEC. 7. EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY.

Title III of the Defense Production Act of 1950 (50 U.S.C. App. 2091 et seq.) is amended to read as follows:

''TITLE III—EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY

''SEC. 301. PRESIDENTIAL AUTHORIZATION FOR THE NATIONAL DEFENSE.

''(a) EXPEDITING PRODUCTION AND DELIVERIES OR SERVICES.—

''(1) AUTHORIZED ACTIVITIES.—To reduce current or projected shortfalls of industrial resources, critical technology items, or essential materials needed for national defense purposes, subject to such regulations as the President may prescribe, the President may authorize a guaranteeing agency to provide guarantees of loans by private institutions for the purpose of financing any contractor, subcontractor, provider of critical infrastructure, or other person in support of production capabilities or supplies that are deemed by the guaranteeing agency to be necessary to create, maintain, expedite, expand, protect, or restore production and deliveries or services essential to the national defense.

''(2) PRESIDENTIAL DETERMINATIONS REQUIRED.—Except during a period of national emergency declared by Congress or the President, a loan guarantee may be entered into under this section only if the President determines that—

''(A) the loan guarantee is for an activity that supports the production or supply of an industrial resource, critical technology item, or material that is essential for national defense purposes;

''(B) without a loan guarantee, credit is not available to the loan applicant under reasonable terms or conditions sufficient to finance the activity;

''(C) the loan guarantee is the most cost effective, expedient, and practical alternative for meeting the needs of the Federal Government;

''(D) the prospective earning power of the loan applicant and the character and value of the security pledged provide a reasonable assurance of repayment of the loan to be guaranteed;

''(E) the loan to be guaranteed bears interest at a rate determined by the Secretary of the Treasury to be reasonable, taking into account the then-current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan;

''(F) the loan agreement for the loan to be guaranteed provides that no provision of the loan agreement may be amended or waived without the consent of the fiscal agent of the United States for the guarantee; and

''(G) the loan applicant has provided or will provide—

''(i) an assurance of repayment, as determined by the President; and

''(ii) security—

''(I) in the form of a performance bond, insurance, collateral, or other means acceptable to the fiscal agent of the United States; and

''(II) in an amount equal to not less than 20 percent of the amount of the loan.

''(3) LIMITATIONS ON LOANS.—Loans under this section may be—

''(A) made or guaranteed under the authority of this section only to the extent that an appropriations Act—

''(i) provides, in advance, budget authority for the cost of such guarantees, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

''(ii) establishes a limitation on the total loan principal that may be guaranteed; and

''(B) made without regard to the limitations of existing law, other than section 1341 of title 31, United States Code.

''(b) FISCAL AGENTS OF THE UNITED STATES.—

''(1) IN GENERAL.—Any Federal agency or any Federal reserve bank, when designated by the President, is hereby authorized to act, on behalf of any guaranteeing agency, as fiscal agent of the United States in the making of such contracts of guarantee and in otherwise carrying out the purposes of this section.

''(2) FUNDS.—All such funds as may be necessary to enable any fiscal agent described in paragraph (1) to carry out any guarantee made by it on behalf of any guaranteeing agency shall be supplied and disbursed by or under authority from such guaranteeing agency.

''(3) LIMIT ON LIABILITY.—No fiscal agent described in paragraph (1) shall have any responsibility or accountability, except as agent in taking any action pursuant to or under authority of this section.

''(4) REIMBURSEMENTS.—Each fiscal agent described in paragraph (1) shall be reimbursed by each guaranteeing agency for all expenses and losses incurred by such fiscal agent in acting as agent on behalf of such guaranteeing agency, including, notwithstanding any other provision of law, attorneys' fees and expenses of litigation.

''(c) OVERSIGHT.—

''(1) IN GENERAL.—All actions and operations of fiscal agents under authority of or pursuant to this section shall be subject to the supervision of the President, and to such regulations as the President may prescribe.

''(2) OTHER AUTHORITY.—The President is authorized to prescribe—

''(A) either specifically or by maximum limits or otherwise, rates of interest, guarantee and commitment fees, and other charges which may be made in connection with loans, discounts, advances, or commitments guaranteed by the guaranteeing agencies through fiscal agents under this section; and

''(B) regulations governing the forms and procedures (which shall be uniform to the extent practicable) to be utilized in connection with such guarantees.

''(d) AGGREGATE GUARANTEE AMOUNTS.—

''(1) INDUSTRIAL RESOURCE AND CRITICAL TECHNOLOGY SHORTFALLS.—

''(A) IN GENERAL.—If the making of any guarantee or obligation of the Federal Government under this title relating to a domestic industrial base shortfall would cause the aggregate outstanding amount of all guarantees for such shortfall to exceed $50,000,000, any such guarantee may be made only—

''(i) if the President has notified the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives in writing of the proposed guarantee; and

''(ii) after the 30-day period following the date on which notice under clause (i) is provided.

''(B) WAIVERS AUTHORIZED.—The requirements of subparagraph (A) may be waived—

''(i) during a period of national emergency declared by Congress or the President; or

''(ii) upon a determination by the President, on a nondelegable basis, that a specific guarantee is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability.

''(2) OTHER LIMITATIONS.—The authority conferred by this section shall not be used primarily to prevent the financial insolvency or bankruptcy of any person, unless—

''(A) the President certifies that the insolvency or bankruptcy would have a direct and substantially adverse effect upon national defense production; and

''(B) a copy of the certification under subparagraph (A), together with a detailed justification thereof, is transmitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 10 days prior to the exercise of that authority for such use.

''SEC. 302. LOANS TO PRIVATE BUSINESS ENTERPRISES.

''(a) LOAN AUTHORITY.—To reduce current or projected shortfalls of industrial resources, critical technology items, or materials essential for the national defense, the President may make provision for loans to

private business enterprises (including nonprofit research corporations and providers of critical infrastructure) for the creation, maintenance, expansion, protection, or restoration of capacity, the development of technological processes, or the production of essential materials, including the exploration, development, and mining of strategic and critical metals and minerals.

''(b) CONDITIONS OF LOANS.—Loans may be made under this section on such terms and conditions as the President deems necessary, except that—

''(1) financial assistance may be extended only to the extent that it is not otherwise available from private sources on reasonable terms; and

''(2) during periods of national emergency declared by the Congress or the President, no such loan may be made unless the President determines that—

''(A) the loan is for an activity that supports the production or supply of an industrial resource, critical technology item, or material that is essential to the national defense;

''(B) without the loan, United States industry cannot reasonably be expected to provide the needed capacity, technological processes, or materials in a timely manner;

''(C) the loan is the most cost-effective, expedient, and practical alternative method for meeting the need;

''(D) the prospective earning power of the loan applicant and the character and value of the security pledged provide a reasonable assurance of repayment of the loan in accordance with the terms of the loan, as determined by the President; and

''(E) the loan bears interest at a rate determined by the Secretary of the Treasury to be reasonable, taking into account the then-current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan.

''(c) LIMITATIONS ON LOANS.—Loans under this section may be—

''(1) made or guaranteed under the authority of this section only to the extent that an appropriations Act—

''(A) provides, in advance, budget authority for the cost of such guarantees, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

''(B) establishes a limitation on the total loan principal that may be guaranteed; and

''(2) made without regard to the limitations of existing law, other than section 1341 of title 31, United States Code.

''(d) AGGREGATE LOAN AMOUNTS.—

''(1) IN GENERAL.—If the making of any loan under this section to correct a shortfall would cause the aggregate outstanding amount of all obligations of the Federal Government under this title relating to such shortfall to exceed $50,000,000, such loan may be made only—

''(A) if the President has notified the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, in writing, of the proposed loan; and

''(B) after the 30-day period following the date on which notice under subparagraph (A) is provided.

''(2) WAIVERS AUTHORIZED.—The requirements of paragraph (1) may be waived—

''(A) during a period of national emergency declared by the Congress or the President; and

''(B) upon a determination by the President, on a nondelegable basis, that a specific loan is necessary to avert an industrial resource or critical technology shortfall that would severely impair national defense capability.

''SEC. 303. OTHER PRESIDENTIAL ACTION AUTHORIZED.

''(a) IN GENERAL.—

''(1) IN GENERAL.—To create, maintain, protect, expand, or restore domestic industrial base capabilities essential for the national defense, the President may make provision—

''(A) for purchases of or commitments to purchase an industrial resource or a critical technology item, for Government use or resale;

''(B) for the encouragement of exploration, development, and mining of critical and strategic materials, and other materials;

''(C) for the development of production capabilities; and

''(D) for the increased use of emerging technologies in security program applications and the rapid transition of emerging technologies—

''(i) from Government-sponsored research and development to commercial applications; and

''(ii) from commercial research and development to national defense applications.

''(2) TREATMENT OF CERTAIN AGRICULTURAL COMMODITIES.—A purchase for resale under this subsection shall not include that part of the supply of an agricultural commodity which is domestically produced, except to the extent that such domestically produced supply may be purchased for resale for industrial use or stockpiling.

''(3) TERMS OF SALES.—No commodity purchased under this subsection shall be sold at less than—

''(A) the established ceiling price for such commodity, except that minerals, metals, and materials shall not be sold at less than the established ceiling price, or the current domestic market price, whichever is lower; or

''(B) if no ceiling price has been established, the higher of—

''(i) the current domestic market price for such commodity; or

''(ii) the minimum sale price established for agricultural commodities owned or controlled by the Commodity Credit Corporation, as provided in section 407 of the Agricultural Act of 1949 (7 U.S.C. 1427).

''(4) DELIVERY DATES.—No purchase or commitment to purchase any imported agricultural commodity shall specify a delivery date which is more than 1 year after the date of termination of this section.

''(5) PRESIDENTIAL DETERMINATIONS.—Except as provided in paragraph (7), the President may not execute a contract under this subsection unless the President determines that—

''(A) the industrial resource, material, or critical technology item is essential to the national defense; and

''(B) without Presidential action under this section, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner.

''(6) NOTIFICATION TO CONGRESS OF SHORTFALL.—

''(A) IN GENERAL.—Except as provided in paragraph (7), the President shall provide written notice to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of a domestic industrial base shortfall prior to taking action under this subsection to remedy the shortfall. The notice shall include the determinations made by the President under paragraph (5).

''(B) AGGREGATE AMOUNTS.—If the taking of any action under this subsection to correct a domestic industrial base shortfall would cause the aggregate outstanding amount of all such actions for such shortfall to exceed $50,000,000, the action or actions may be taken only after the 30-day period following the date on which the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives have been notified in writing of the proposed action.

''(7) WAIVERS AUTHORIZED.—The requirements of paragraphs (1) through (6) may be waived—

''(A) during a period of national emergency declared by the Congress or the President; or

''(B) upon a determination by the President, on a nondelegable basis, that action is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability.

''(b) EXEMPTION FOR CERTAIN LIMITATIONS.—Subject to the limitations in subsection (a), purchases and commitments to purchase and sales under subsection (a) may be made without regard to the limitations of existing law (other than section 1341 of title 31, United States Code), for such quantities, and on such terms and conditions, including advance payments, and for such periods, but not extending beyond a date that is not more than 10 years from the date on which such purchase, purchase commitment, or sale was initially made, as the President deems necessary, except that purchases or commitments to purchase involving higher than established ceiling prices (or if no such established ceiling prices exist, currently prevailing market prices) or anticipated loss on resale shall not be made, unless it is determined that supply of the materials could not be effectively increased at lower prices or on terms more favorable to the Government, or that such purchases are necessary to assure the availability to the United States of overseas supplies.

''(c) PRESIDENTIAL FINDINGS.—

''(1) IN GENERAL.—The President may take the actions described in paragraph (2), if the President finds that—

''(A) under generally fair and equitable ceiling prices, for any raw or nonprocessed material, there will result a decrease in supplies from high-cost sources of such material, and that the continuation of such supplies is necessary to carry out the objectives of this title; or

''(B) an increase in cost of transportation is temporary in character and threatens to impair maximum production or supply in any area at stable prices of any materials.

''(2) SUBSIDY PAYMENTS AUTHORIZED.—Upon a finding under paragraph (1), the President may make provision for subsidy payments on any such domestically produced material, other than an agricultural commodity, in such amounts and in such manner (including purchases of such material and its resale at a loss), and on such terms and conditions, as the President determines to be necessary to ensure that supplies from such high-cost sources are continued, or that maximum production or supply in such area at stable prices of such materials is maintained, as the case may be.

''(d) INCIDENTAL AUTHORITY.—The procurement power granted to the President by this section shall include the power to transport and store and have processed and refined any materials procured under this section.

''(e) INSTALLATION OF EQUIPMENT IN INDUSTRIAL FACILITIES.—

''(1) INSTALLATION AUTHORIZED.—If the President determines that such action will aid the national defense, the President is authorized—

''(A) to procure and install additional equipment, facilities, processes or improvements to plants, factories, and other industrial facilities owned by the Federal Government;

''(B) to procure and install equipment owned by the Federal Government in plants,

factories, and other industrial facilities owned by private persons;

''(C) to provide for the modification or expansion of privately owned facilities, including the modification or improvement of production processes, when taking actions under section 301, 302, or this section; and

''(D) to sell or otherwise transfer equipment owned by the Federal Government and installed under this subsection to the owners of such plants, factories, or other industrial facilities.

''(2) INDEMNIFICATION.—The owner of any plant, factory, or other industrial facility that receives equipment owned by the Federal Government under this section shall agree—

''(A) to waive any claim against the United States under section 107 or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607 and 9613); and

''(B) to indemnify the United States against any claim described in paragraph (1) made by a third party that arises out of the presence or use of equipment owned by the Federal Government.

''(f) EXCESS METALS, MINERALS, AND MATERIALS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law to the contrary, metals, minerals, and materials acquired pursuant to this section which, in the judgment of the President, are excess to the needs of programs under this Act, shall be transferred to the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), when the President deems such action to be in the public interest.

''(2) TRANSFERS AT NO CHARGE.—Transfers made pursuant to this subsection shall be made without charge against or reimbursement from funds appropriated for the purposes of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), except that costs incident to such transfer, other than acquisition costs, shall be paid or reimbursed from such funds.

''(g) SUBSTITUTES.—When, in the judgement of the President, it will aid the national defense, the President may make provision for the development of substitutes for strategic and critical materials, critical components, critical technology items, and other industrial resources.

''SEC. 304. DEFENSE PRODUCTION ACT FUND.

''(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a separate fund to be known as the 'Defense Production Act Fund' (in this section referred to as the 'Fund').

''(b) MONEYS IN FUND.—There shall be credited to the Fund—

''(1) all moneys appropriated for the Fund, as authorized by section 711; and

''(2) all moneys received by the Fund on transactions entered into pursuant to section 303.

''(c) USE OF FUND.—The Fund shall be available to carry out the provisions and purposes of this title, subject to the limitations set forth in this Act and in appropriations Acts.

''(d) DURATION OF FUND.—Moneys in the Fund shall remain available until expended.

''(e) FUND BALANCE.—The Fund balance at the close of each fiscal year shall not exceed $750,000,000, excluding any moneys appropriated to the Fund during that fiscal year or obligated funds. If, at the close of any fiscal year, the Fund balance exceeds $750,000,000, the amount in excess of $750,000,000 shall be paid into the general fund of the Treasury.

''(f) FUND MANAGER.—The President shall designate a Fund manager. The duties of the Fund manager shall include—

''(1) determining the liability of the Fund in accordance with subsection (g);

''(2) ensuring the visibility and accountability of transactions engaged in through the Fund; and

''(3) reporting to the Congress each year regarding activities of the Fund during the previous fiscal year.

''(g) LIABILITIES AGAINST FUND.—When any agreement entered into pursuant to this title after December 31, 1991, imposes any contingent liability upon the United States, such liability shall be considered an obligation against the Fund.''.

SEC. 8. DEFINITIONS.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) in paragraph (1), by striking ''military equipment identified by the Secretary of Defense'' and inserting ''equipment identified by the President'';

(2) by striking paragraphs (2), (4), (9), and (18);

(3) by redesignating paragraph (3) as paragraph (2);

(4) by inserting after paragraph (2), as so redesignated, the following:

''(3) CRITICAL TECHNOLOGY.—The term 'critical technology' includes any technology designated by the President to be essential to the national defense.'';

(5) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively;

(6) in paragraph (6), as so redesignated—

(A) in the paragraph heading, by striking ''DEFENSE'';

(B) by striking ''domestic defense'' and inserting ''domestic''; and

(C) by striking ''graduated mobilization,'';

(7) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(8) by inserting after paragraph (9), as so redesignated, the following:

''(10) GUARANTEEING AGENCY.—The term 'guaranteeing agency' means a department or agency of the United States engaged in procurement for the national defense.

''(11) HOMELAND SECURITY.—The term 'homeland security' includes efforts—

''(A) to prevent terrorist attacks within the United States;

''(B) to reduce the vulnerability of the United States to terrorism;

''(C) to minimize damage from a terrorist attack in the United States; and

''(D) to recover from a terrorist attack in the United States.'';

(9) in paragraph (12), by striking ''capacity'' and inserting ''base'';

(10) in paragraph (14), by striking ''military assistance to any foreign nation'' and inserting ''military or critical infrastructure assistance to any foreign nation, homeland security''; and

(11) in paragraph (16)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(C) the movement of individuals and property by all modes of civil transportation; or

''(D) other national defense programs and activities.''.

SEC. 9. VOLUNTARY AGREEMENTS AND PLANS OF ACTION FOR NATIONAL DEFENSE.

Section 708 of the Defense Production Act of 1950 (50 U.S.C. App. 2158) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''defense of the United States'' and all that follows through the period and inserting ''national defense.''; and

(B) by adding at the end the following:

''(3) Upon a determination by the President, on a nondelegable basis, that a specific voluntary agreement or plan of action is necessary to meet national defense requirements resulting from an event that degrades or destroys critical infrastructure—

''(A) an individual that has been delegated authority under paragraph (1) with respect to such agreement or plan shall not be required to consult with the Attorney General or the Federal Trade Commission under paragraph (2)(B); and

''(B) the President shall publish a rule in accordance with subsection (e)(2)(B) and publish notice in accordance with subsection (e)(3)(B) with respect to such agreement or plan as soon as is practicable under the circumstances.'';

(2) in subsection (f)(2)—

(A) by striking ''two years'' each place that term appears and inserting ''5 years''; and

(B) by striking ''two-year'' and inserting ''5-year''; and

(3) by striking subsection (n) and inserting the following:

''(n) EXEMPTION FROM ADVISORY COMMITTEE ACT PROVISIONS.—Notwithstanding any other provision of law, the Federal Advisory Committee Act (5 U.S.C. App.) and any other provision of Federal law relating to advisory committees shall not apply to—

''(1) the consultations referred to in subsection (c)(1); or

''(2) any activity conducted under a voluntary agreement or plan of action approved pursuant to this section that complies with the requirements of this section.''.

SEC. 10. EMPLOYMENT OF PERSONNEL; APPOINTMENT POLICIES; NUCLEUS EXECUTIVE RESERVE; USE OF CONFIDENTIAL INFORMATION BY EMPLOYEES; PRINTING AND DISTRIBUTION OF REPORTS.

Section 710 of the Defense Production Act of 1950 (50 U.S.C. App. 2160) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking clause (iii);

(B) by striking paragraph (4);

(C) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively; and

(D) in paragraph (6), as so redesignated, by striking ''At least'' and all that follows through ''survey'' and inserting ''The Director of the Office of Personnel Management shall carry out a biennial survey of'';

(2) in subsection (c), by striking the third sentence;

(3) in subsection (d), by striking ''needed;'' and all that follows through the period and inserting ''needed.''; and

(4) in subsection (e)—

(A) in the first sentence, by striking ''emergency'' and inserting ''national defense emergency, as determined by the President''; and

(B) by striking the third sentence.

SEC. 11. DEFENSE PRODUCTION ACT COMMITTEE.

Section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171) is amended to read as follows:

''SEC. 722. DEFENSE PRODUCTION ACT COMMITTEE.

''(a) COMMITTEE ESTABLISHED.—There is established the Defense Production Act Committee (in this section referred to as the 'Committee'), which shall advise the President on the effective use of the authority under this Act by the departments, agencies, and independent establishments of the Federal Government to which the President has delegated authority under this Act.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The members of the Committee shall be—

''(A) the head of each Federal agency to which the President has delegated authority under this Act; and

''(B) the Chairperson of the Council of Economic Advisors.

''(2) CHAIRPERSON.—The President shall designate 1 member of the Committee as the Chairperson of the Committee.

''(c) EXECUTIVE DIRECTOR.—

''(1) IN GENERAL.—The President shall appoint an Executive Director of the Defense Production Act Committee (in this section referred to as the 'Executive Director'), who shall—

''(A) be responsible to the Chairperson of the Committee; and

''(B) carry out such activities relating to the Committee as the Chairperson may determine.

''(2) APPOINTMENT.—The appointment by the President shall not be subject to the advice and consent of the Senate.

''(3) COMPENSATION.—For pay periods beginning on or after the date on which each Chairperson is appointed, funds for the pay of the Executive Director shall be paid from appropriations to the salaries and expenses account of the department or agency of the Chairperson of the Committee. The Executive Director shall be compensated at a rate of pay equivalent to that of a Deputy Assistant Secretary (or a comparable position) of the Federal agency of the Chairperson of the Committee.

''(d) REPORT.—Not later than the end of the first quarter of each calendar year, the Committee shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report signed by each member of the Committee that contains—

''(1) a review of the authority under this Act of each department, agency, or independent establishment of the Federal Government to which the President has delegated authority under this Act;

''(2) recommendations for the effective use of the authority described in paragraph (1) in a manner consistent with the statement of policy under section 2(b);

''(3) recommendations for legislation, regulations, executive orders, or other action by the Federal Government necessary to improve the use of the authority described in paragraph (1); and

''(4) recommendations for improving information sharing between departments, agencies, and independent establishments of the Federal Government relating to all aspects of the authority described in paragraph (1).

''(e) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.''.

SEC. 12. ANNUAL REPORT ON IMPACT OF OFFSETS.

(a) ANNUAL REPORT.—Title VII of the Defense Production Act of 1950 (50 U.S.C. App. 2151 et seq.) is amended by adding at the end the following:

''SEC. 723. ANNUAL REPORT ON IMPACT OF OFFSETS.

''(a) REPORT REQUIRED.—

''(1) IN GENERAL.—The President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, a detailed annual report on the impact of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the United States.

''(2) DUTIES OF THE SECRETARY OF COMMERCE.—The Secretary of Commerce (hereafter in this subsection referred to as the 'Secretary') shall—

''(A) prepare the report required by paragraph (1);

''(B) consult with the Secretary of Defense, the Secretary of the Treasury, the Secretary of State, and the United States Trade Representative in connection with the preparation of such report; and

''(C) function as the President's Executive Agent for carrying out this section.

''(b) INTERAGENCY STUDIES AND RELATED DATA.—

''(1) PURPOSE OF REPORT.—Each report required under subsection (a) shall identify the cumulative effects of offset agreements on—

''(A) the full range of domestic defense productive capability (with special attention paid to the firms serving as lower-tier subcontractors or suppliers); and

''(B) the domestic defense technology base as a consequence of the technology transfers associated with such offset agreements.

''(2) USE OF DATA.—Data developed or compiled by any agency while conducting any interagency study or other independent study or analysis shall be made available to the Secretary to facilitate the execution of the Secretary's responsibilities with respect to trade offset and countertrade policy development.

''(c) NOTICE OF OFFSET AGREEMENTS.—

''(1) IN GENERAL.—If a United States firm enters into a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm and such contract is subject to an offset agreement exceeding $5,000,000 in value, such firm shall furnish to the official designated in the regulations promulgated pursuant to paragraph (2) information concerning such sale.

''(2) REGULATIONS.—The information to be furnished under paragraph (1) shall be prescribed in regulations promulgated by the Secretary. Such regulations shall provide protection from public disclosure for such information, unless public disclosure is subsequently specifically authorized by the firm furnishing the information.

''(d) CONTENTS OF REPORT.—

''(1) IN GENERAL.—Each report under subsection (a) shall include—

''(A) a net assessment of the elements of the industrial base and technology base covered by the report;

''(B) recommendations for appropriate remedial action under the authority of this Act, or other law or regulations;

''(C) a summary of the findings and recommendations of any interagency studies conducted during the reporting period under subsection (b);

''(D) a summary of offset arrangements concluded during the reporting period for which information has been furnished pursuant to subsection (c); and

''(E) a summary and analysis of any bilateral and multilateral negotiations relating to the use of offsets completed during the reporting period.

''(2) ALTERNATIVE FINDINGS OR RECOMMENDATIONS.—Each report required under this section shall include any alternative findings or recommendations offered by any departmental Secretary, agency head, or the United States Trade Representative to the Secretary.

''(e) UTILIZATION OF ANNUAL REPORT IN NEGOTIATIONS.—The findings and recommendations of the reports required by subsection (a), and any interagency reports and analyses shall be considered by representatives of the United States during bilateral and multilateral negotiations to minimize the adverse effects of offsets.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFENSE PRODUCTION ACT AMENDMENTS OF 1992.—Section 123(c)(1)(C) of the Defense Production Act Amendments of 1992 (50 U.S.C. App. 2099 note) is amended by striking ''section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a))'' and inserting ''section 723(a) of the Defense Production Act of 1950''.

(2) AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000.—Section 1102(2) of the American Homeownership and Economic Opportunity Act of 2000 (31 U.S.C. 1113 note) is amended by striking ''309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099)'' and inserting ''723 of the Defense Production Act of 1950''.

(3) DEFENSE PRODUCTION ACT AMENDMENTS OF 2003.—Section 7(a) of the Defense Production Act Amendments of 2003 (50 U.S.C. App. 2099 note) is amended by striking ''section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a))'' and inserting ''section 723(a) of the Defense Production Act of 1950''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) and the gentleman from Minnesota (Mr. PAULSEN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WATT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

I rise in strong support of S. 1677, the Defense Production Act Reauthorization of 2009. The Defense Production Act was enacted in 1950 during the Korean War to assure the timely availability of industrial resources to meet national defense needs, particularly in times of crisis.

The Defense Production Act has expanded beyond its original focus on military requirements, as the name suggests, to expand industrial resources to meet other emergency preparedness and critical infrastructure needs, thereby allowing civilian agencies to respond rapidly to crises such as natural disasters or terrorist attacks.

S. 1677 updates the Cold War-era law with 21st century tools and taxpayer protections. In accordance with the General Accounting Office and Department of Homeland Security recommendations, it mandates greater coordination and implementation among Federal civilian agencies to use authorities to prioritize government contracts for our national defense and domestic emergency needs. It modernizes Federal loan and loan guarantee authorities in the act so essential government suppliers that otherwise would have trouble accessing credit can access credit to expand domestic industrial capacity in emergency situations. Such assistance is conditioned on government need, recipients' viability, and specific congressional appropriation.

This new bill would establish a new interagency body called the Defense Production Act Committee that will elevate Defense Production Act policy

discussions to Cabinet-level consideration to advise the President and improve coordination among all agencies delegated Defense Production Act authority. The panel will report to Congress annually on its use of Defense Production Act authorities and provide recommendations for any improvements.

Over the years, Mr. Speaker, the Defense Production Act has been an important tool for meeting national defense and critical infrastructure needs such as mine-resistant vehicles for troops in Iraq and emergency supplies and services for Hurricane Katrina recovery on the domestic side.

I hope my colleagues will join me in voting for the Defense Production Act Reauthorization Act of 2009, S. 1677.

I reserve the balance of my time.

Mr. PAULSEN. I yield myself such time as I may consume. Mr. Speaker, I rise today also in strong support of S. 1677, the Defense Production Act Reauthorization of 2009, and ask for its immediate passage.

We deal with many important pieces of legislation in this Chamber, and there's one law that may seem a little bit more obscure—but enacting it is critically important to this country—and that's the Defense Production Act of 1950.

While not specifying the purchase of a single weapon system or a single sandbag, it does provide the orderly framework for interventions into the normal functioning of the economy when they are necessary to aid in national defense or in mitigating the results of some disaster.

Without this bill, Mr. Speaker, the government would not have been able to acquire on a timely basis special switching equipment to get trains running back into the gulf coast after Hurricane Katrina. We wouldn't have been able to quick-order new radio equipment before the first Gulf war to help soldiers from different countries working together in Desert Storm communicate with each other. And we would not have been able to ensure that domestic sources of production for some highly specialized defense equipment for which no company otherwise would see the economic case to produce was made available.

This bill before us, Mr. Speaker, authorizes the DPA for 5 years. It removes some archaic language in a text that is nearly 70 years old and reinstates some of its purposes without materially changing the authorities themselves.

It changes the way that the government notifies Congress in those specialized domestic production cases and conforms language in sections allowing loan guarantees to match other parts of Federal law.

The only real change is the creation of a new Cabinet secretary-level committee which will advise the President on the use of the DPA and to facilitate interagency communications on DPA issues, correcting lines of communication in the executive branch that have been identified for decades. This same committee would report annually to Congress on the use of the DPA with any recommendations for reforms so that we in Congress can keep those important powers current.

Mr. Speaker, as evidence of how valuable the Defense Production Act authorities can be, I would like to submit for the RECORD a story from yesterday's Washington Post that details the work by Army scientist Scott Schoenfeld, who developed some special lightweight armor to protect our troops in the Gulf from a new and deadly type of explosive device that was overcoming vehicles' existing armor plating.

The research was done at Aberdeen Proving Ground, but the expedited acquisition authorities in the DPA allowed the Army to secure an adequate supply of the new armor quickly, saving countless lives.

More recently, the Department of Defense has also used the DPA as an innovation tool to provide seed money to develop new technologies. One such instance is the development of radiation-hardened microelectronics, which are designed to withstand extremely harsh natural and manmade radiation environments.

A few years ago, Honeywell opened a production line devoted to this high-performance technology in my district. This project can be used to produce components for the most sensitive national security systems, and employs 425 highly educated and highly skilled workers in the exacting science of microelectronics in my district. This technology protects our Nation's most critical assets from nuclear and radiological damage and interference.

Mr. Speaker, I think it's important to note that the DPA does not itself specify the purchase of any weapon, but rather it is a framework to ensure that there is the least disruption possible to the economy when the government needs to step to the head of the production line to obtain material.

It's the jurisdiction of the Financial Services Committee to referee and minimize interferences in the economy while leaving departments such as Defense or Homeland Security or Transportation the actual use of the powers as they are delegated by the President.

I hope we have strong support for this important legislation.

[From the Washington Post, Sept. 22, 2009]

VEHICLE ARMOR RECOGNIZED IN ARMY AWARDS

(By Michael E. Ruane)

In the deadly contest last year between American experts trying to protect soldiers from roadside bombs and enemy technicians designing the lethal devices, Army scientist Scott E. Schoenfeld often pondered his adversary.

The enemy was fielding new so-called EFPs—explosively formed penetrators—that were so potent they were destroying even the most-heavily armored vehicles. As Schoenfeld and his colleagues at the Aberdeen Proving Ground studied captured explosives, the American, who has a PhD in applied mechanics, worried that his opponents might be much like himself.

Monday, in a sense, the latest round went to Schoenfeld. He and a team of Army experts were recognized for devising an ''add on'' lightweight armor kit that the Army said has proved resistant to the powerful EFPs.

Schoenfeld's work and the efforts of nine other programs deployed in the field last year were recognized as the Army's top inventions of 2008 by its Aberdeen-based Research, Development and Engineering Command. The 10 winners were selected by a panel of soldiers from 30 nominees, said spokesman Robert DiMichele.

''These are actually innovations that have been put into the field that soldiers are using right now,'' he said. ''A lot of these are things that are really innovations that protect the soldier and save soldiers' lives.''

One device was a special gauze bandage designed to stem arterial bleeding. Another was a steel roof to protect Humvee gunners from overhead fire. Another can detect sniper fire and allows a gunner in a vehicle to automatically aim at the source of the fire. Yet another can help detect radio emissions used to detonate makeshift bombs. And another was a kind of armored TV truck that can raise video and other sensing equipment mounted on a 30-foot mast to spot trouble nearby.

One of the most lifesaving programs was the add-on armor kit for the Army's mine and ambush resistant vehicles, which had become vulnerable to the penetrating roadside bombs. At Aberdeen, where thousands of captured roadside bombs have been studied, scientists were able to detonate powerful bombs and monitor how they worked.

Part of the solution was plastic armor made of high-density polyethylene fibers. ''It's kind of an amazing process,'' Schoenfeld said Monday at the Hyatt Regency Hotel in Crystal City, where the recognition ceremony was held. ''It's plastic, and the plastic is processed very heavily. It's drawn into fibers. The fibers are very high strength, and they're consolidated into composite panels. And they give very good ballistic performance.''

Schoenfeld said the Army brought captured roadside bombs to Aberdeen and set them off to see how they worked.

''We tested . . . devices ourselves,'' he said. ''We actually detonated many of them.''

Experts measured the explosions with a host of sophisticated instruments, he said.

''We can do X-ray diagnostics, where we actually flash high-energy X-rays and make shadowgraphs of things that are coming off of the IEDs,'' he said, ''so we understand the actual detail, of the penetrators that they form.''

The scientists then study what they call ''terminal effects,'' or what the explosive does to its target, and design armor to counter it.

Along the way, he said, the American experts think a lot about the designers of these bombs.

''We try and think, 'What would they do next?' '' he said. ''They have some expertise, and it's pretty obvious what it is. And you start understanding that. And you try and anticipate what else they might do.''

''I'm worried that I might know'' such an adversary, he said. ''The scientific community is worldwide.'' He said such devices ''very easily could have been'' the work of someone like himself.

For now, though, the American scientists seem to have the upper hand.

''The rewarding part,'' Schoenfeld said, was getting back photographs of vehicles blasted by IEDs in which ''people were not getting killed.''

I reserve the balance of my time.

Mr. WATT. Mr. Speaker, I have no further requests for time on this important bill. I reserve the balance of my time.

Mr. PAULSEN. Mr. Speaker, just in closing, I yield myself such time as I may consume. This is a good, bipartisan bill. It was crafted by Senators DODD and SHELBY in consultation with Mr. WATT and Mr. BACHUS. It passed the Senate last week under unanimous consent.

Although we're in the middle of hurricane season and in a tough conflict in Afghanistan, these powers will expire at midnight 1 week from today if we do not reauthorize them. So I hope that all Members will support this legislation and send it to the President quickly so he can sign it.

I yield back the balance of my time.

Mr. WATT. Mr. Speaker, I yield myself such time as I may consume. I want to thank my colleague for his statement and especially remind my colleagues of the urgency of this matter, because this important authorization expires, unless we renew it, at the end of this month. So it's critically important that we pass this bill today.

In a democracy there's always a very delicate balance between taking the time to authorize things and delegating authority to an administration for emergency kinds of situations. I just want to assure my colleagues in the House that the Senate and the administration has scrubbed this bill vigorously to try to find the appropriate balance between giving the administration and folks other than those of us in Congress emergency authority to do things without allowing that authority to be abused.

We saw recently in the responses that the Federal Reserve had to take to the economic downturn last year and this year—we realized that there was some emergency authority in a remote 1933 bill that the Federal Reserve had to take certain steps. It made us a lot more aware of that delicate balance that we are always walking between giving Federal Government agencies the authority to act in emergency circumstances and going through the deliberative process that's needed for Congress to authorize these kind of emergency actions.

So our Financial Services Committee is very aware of walking that delicate balance and the necessity for doing so. And to the extent that this bill could be controversial, it would be in that area of what is that delicate balance. I think my colleagues need to be reassured that we have been very cognizant of walking that balance and trying to find the right levers to make sure that this authority can be used only in emergencies that everyone would recognize as an emergency and not be abused and used without appropriate checks and balances being exercised.

With that, I urge my colleagues to support this extremely important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, S. 1677.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS ADMINISTRATION EXTENSION

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3614) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3614

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–43 (123 Stat. 1965), is amended by striking ''September 30, 2009'' each place it appears and inserting ''October 31, 2009''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on September 29, 2009.

SEC. 2. BUSINESS STABILIZATION PROGRAM.

Section 506(c) of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by striking ''but shall not include'' and all that follows through ''enactment of this Act''.

SEC. 3. NEW MARKETS VENTURE CAPITAL COMPANY INVESTMENT LIMITATIONS.

Section 355 of the Small Business Investment Act of 1958 (15 U.S.C. 689d) is amended by adding at the end the following:

''(e) INVESTMENT LIMITATIONS.—A New Markets Venture Capital company that is receiving a grant under section 358 may not issue debentures guaranteed by the Administrator for any 1 company in an aggregate amount that is more than 10 percent of the sum of—

''(1) the private capital of the New Markets Venture Capital company; and

''(2) the total amount of leverage projected by the New Markets Venture Capital company in the business plan of the New Markets Venture Capital company in effect on the date on which the Administrator granted final approval to operate as a New Markets Venture Capital company under section 354(e).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume. The legislation before us will keep a number of vital programs at the Small Business Administration functioning. This will give us time to complete our work with the Senate and fully reauthorize these measures, which are critical for our Nation's entrepreneurs.

All of us recognize the importance of small businesses to our recovery. Since January, this Congress has taken several steps to help small firms. Entrepreneurs will see $30 billion in new contracting opportunities from the Recovery Act.

□ 1045

The Recovery Act is expected to yield $21 billion in new lending and investment for small firms. Since the Recovery Act passed, the SBA has approved $7.3 billion in recovery loans and supported almost $10 billion in small business lending. This extension will not only keep important programs at the SBA running; it will also make some important changes to improve access to capital for small firms.

The America's Recovery Capital program in the Recovery Act provides short-term capital for businesses. To date, the ARC loan program has helped 1,600 firms stay afloat with interest-free loans.

Currently, ARC loans cannot be used to pay down existing government-guaranteed debts. By letting businesses use ARC loans for that purpose, this bill will open the program to even more firms, regardless of their previous financing decisions. This will open up $360 million in lending capital to help stressed small businesses that have 7(a) loans. Through the ARC program, these firms will receive nearly $6,000 per month, allowing them to redirect their cash flow into sustaining their operations. The American Bankers Association and the Independent Community Bankers of America strongly support this provision.

As SBA implements this change, it should also revisit other areas where it can improve the program. A top priority for small businesses is always reducing their paperwork burden.

Mr. Speaker, this is the paperwork required to apply for an ARC loan, and it doesn't even include the documentation that a borrower must submit as part of their application. Clearly, applying for these loans is complex. The SBA should streamline its application and approval processes. Businesses that apply for these loans do so because they need a lifeline, now. The SBA should make the process fast and simple.

Another challenge at the agency is the projected default rates for the program, which directly affects the availability of capital. Unfortunately, the SBA assumed that businesses receiving ARC loans will default more than businesses impacted by Hurricane Katrina. That calculation doesn't make sense, and it has limited the loans' availability. By developing a subsidy model that better reflects reality, the SBA could ensure more funding goes to businesses instead of being held in reserve to cover defaults that probably won't happen.

Going forward, we need to ensure that the recovery reaches everybody, especially low-income communities. Obviously, these areas have been hit the hardest by the recession, but they also hold the highest potential for economic growth. An important program for accomplishing that goal is the New Market Venture Capital program. This program targets capital to the smallest businesses in economically depressed areas. However, until now the program limited the amount of capital an entrepreneur can obtain through New Market companies. This bill simplifies the limits so that more capital will flow to disadvantaged businesses. Helping these businesses promotes hope and opportunity in low-income areas and further fosters economic recovery.

Right now access to capital remains the biggest challenge facing small firms. Making this minor adjustments to the ARC program and the New Market initiative will improve access to capital for small businesses when they need it most.

In coming weeks, the committee will continue working to update the SBA's programs. In the meantime, this legislation extends these initiatives and makes two critical changes to help small businesses. I urge my colleagues to vote ''yes.''

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

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

Mr. Speaker, I rise today in support of the chairwoman's request to suspend the rules and pass H.R. 3614.

The bill is very simple. It extends the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated the funds. The bill also makes a minor change to America's Recovery Capital, or ARC, loan program. This extension will last until October 31, 2009.

This extension is necessary because authorization for various programs operated by the SBA ceases on September 30, 2009. The committee has worked in a bipartisan fashion over the past two Congresses and reported out a number of bills to address programs operated by the SBA. Despite the efforts of the House, the extension passed earlier this year by both bodies of Congress is going to expire before the legislative process can run its course.

The work needed to help America's entrepreneurs revitalize the economy simply cannot be accomplished within the timeframe outlined in the current legislation. Without enactment of this extension, a number of vital programs that the SBA operates will cease to function. Given the importance that small businesses play and will continue to play in the revitalization of the American economy, we cannot allow the SBA authorization to run out.

This legislation also makes a minor change to the ARC loan program. When the ARC loan program was instituted, the Congressional Budget Office indicated that it would create a PAYGO issue should the ARC loans be available to businesses to pay down debt on a 7(a) loan. Accordingly, we stipulated that ARC loans could not be used in this manner. Recently, the CBO stated that allowing such an instance would not create these budgetary concerns and that it would be allowable for businesses to pay down debt on a 7(a) loan with ARC funds. This is a minor change that will enable small businesses with both an ARC loan and a 7(a) loan to use the funding they qualify for in a manner that suits them best, and I applaud this change and urge its adoption.

Enactment of this legislation will enable the House and Senate to continue to work in a diligent manner to address necessary changes to SBA programs. I urge all my colleagues to suspend the rules and pass H.R. 3614.

Mr. GRAVES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this bill, although I think it's critically important that we are honest about what this Congress is doing for small businesses, or perhaps it would be better to say not doing.

We can't survive when the economy is good without small businesses, and we sure as heck cannot recover without small businesses when the economy is bad. Yet despite programs Congress has authorized and extended, I hear every day from small businesses in and around my district that banks, even banks they've dealt with for many years, are now refusing to lend and continuing to refuse to lend.

I was extremely frustrated when the $700 billion bank bailout did not free up bank funds for small businesses, and Americans were angrier still to find out that only 1 percent of the $800 billion stimulus bill that the President signed was directed towards small businesses. But that actually pales in comparison to the frustration felt when we hear that the little bit of stimulus money that did go to SBA isn't flowing through to small businesses.

To put this into perspective, 4 months ago the SBA began a program to assist auto dealers in obtaining floor-plan financing for their inventories. An SBA official estimated that 4,000 loans would be guaranteed by the government by October 1. As of the second week in September, only three, t-h-r-e-e, three, had been guaranteed and not a single one of those had closed.

Worse yet, Mr. Speaker, if we proceed with the proposed health care legislation in the House, 42 percent of small business income will face higher tax rates. This Congress and the Obama administration must address the fact that, as we have seen with the President's housing programs, even very strong incentives have not led to increased lending. Patting ourselves on the back for extending programs that don't work may feel good for a while, but it's not going to help the small business owners in any Member of Congress's district meet payroll.

Whether it's regulatory capital requirements or dealing with red tape to get the guarantees, the banks are not lending. That needs fixing immediately.

Instead of spending time recognizing the importance of wild horse adoption or congratulating sports teams, Congress needs to dig in and do the serious, urgent work that the people of America expect. That, Mr. Speaker, is our job.

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

Mr. GRAVES. Mr. Speaker, again, this is a very simple reauthorization.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, if our economy is going to recover, then America's entrepreneurs will need to lead the way. Many of the SBA's programs, which will help small businesses with specialized training or access to capital, need to be updated. That is why the House has passed bills to update the SBA's various programs and why they were approved with bipartisan support.

However, while we continue working with our Senate colleagues to finish these bills, we also need to give the SBA the authority to continue functioning.

The legislation before us will extend the SBA programs until the end of October. This provides the appropriate amount of time to continue our legislative work while keeping key services at the SBA up and running. Equally important, this bill makes two small, yet significant, changes to the ARC loan program and the New Markets Venture Capital program. These changes will further help small businesses access capital when they need it most.

This is a good bill for small businesses. I urge my colleagues to vote ''yes.''

Mr. WU. Mr. Speaker, I rise in support of H.R. 3614.

Small businesses grow our economy through innovation, and the SBIR and STTR

programs help companies develop cutting edge technologies for the government and for the private sector. However, the SBIR and STTR programs expire at the end of this month. H.R. 3614 temporarily extends the authorization of these programs while we work to finalize reauthorization efforts.

The House and Senate both passed legislation earlier this year to reauthorize these programs. We have been working to find common ground on areas we disagree on, and while we still have yet to reach a final agreement—we all have the same goal: to reauthorize important programs that drive small business.

As we work to get our economy back on track, small, high tech companies will play an important role creating good paying jobs. It is important that SBIR and STTR continue to provide critical funds for research at small businesses. It is also important that these programs reflect the innovation economy of 2009. I look forward to continue working with the House Small Business Committee and the Senate to reauthorize this program.

I urge my colleagues to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3614.

The question was taken.

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

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

The yeas and nays were ordered.

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

EXTENDING CONDOLENCES TO TAIWAN ON TYPHOON

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 733) expressing condolences to the people and government of the Republic of China (Taiwan) in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 733

Whereas Typhoon Morakot hit the island of Taiwan on August 8, 2009, dropping approximately 2.6 meters or 102 inches of rain, more than half the average annual rainfall in many places;

Whereas central and southern Taiwan were hardest hit by the storm;

Whereas mudslides overwhelmed some places in south Taiwan, including the village of Hsiaolin, where 247 homes were lost;

Whereas floods or mudslides damaged more than 191,936 homes;

Whereas infrastructure and farm losses alone have totaled approximately $46,500,000,000 in Taiwanese dollars to date;

Whereas the devastation left by Typhoon Morakot is the worst the island has seen in 50 years;

Whereas as of late August 2009, the official death toll reached 602 with an additional 81 missing, where many of those are believed to be buried by mud in the village of Hsiaolin, which was almost completely covered in a mudslide triggered by several days of extremely heavy rainfall;

Whereas beginning on August 22, 2009, Taiwan held a three-day mourning period in memory of those who were killed in mudslides and floods after Typhoon Morakot;

Whereas the United States assisted efforts by providing Marine Corps C–130 aircraft from Marine Corps Air Station Futenma on Okinawa to deliver humanitarian relief supplies in addition to KC–130 aircraft and MH 53 and MH 60 helicopters from strategic United States bases located in Japan;

Whereas on March 24, 2009, the House of Representatives passed H. Con. Res. 55 to mark the 30th anniversary of the enactment of the Taiwan Relations Act (Public Law 96–8), codifying in law the basis for continued commercial, cultural, and other relations between the United States and the Republic of China (Taiwan); and

Whereas Taiwan has been a steadfast ally of the United States and a responsible and compassionate member of the world community: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the terrible loss of life caused by Typhoon Morakot that occurred on August 8, 2009, in Taiwan;

(2) expresses its deepest condolences to the families of the many victims;

(3) recognizes the deep ties between the United States and Taiwan and expresses continued solidarity with its people during this time of crisis; and

(4) expresses gratitude to the people of the United States who have generously supported those humanitarian aid agencies working to assist the people of Taiwan in this time of need.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1100

GENERAL LEAVE

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

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

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

This resolution expresses condolences to the victims of the devastating typhoon that struck Taiwan on August 8, 2009. I would like to thank my good friend, Ms. ROS-LEHTINEN, for sponsoring this important resolution that allows the House to voice its support for Taiwan and its people.

Typhoon Morakot hit Taiwan on August 8 and deluged the island with over 8 feet of rain. The loss of life and destruction of property in the wake of the typhoon has been devastating and is the worst that Taiwan has seen in 50 years. The central and southeastern parts of Taiwan were hardest hit by the storm, with floods and mudslides damaging almost 200,000 homes. The official death toll is over 600, and there are still 81 people missing.

The United States assisted recovery efforts in Taiwan by providing humanitarian relief supplies and heavy-lift helicopters to the disaster areas.

I want to extend my deepest condolences to all of the families that lost loved ones caused by the typhoon and to those who have lost their homes. The people of the United States stand in solidarity with the Taiwanese people as they undertake the painstaking process of recovery, and we stand ready to advocate further assistance for the recovery process if needed.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I also rise in strong support of this resolution addressing the recent natural disaster of typhoon winds and mudslides that struck Taiwan. This resolution expresses our sincere condolences to our Taiwanese friends who lost loved ones, homes, and businesses due to the devastation which struck the island on August 8. At least 602 people were killed, 81 others are missing, and over 190,000 homes were damaged or destroyed in the fury of the storm and in the aftermath of mudslides. Over 100 inches of rain turned streams into raging rivers which destroyed everything in their path. Whole villages were inundated by floodwaters and mud.

But, Mr. Speaker, the people of the United States feel those sympathies even more deeply today at a time when so many of our fellow Americans are suffering from tragic and deadly flooding in Georgia and Tennessee, and our deepest condolences go to our neighbors in the South.

On Taiwan, it is noteworthy that for the first time since official ties with Taiwan were severed in 1979, the United States dispatched humanitarian relief to the island to aid the victims of the typhoon. In response to this critical emergency for our Taiwan friends, the U.S. Marine Corps, based in Okinawa, sent two C–130s to southern Taiwan to deliver relief supplies. The amphibious transport ship USS *Denver* was also dispatched to the area and provided helicopters to engage in humanitarian operations as well. Thus, these deeply tragic circumstances served as a means to demonstrate the enduring, the unbreakable ties which exist between the people of the United States and the people of Taiwan.

In this 30th anniversary year of the Taiwan Relations Act, Mr. Speaker, the United States can do no less than to continue to aid the people of Taiwan in their hour of need. I urge all of my

colleagues to join us in vigorous support of this timely and heartfelt resolution.

Mr. Speaker, with that, I yield such time as he may consume to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend, Ms. ROS-LEHTINEN, and also Ms. WATSON. And I would like to thank my distinguished cochairman of the Taiwan Congressional Caucus, Dr. GINGREY, for introducing this very timely resolution. I see Ms. BERKLEY here also, the other cochairman, along with Mr. WEXLER.

We hold very deep in our hearts our relationship, the United States' relationship with the Republic of China. The people of the Republic of China, Taiwan, have suffered tremendously due to this horrible typhoon. As Ms. ROS-LEHTINEN pointed out, from our military base in Japan, the United States Armed Forces, representing the people of the United States, took humanitarian assistance to the Republic of China, Taiwan. We will always, in this Congress, stand with our friends, our allies. We have no better friend than the people of the Republic of China, Taiwan.

So we take this opportunity, as our hearts go out here to the victims of the flooding in Georgia and the United States, to remember the victims of the horrible flooding in the typhoon of August on the island of Taiwan, and we reaffirm our friendship and solidarity with the people of the Republic of China, Taiwan.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I would like to thank the gentleman from Georgia (Mr. GINGREY) for sponsoring this resolution, and I yield 2 minutes to the gentlewoman from Las Vegas, Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentlelady from California for yielding me this time, and I thank my colleague from Georgia (Mr. GINGREY) for his leadership on this issue.

Mr. Speaker, I rise today as cochairman of the Congressional Taiwan Caucus and in support of this resolution and in support of the people of Taiwan. It was a horrific and frightening thing to see the devastation that the typhoon wrought on Taiwan; over 600 dead, scores missing, and so many thousands hurt. Nearly 200,000 homes and businesses were damaged or destroyed. We mourn these losses and send our deepest condolences to the people and Government of Taiwan.

At the same time, I am so proud of the United States of America, the fact that we sent timely aid and helicopters to help our friends in their recovery efforts. While the Taiwanese people are strong, certainly strong enough to recover completely on their own, I hope that as a friend of Taiwan, we will continue to show our support for them and help them through this difficult time.

Taiwan is an important trade partner, fellow democracy, and a strong U.S. ally in a very volatile region of the world. It is my sincere hope that our two democracies, that our two countries, will continue to have a close and strong relationship for many years to come through the good times and the bad. This certainly is as bad as it gets, but it will get better.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from Georgia (Mr. GINGREY), the author of this important resolution.

Mr. GINGREY of Georgia. Mr. Speaker, I thank Ranking Member ROS-LEHTINEN for yielding me this time, and I rise in strong support of H. Res. 733, expressing condolences to the people and the Government of the Republic of China, Taiwan, in the aftermath of Typhoon Morakot, which struck the central and southern region of the island on August 8, 2009.

Additionally, I want to thank Chairman BERMAN, Representative WATSON, Ranking Member ROS-LEHTINEN, and the House Foreign Affairs Committee for helping to bring this resolution to the floor today. As one of the four co-Chairs of the Taiwan Caucus, I want to express my gratitude to my fellow co-Chairs, Representatives SHELLEY BERKLEY, LINCOLN DIAZ-BALART, and ROBERT WEXLER, as well as RSC Chairman TOM PRICE for helping to marshal support for this resolution.

Natural disasters like Typhoon Morakot are never respectful of persons or nations. Their devastation knows no political boundaries nor social divisions. In fact, as we debate this resolution, my mind cannot help but turn to my own home State of Georgia where historic rains and flooding have claimed the lives of 10, at the latest count, and caused hundreds of millions of dollars of damage while ravaging many communities in my district; in fact, four counties. So, Mr. Speaker, I rise not only with a sympathetic heart, but also with an empathetic heart for the people of Taiwan as they move forward after Typhoon Morakot caused flooding and mudslides that have claimed the lives of over 600,000 people and created billions of dollars of damage.

While this resolution expresses condolences to the victims' families and mourns the loss of life, it also honors our Nation's deep ties and dedication to Taiwan. This dedication was reflected in the relief efforts provided by the U.S. military through helicopter and airlift support.

Mr. Speaker, this past March, this House spoke in one voice with the passage of H. Con. Res. 55 that marked the 30th anniversary of the Taiwan Relations Act. It reinforced our Nation's deep-seated commitment to Taiwan and the defense of Taiwan.

This resolution is another demonstration of that commitment and an expression of our sorrow for Taiwan's loss. My thoughts and prayers continue to go out to the people of Taiwan, as well as to the people of my home State as these waters begin to recede and its families and communities begin to put their lives back together.

Mr. Speaker, I urge all of my colleagues to support this resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade.

Mr. ROYCE. Mr. Speaker, I rise in support of this resolution. What this resolution does is to express the condolences on our part to the people and Government of the Republic of China, Taiwan, in the aftermath of this very devastating typhoon that struck this region and that affected so many families.

Last month this typhoon ripped through South Asia, and it drowned that region in about 7 feet of rain. It killed over 600 people. Government officials called it the worst storm that has hit the island of Taiwan in over 50 years.

Later today, this House of Representatives is going to take up a resolution expressing condolences to the families of the individuals killed during the storms and floods in the State of Georgia. So we know all too well that these storms can be devastating, and so it is with sorrow that we take up these two resolutions today.

I rise today to express my heartfelt condolences, especially because Taiwan and the United States have such a valued partnership. For over half a century, this close relationship has brought significant economic advantages, I think, as well as cultural and political advantages to the people of Taiwan and the United States. We have seen in mere decades Taiwan go from poverty to prosperity; and, of course, with the Taiwan Relations Act, Taiwan will remain a close ally of the United States. It is a country, one of the few, that has gone from U.S. aid recipient to international provider of aid across the globe. Without question, Taiwan is one of our key partners in Asia.

So again, we express our sincerest condolences to the people of Taiwan. This devastating typhoon may have ravaged the landscape and infrastructure, but it didn't rattle their will and determination.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of House Resolution 733, which expresses condolences to the people of Taiwan who suffered so much as a result of the devastating typhoon that struck the island last month.

I visited Taiwan on August 20–22, 2009 as member of a congressional delegation led by the Honorable HOWARD BERMAN, chairman of the House Foreign Affairs Committee. At the time of our visit, Taiwan remained in the early stages of its response to typhoon Morakot, and the extent of the loss of life and damage done had yet to be fully determined. As we now know, Morakot was the deadliest typhoon to strike Taiwan ever recorded. Extreme

amounts of rain from the typhoon triggered enormous mudslides and severe flooding throughout southern Taiwan. In perhaps the worst single tragedy, one of those mudslides buried the entire town of Xiaolin, killing more than 500 people.

Fortunately, during our brief visit to Taipei, all of us in the congressional delegation had a chance to express our personal condolences to the people of Taiwan while in meetings with President Ma Ying-jeou, Foreign Minister Francisco H.L. Ou, and Legislative Yuan President Wang Jin-pyng. With this resolution, now all Members of the House—on behalf of the people and government of the United States—will have a chance to extend their sincerest condolences as well.

As the resolution notes, and as we were told while in Taiwan, the United States was able to provide aircraft, helicopters, and other forms of assistance to speed the recovery efforts. And as we found out, one of the important factors enabling our swift and robust response was President Ma's success in working to reduce tensions across the Taiwan Straits.

Taiwan expects the hard work of repair and reconstruction will continue for the next 3 years. But our friends in Taiwan should know that the United States and the American people understand their suffering and stand ready to continue assisting them as they repair the devastation wrought by the typhoon. For this reason, I urge my colleagues to support H. Res. 733.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 733, which expresses condolences to the people and government of the Republic of China, Taiwan, in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009. I support this resolution because natural disasters know no boundaries and the tragedy that befell Taiwan appeals to our common humanity.

After Typhoon Morakot landed on Taiwan at midnight on August 8 of this year, it dropped over 100 inches of rain on the island. To put that number in perspective, 100 inches is more than half the average annual rainfall of many places on the island. The torrential rain caused massive mudslides and floods, destroying roads, farms, businesses, and homes. This typhoon was the wettest in the history of Taiwan.

Typhoon Morakot was particularly devastating in central and southern Taiwan. The world watched in horror as the reports came in. In the southern village of Hsiaolin, mudslides had destroyed almost all of the roughly 250 homes in the village, stranded thousands, and buried almost 400 people alive. A rescue helicopter trying to reach villagers stranded in the mountains crashed, killing all three crew members. In all, estimates have put the devastation to infrastructure and farms totaling more than $46 billion and the national death toll over 600. A tragedy of that magnitude traumatized Taiwan and required an official period of 3 days to mourn the lost. This typhoon was the deadliest in Taiwan's history.

I applaud the effort of the United States to help with the relief effort. The U.S. gave humanitarian assistance by providing military aircraft, planes and helicopters, to deliver relief supplies on the island. Our service men and women performed their job admirably and I am thankful for their solid performance.

I would like for the people of Taiwan to know how very sorry we are that they have experienced this tragedy. Having witnessed first-hand the devastation brought by Hurricane Ike on my own district in Houston, Texas, and the surrounding areas, I know how a terrible natural disaster such as a typhoon can cause deep anguish. Moreover, from our experience witnessing Hurricane Katrina and its aftermath, we know how the horror of weather-related devastation can scar a nation. My heart goes out to the families and the people of Taiwan.

Mr. WU. Mr. Speaker, I rise today to express my support for House Resolution 733 and to convey my deepest sympathies and sincerest wishes to the people of Taiwan who have been affected by Typhoon Morakot. I especially want to give my condolences to the families of the more than 600 people who died in this devastating storm, particularly those who perished in the mudslide in Hsiaolin village.

I wish the people of Taiwan well as they work to rebuild and recover from the worst typhoon to hit the island in 50 years. I am confident that the Taiwanese people will continue to come together to help those in need.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 733, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title was amended so as to read: ''A resolution expressing condolences to the people and Government of Taiwan in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009.''.

A motion to reconsider was laid on the table.

REAUTHORIZING RADIO FREE ASIA

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3593) to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3593

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

SECTION 1. ONE YEAR EXTENSION OF OPERATION OF RADIO FREE ASIA.

Section 309(f) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208(f)) is amended by striking ''2009'' and inserting ''2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1115

GENERAL LEAVE

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

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

There was no objection.

Ms. WATSON. Mr. Speaker, Radio Free Asia provides timely, accurate and useful news and information to countries whose leadership prohibits access to truly free media. Listeners in China, Tibet, Vietnam, Laos, North Korea and Burma can learn about what is happening in their own countries and in their own languages and dialects through professional and objective reporting and discussion programs on RFA.

RFA's performance is impressive in parts of the world where governments make independent broadcasting difficult or even impossible. It is one of our most dynamic surrogate broadcasters.

RFA uses well-established means of information dissemination, such as shortwave transmissions and hand-cranked radios, that are spirited to listeners who are otherwise entirely cut off from the world. It also makes use of modern media technologies such as live streaming over the Internet in regions where access to computers is relatively common but where governments place controls on news reporting. The listener feedback to these programs by e-mail and during call-in talk shows is very impressive. It provides a credible window on the pervasiveness of corruption and autocracy.

I think most of us agree that it is useful to continue operating RFA, as it serves to help maintain freedom of information overseas as well as promoting better understanding of United States values such as democracy.

The legislation before us, offered by the gentleman from California (Mr. ROYCE) would reauthorize RFA to continue its operations for the next fiscal year. I strongly urge all of our colleagues to support this legislation.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 3593. I want to thank my good friend from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade, for introducing this measure.

Thirteen years ago next week, on September 29, 1996, Radio Free Asia first went on the air with a Mandarin language broadcast into China. Today,

RFA broadcasts into China, Tibet, North Korea, Vietnam, Cambodia, Laos and Burma in nine local languages and dialects. It provides timely, objective news to people who are denied the benefit of a free press in their own homeland.

Not only did Congress create and fund that surrogate broadcasting service, we also urged RFA to increase its transmissions to particularly vulnerable populations, such as the people of North Korea, as we did in the North Korea Human Rights Act of 2004 and last year's reauthorization of that law. We are proud and supportive of the good work that Radio Free Asia continues to do.

While the authorization of appropriations for RFA was previously extended, it appears that the statutory section detailing RFA's grant-making authority was inadvertently omitted from that reauthorization, leaving it to expire at the end of this month. Therefore, we have this one-sentence bill before us today to correct that oversight. In the time when we see bills of over 1,000 pages in length which many have not read, it is wonderful to see a very simple bill, a brief bill, but a very important bill.

Both Republican and Democrat versions of The Foreign Relations Authorization Act introduced in this Congress include a provision that would remove the sunset of RFA authority, making it permanent. I look forward to working toward a long-term reauthorization of the RFA on a bipartisan basis during the year ahead. I urge support for this measure.

Mr. Speaker, I yield such time as he may consume to the author of this legislation and the individual behind the United States' international broadcasting of Radio Free Asia, Mr. ROYCE of California.

Mr. ROYCE. Mr. Speaker, I appreciate that. I rise in support of this bill. I just want to take a moment here to thank Chairman BERMAN and also Ranking Member ROS-LEHTINEN for their assistance in moving this bill so expeditiously to the floor. There is a timing issue here. We need to pass this out soon, and this, of course, will allow us to broadcast for an additional year. September 30 is the day on which this authority will expire. I wish we could do more. I do.

Earlier this year, as you know, Chairman BERMAN passed a State Department authorization bill out of this House that would have established permanent authority for RFA. The other body, the Senate, has yet to take up this legislation. We wish they would.

We can debate the merits of a long-term extension versus sunset repeal, but there is one thing certain in all of this, and that is that the target countries that we broadcast into, countries like North Korea and China, like Burma and Vietnam, they give no indication of allowing a free local press any time soon.

At a practical level, I understand that RFA's sunset restriction has hampered RFA's operations. It hampers the ability to go out and hire, obviously, on a permanent basis. You can't negotiate a lease or capital improvements and so forth. So it is important that we address this issue.

I think it is important that we focus on the success of Radio Free Europe-Radio Liberty and Radio Free Asia. Radio Free Asia was founded in 1996, and it attempts to replicate what RFERL did in Eastern Europe. Its mission is to act as a surrogate news service, performing as a free press would if it was allowed to operate in any of these countries. Quite simply, its broadcasts are devoted to the enlightenment of people, to letting people know what is actually happening in their country and around the world.

My interest in these broadcasts stems from a trip I took to Dresden, East Germany, years ago, where a man told me about the damage that these broadcasts were inflicting on Soviet tyranny and shared with me the effect that they seemed to be having, an effect without firing a shot, an effect in which the world was changed without the loss of a human life.

Surrogate broadcasts, mainly radio but increasingly these new media, provide people with the news and information about their countries that otherwise they couldn't possibly obtain. As one observer has noted, this type of broadcasting irritates authoritarian regimes. It inspires democracies. It creates greater space for civil society. Yes, it does. It does change societies.

Irritate totalitarian regimes? Yes, that has happened. China has attempted to erect a ''great wall of sound'' to block RFA transmissions. They are not successful, but they block some of them. Vietnam has heavily jammed RFA since the first days of the broadcast. You may not be able to get it inside the capital, but you can get it in the countryside.

We know what news these Communist regimes are afraid of. In North Korea, broadcasting such as this is one of the only sources chipping away at Pyongyang's propaganda machine. When I talk to defectors out of North Korea, as often as not they have listened to these broadcasts, especially the senior civil servicemembers. And military members who defect tell about how it changed their view of the world.

All around the globe, an information war is at play. Iran is spending heavily to block our broadcasting, while beaming its own message into Afghanistan and even the Balkans to sow division. Russia is broadcasting into southeastern Europe as well. Hugo Chavez is crippling local media while bolstering Venezuela's state broadcasts around Latin America, and he is preaching anti-Americanism with those broadcasts. Then there are the 150 sharia-friendly radio broadcasts in Pakistan's Swat Valley. Those are the broadcasts that the Taliban are making in Afghanistan and in northwest Pakistan.

So, from Caracas to Tehran to Pyongyang, these totalitarian regimes understand that controlling information is central to their being. Radio Free Asia is one of our pieces on this chess board.

I look forward to the passage of this legislation and to working with the chairman and ranking member to seek a more important standing for this critical organization.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 3593, which amends the United States International Broadcasting Act of 1994 to extend for an additional year the grant-making authority of the Broadcasting Board of Governors regarding Radio Free Asia (RFA). Without this legislation, that grant-making authority will expire this week, putting the important services of RFA at risk.

The U.S. International Broadcasting Act of 1994 called for RFA to engage in ''the continuation of existing U.S. international broadcasting, and the creation of a new broadcasting service to people of the . . . countries of Asia, which lack adequate sources of free information and ideas [to] enhance the promotion of information and ideas.'' Reflecting its mandate, Radio Free Asia describes its mission as providing ''accurate and timely news and information to Asian countries whose governments prohibit access to a free press.'' One of RFA's ultimate aims is ''to serve as a model on which others may shape their own emerging journalistic traditions.''

Guided by its core principles of freedom of expression and opinion, RFA has provided domestic news and information to its listeners since 1996. Each RFA broadcast—in nine different languages—is distinctive as each reflects the unique culture and preferences of its listeners.

As a result of its rigorous journalistic standards and hard work, RFA has won numerous honors. This year, for example, Radio Free Asia was named Broadcaster of the Year by the prestigious New York Festivals Radio Programming and Promotions Awards.

That recognition is well deserved as Radio Free Asia is an important voice for millions of listeners, and this legislation will ensure that RFA's voice will be heard for another 12 months. For this reason, I urge my colleagues to support H.R. 3593.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 3593.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REAFFIRMING THE HISTORIC TIES BETWEEN THE UNITED STATES AND THE NETHERLANDS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 178) expressing the sense of the Congress that

we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 178

Whereas the Netherlands and the United States are two countries united by shared values and historic ties;

Whereas 2009 marks the Quadricentennial year that Henry Hudson captained the ship ''Halve Maen'' under the auspices of the Dutch East India Company and discovered the Hudson River;

Whereas the discovery of that river and its fertile lands gave rise to the establishment of the New Netherland settlement and the ensuing positive relations between the Netherlands and America;

Whereas the Netherlands was the first country to salute the U.S. flag in 1776 at St. Eustatius;

Whereas the drafters of the Declaration of Independence were influenced by the Dutch Constitution;

Whereas the Netherlands has remained a friend and staunch ally of the United States, from providing necessary loans during the Revolutionary War to standing shoulder-to-shoulder in Afghanistan in defense of democratic values, protection of human rights and promotion of the rule of law;

Whereas the New Netherland settlement left a legacy of values such as open-mindedness, entrepreneurship, democracy, tolerance and hard work, as well as freedom of religion and speech;

Whereas the bonds of free trade, open markets and commerce have continuously linked the Dutch and the Americans to such an extent that the Netherlands remains among the top four foreign investors in the U.S.;

Whereas the Netherlands provided immediate assistance in the aftermath of Hurricane Katrina and continues today by sharing expertise in water management that will help rebuild New Orleans and its levees; and

Whereas the heritage of 400 years of friendship between the Netherlands and the United States is a laudable example and should be properly extolled: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that we reaffirm the historic ties and friendship between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and honoring the enduring values of the settlers of New Netherland that continue to permeate American society.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Maryland (Mr. VAN HOLLEN) for introducing this resolution marking the 400th anniversary of Henry Hudson's voyage up the river that now bears his name. Hudson and his crew of 20 Dutch and English sailors got as far as present day Albany before concluding that the river was unlikely to take him to India.

Though his voyage may not have led to the discovery of the Northwest Passage, Henry Hudson and the Dutch East India Company planted the seeds for the establishment of the New Netherland settlement and four centuries of American-Dutch relations. The legacy of New Netherland is plainly evident in the values such as tolerance, entrepreneurship and freedom of speech and religion which we hold so dear. This was echoed by Benjamin Franklin when he wrote, ''In love of liberty and in the defense of it, Holland has been our example.''

From our partnership in NATO to our immense trade and investment links, the bonds of friendship between our two countries today remain just as strong as when the Netherlands became the first European country to grant diplomatic recognition to the United States.

So I urge my colleagues to join me on this important anniversary by supporting this resolution and recognizing the historic ties of the United States and the Netherlands.

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

□ 1130

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. HOEKSTRA), a cosponsor of this measure and the ranking member of the Select Committee on Intelligence who obviously has deep roots, having been born in the Netherlands.

Mr. HOEKSTRA. I thank my colleague for yielding. I also would like to express my appreciation to Representative VAN HOLLEN for working together to develop this resolution and to now move it forward on the House floor.

This honors the 400 years of friendship, a unique friendship, between the Dutch and the Americans, between the Netherlands and the United States of America. In 1609, the Dutch ship the *Halve Maen,* commanded by Henry Hudson, arrived in New York. That really started a phenomenal friendship, a friendship that has gone uninterrupted for over 400 years. We share so many things. We share values, freedom, tolerance, pursuit of happiness. We share a strong military relationship, and we've developed an immense economic bond between the two countries.

The Netherlands continues to be the fourth-largest investor in the United States. They also trade in the range of $73 billion per year with the United States of America. In 2008, the United States exported over $40 billion worth of products to the Netherlands. In manufacturing and finance, the Netherlands is the fourth largest investor to our country. But I think more importantly, this opportunity now in 2009 is to recognize this very, very unique relationship. Think about it; 400 years of continuous friendship during which the world has gone through one crisis after another. But there has been one thing that has been constant, and that is the commitment of America and the Netherlands to work through the differences that we have had and to always find a common bond and to always focus on those things that recognize that we have much more in common than what separates us, and that we have used these 400 years to build, to develop and to strengthen this relationship.

So it's very appropriate that this resolution come to the House floor today, that this body will recognize this unique relationship and that this body will recognize it and encourage it and say that, you know, maybe we can go forward for another 400 years. I thank my colleagues for bringing this resolution to the floor, and I encourage all of my colleagues on the House floor to vote in favor of this resolution.

Ms. WATSON. Mr. Speaker, I proudly yield 5 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. I want to express my deep gratitude and appreciation for the initiation of this quadricentennial celebration of the discovery of the Hudson River by a vessel which was directed by the Netherlands after hiring a British captain by the name of Henry Hudson. It is a remarkable event. The 400 years of our direct relationship with the Netherlands is something upon which we need to be most recognizing and deeply grateful.

If you look back at the history, you see in the 1600s and even earlier how the Netherlands had become one of the most open and democratic places anywhere on this planet, how the population of that country had been so integrated and so involved with people from various places around Europe but also outside of the continent, including Africa. The discovery of the Hudson River was made by the Half Moon, led by Henry Hudson—the river now bearing his name—and the ensuing settlement of the southern part of Manhattan, how that settlement came about was so similar to the way in which the Netherlands was organized back then. That settlement, again, brought in people from all over Europe and elsewhere, including Africa as well. The integration of that settlement, the diversity of that settlement led, in many ways, to the diversity and deep understanding of the growing United States of America.

We owe the Netherlands a great honor and recognition for all that they

have done. The celebration of our relationship has been going on for a long time in a very interesting way. During the 350th anniversary celebration, the Queen of the Netherlands came to the United States and spent a good deal of time here. Of course while she was here, she was highly recognized and deeply appreciated for spending time here and engaging in that 350th celebration back in 1959. Last April I had the opportunity to meet her again and to spend some time with her in Amsterdam and to deeply appreciate all the leadership that she has provided and all the others have provided that have had such a beneficial effect on the United States of America.

This quadricentennial celebration now is going on, and it is being recognized and appreciated throughout all of New York State and many other places across our country. The Prince of the Netherlands is here, and he is engaging with us in this celebration. Again, in the context of this celebration, one of the most important things for us to remember and recognize and express a great deal of appreciation for is the influence that the Netherlands has had on the development of this country, the way in which it was settled, how lower Manhattan and New York State became the most diversely populated place on this continent and, in many ways, it still is. The initiation of that came about as a result of the exemplary way in which the Netherlands conducted its organization, its leadership, its integration, its openness. We owe them a great deal, and we express that deep gratitude to them in many ways, but particularly in the context of this quadricentennial celebration, recognizing this wonderful 400-year history of the Hudson River and the very positive contributions that that made to the settlement of the city of New York and the openness of our country.

Again, I express my appreciation to the Queen of the Netherlands, to the Prince who was here and to the exemplary way in which Amsterdam and the Netherlands have opened up their examples and led us in a very, very positive way, and that relationship continues today. I express my deep appreciation to the sponsor of this legislation. I'm very happy to participate in this event.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself as much time as I may consume.

The United States and the Netherlands are strong allies. The roots of our close relationship stretch back for more than 100 years before our Nation's independence. In September of 1609, Henry Hudson explored a vast river and territory in what is now New York State while on an expedition for the Dutch East India Company. On his return from that expedition, Hudson wrote such glowing reports on the promise of the lands that he had discovered that Dutch citizens were inspired to cross the Atlantic and establish the New Netherland settlement. The values of those early Dutch settlers—values of entrepreneurship, democracy, tolerance and hard work—continue to influence our society today 400 years later.

The friendship between the young United States of America and the Netherlands was tested when America was on the brink of bankruptcy due to the financial cost incurred in its fight for independence and reached out to the Netherlands for financial support. Ultimately, the Dutch provided the United States with a loan that proved vital to ensuring the survival of our young Nation. Subsequently, in another strong sign of friendship, the Netherlands was the first European country to diplomatically recognize the new United States of America.

Many of us have grown up with the story of brave young Hans Brinker who saved the people of the Netherlands by sticking his finger in the dam to prevent a devastating flood. Well, what many people don't know is that this story was actually made famous in 1865 by American author Mary Mapes Dodge to illustrate for American children the characteristic values of bravery, resourcefulness and self-sacrifice, associated with the people of the Netherlands. In this story, Hans Brinker stood alone. However, the history of the Dutch-American relationship demonstrates our commitment that should either be in need, the other will stand by them. This commitment has truly been in evidence whenever the Dutch and Americans have fought side by side through the second World War, the Korean War, the Gulf Wars, and numerous other global efforts. Today we're working together in Afghanistan and in Iraq to prevent extremists from unleashing devastating violence against the people of those countries and our own.

I am pleased to support this resolution today, which marks the 400th anniversary of the discovery of the Hudson River and the beginning of the deep and lasting friendship between the Netherlands and the United States of America.

Mr. VAN HOLLEN. Mr. Speaker, I thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their efforts in bringing this resolution to the floor today. Also I want to thank the committee staffs, in particular Rick Kessler and Amanda Sloat for their efforts.

I am very proud to be a Co-chair of the Congressional Dutch Caucus with my colleague PETE HOEKSTRA of Michigan with whom I have worked on a bipartisan basis to further strengthen relations between the U.S. and the Netherlands. I am also very pleased to join with him in introducing this resolution.

This year we celebrate the quadricentennial of American and Dutch relations. Four hundred years ago, the Dutch ship, the *Half Moon,* sailed up the Hudson River. In 1776, when Dutch cannons at Fort Orange on the Caribbean island of Saint Eustace saluted visiting American warships, The Netherlands became the first nation to recognize the newly born United States of America. Over the last 400 years, our people have built an enduring and productive cultural, commercial, and strategic partnership.

The fruits of that partnership and the contributions made by Dutch Americans to the culture, prosperity, and security of this country are well known.

The Dutch helped settle and found New Amsterdam, Brooklyn, and Harlem. Their descendents rose to be Presidents of the United States and to build the great fortunes that helped America attain its stature as the most prosperous and powerful Nation this world has ever known. And it is widely recognized that Thomas Jefferson used the Dutch Declaration of Independence of 1689 as a guide when writing the American Declaration of Independence.

On issues of security, Dutch and American troops have stood "shoulder to shoulder" in combat and have partnered in global peacekeeping and stabilization efforts in Yugoslavia, Kosovo, Iraq, and Afghanistan.

The close cooperation and free and open communication resulting from our ties have strengthened our ability to confront with confidence the major challenges that the world faces today. Not only the stubborn, enduring challenges such as the unresolved crisis in Darfur or the efforts to establish a lasting peace in the Middle East, but also the warming of the planet and the ongoing threat of international terrorism. In the days and years ahead, the close historical bonds between the Dutch and Americans will be called upon to address these and other global challenges. Our continued cooperation will be key to our success.

The strength of our alliance and the endurance of our friendship have made both our countries stronger and the world more secure. I stand proudly today to honor and celebrate that friendship on the occasion of its 400th anniversary.

Ms. ROS-LEHTINEN. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 178, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title was amended so as to read: ''Concurrent resolution expressing the sense of Congress that we reaffirm the historic ties between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and honoring the enduring values of the settlers of New Netherland that continue to permeate American society.''.

A motion to reconsider was laid on the table.

REAUTHORIZING UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2131) to amend the Foreign Affairs Reform and Restructuring Act of

1998 to reauthorize the United States Advisory Commission on Public Diplomacy, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2131

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

SECTION 1. REAUTHORIZATION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2009'' and inserting ''October 1, 2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. WATSON. This legislation would extend by 1 year the mandate of the U.S. Advisory Commission on Public Diplomacy, a bipartisan panel created by Congress and appointed by the President that reports on the public diplomacy work of the State Department, the Broadcasting Board of Governors, and other United States Government agencies. The commission reports its findings and recommendations to the President, Congress and the Secretary of State. Its products provide a window into what works and what does not work in our public diplomacy efforts.

For example, the commission's 2008 report on the human resource dimension of public diplomacy has been used as a guide by both Congress and the new administration on ways that the recruitment and training of public diplomacy staff at the State Department can and should be improved.

Mr. Speaker, the United States Advisory Commission on Public Diplomacy serves a very useful purpose. We should reauthorize it for another year of operation, and I strongly urge my colleagues to support this legislation to do just that.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 2131, introduced by my good friend Ambassador Watson. In terms of commerce, culture, military power, and just about any other field of human endeavor, our Nation is a key actor in the complex world of the 21st century. Sometimes, however, our goals and our intentions are misunderstood or are deliberately misinterpreted by those who mean us harm. People cannot fully understand American interests without understanding American ideals, economic and personal freedom, democracy and human rights; and people will not fully grasp those American ideals without having a sense of the diverse genius of the American people whose resolve, good will and generosity constitute the true heart of our Nation. We cannot take that knowledge for granted, Mr. Speaker. Showing the true face of America to the people of the world is the lofty aim of our U.S. public diplomacy efforts.

In the wrenching aftermath of the Second World War, Congress created the United States Advisory Commission on Public Diplomacy in 1948.

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According to its current charter, the Commission ''appraises U.S. Government activities intended to understand, inform and influence foreign publics.''

For example, just last year, the Commission issued a 36-page report critiquing and making recommendations for personnel practices of the current Public Diplomacy bureaucracy in areas such as recruitment, training and integration into broader State Department operations.

This short bill before us today will keep the Commission's legislative authorization from expiring at the end of this month. This will give the Foreign Affairs Committee and this Congress another year to assess the work and the efficacy of the Commission and its relationship with our broader Public Diplomacy apparatus before undertaking a more comprehensive, longer-term reform effort.

I would like to again thank my colleague from California, Ambassador Watson, for introducing this measure, and I support its adoption by this House.

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

Ms. WATSON. Mr. Speaker, I have no further requests for time. I certainly thank the young lady.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 2131, which amends the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy through September 30, 2010.

The Advisory Commission is a bipartisan panel created by Congress and appointed by the President to formulate and recommend to the President, the Secretary of State, and Members of Congress policies and programs to carry out public diplomacy of the U.S. Government, and to assess the effectiveness of ongoing public diplomacy activities. Such programs and activities constitute our effort to understand, inform and influence foreign publics in support of U.S. foreign policy objectives.

Public diplomacy has never been more important to the security of our nation than it is today. Fortunately, President Obama enjoys a wellspring of support overseas, offering the United States a chance to repair its image. According to a new survey released on September 9, 2009 by the German Marshall Fund of the United States, for example, European support for President Barack Obama's handling of foreign policy is currently at 77 percent, four times greater than that of George W. Bush when he left office. In the Asia Pacific region and throughout the rest of the world, support rates for our new President have climbed at similarly dramatic rates.

Yet, the challenges confronting U.S. public diplomacy are varied, and there is no easy means to address them. As Under Secretary of State for Public Diplomacy and Public Affairs, Judith A. McHale, said in testimony before the Senate Foreign Relations Committee during her nomination hearing, ''An important lesson of recent years is that we must do a better job of thinking and planning strategically, with a clear mission and a steady eye on long-term global goals, accompanied by careful assessment of programs, personnel and expenditures. This will allow us to craft proactive, purposeful and integrated programs that further U.S. policy interests and resonate with foreign publics.''

The Advisory Commission was created specifically to assist in devising such strategic plans and in providing objective criticism. It has done an excellent job in this regard and deserves to continue its work for another year, and this is why I am hopeful that my colleagues will join me in supporting H.R. 2131.

Ms. WATSON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 2131, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REDUCING GLOBAL TRAFFIC DEATHS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 74) supporting the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 74

Whereas according to the 2004 World Report on Road Traffic Injury Prevention, 40,000 people in the United States and 1,300,000 people globally die in road crashes each year;

Whereas another 20,000,000 to 50,000,000 people globally are injured each year as a result of speeding motor vehicles and the increased use of motor vehicles;

Whereas road crashes are the leading cause of death globally for young people between the ages of 10 and 24 years around the world;

Whereas the current estimated monetary cost of motor vehicle crashes worldwide is $518,000,000,000 annually, representing between 3 and 5 percent of the gross domestic product of each nation;

Whereas according to the World Health Organization, over 90 percent of motorist-related deaths occur in low- and middle-income countries;

Whereas according to the World Health Organization, motorist-related deaths and costs continue to rise in these countries due to a lack of appropriate road engineering and injury prevention programs in public health sectors;

Whereas the United States, other countries, and international organizations should promote the improvement of data collection and comparability, including by adopting the standard definition of a road death as ''any person killed immediately or dying within 30 days as a result of a road traffic crash'' as standard definitions of injury, and the facilitation of international cooperation to develop reliable data systems and analytical capability;

Whereas it is critical that the international community support collaborative action to enhance global road safety and reduce the risk of road crash death and injury around the world by fostering partnerships and cooperation between governments, private and public sectors, and within civil society, as well as relationships between the National Highway Traffic Safety Administration (NHTSA) and other national and international road safety authorities;

Whereas the United Nations General Assembly adopted a resolution in 2005 designating the third Sunday of November as a day of remembrance for road crash victims and their families, and calling on nations globally to improve road safety;

Whereas the United States Congress passed H. Con. Res. 87, as well as S. Con. Res. 39, in the 110th Congress supporting the goals and ideals of a world day of remembrance for road crash victims;

Whereas the United Nations General Assembly adopted a resolution in 2008 highlighting the impact of global road safety issues, encouraging nations to take action to reduce road crash risks across the world, and creating the first global high-level conference on road safety, to be hosted by the Russian Federation in Moscow in November 2009; and

Whereas the Ministerial Consultative Committee of the First Global Ministerial Conference on Road Safety in Moscow has drafted a declaration to designate 2010–2020 as the ''Decade of Action for Road Safety'': Now, therefore, be it

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

(1) supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020;

(2) urges the Obama Administration and the Department of State, in conjunction with the National Highway Traffic Safety Administration (NHTSA), to set ambitious road traffic casualty reduction targets for United States citizens traveling abroad and at home;

(3) encourages enhancement of global efforts, including international harmonization of road safety regulations and good practices, to improve road safety and reduce road crash deaths and injuries; and

(4) urges the Obama Administration to take a leadership role at the First Ministerial Conference on Road Safety in Moscow and for the United States to work with nations around the world to achieve the goals and ideals of a decade of action for road safety.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. WATSON. I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of this resolution. Road crashes are a worldwide epidemic that annually take the lives of 1.2 million people and that injure 50 million others.

While the Congress has admirably focused on the fight against infectious disease, such as HIV and AIDS and malaria, while it has improved access to clean drinking water and while it has focused on other critical global health issues, not enough attention has been paid to those whose lives have been lost in road accidents.

A road accident is the leading cause of death among young people around the world, 85 percent of which occur in low- and middle-income countries. Yet all too often, these road accidents could have been prevented by better driver and pedestrian education and by improved engineering. In many countries, safety precautions that we take for granted, such as sidewalks, guardrails and crosswalks, simply don't exist. Pedestrians cross streets at their peril, and drivers use roads without lane markings or traffic lights. With more drivers taking to the roads in developing countries, global road deaths are likely to increase in the decade to come.

The U.S. and the international community can prevent many of these accidents by promoting improved data collection techniques, by supporting collaborative efforts to reduce the risks of road crash deaths and by fostering partnerships and cooperation between governments, the private and public sectors and within civil society.

We have no excuse for not taking a more aggressive approach to preventing millions of deaths and injuries along the world's roads and highways. I urge my colleagues to join me in raising awareness of the importance of reducing global road deaths and injuries by supporting this resolution.

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

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 74 notes the importance of the goals and ideals of a decade of action for road safety. As this measure reminds us, 40,000 people in the United States and 1.3 million people worldwide die in road crashes each year, and many more are injured. Road crashes are the leading cause of death globally for young people. In light of these facts, we ought to explore ways to do more to help prevent road crash-related deaths and injuries.

This resolution expresses support for the goals of a decade of action for road safety. It urges the Obama administration, the Department of State, and the National Highway Traffic Safety Administration to set ambitious road traffic casualty reduction targets for American citizens. Finally, it urges the administration to work with nations around the world to achieve the goals and ideals of a decade of action for road safety.

I would like to thank my colleague and good friend from Florida (Mr. WEXLER) for introducing this important measure, which I am pleased to support.

I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the sponsor of the bill, the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, as a co-Chair of the Congressional Caucus on Global Road Safety, I, along with the other co-Chairs, introduced House Concurrent Resolution 74 earlier this year to shed light on an epidemic too few in this country or around the world comprehend: the devastating toll of deaths and injuries from road crashes.

I want to especially thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their extraordinary help in bringing this resolution to the floor as well as the several colleagues who joined with me in supporting this resolution.

According to the ''World Report on Road Traffic Injury Prevention'' study, which was produced in conjunction with the World Health Organization and the World Bank, every year road travel causes 1.3 million deaths and 50 million injuries. This is the equivalent of 10 jumbo jets crashing every day. Sadly, many of these deaths and injuries are preventable.

The upcoming Ministerial Conference on Road Safety in Moscow, which was inspired by the passing of United Nations Resolution 62/244 on March 31, 2008, is the culmination of a 5-year effort by a global community of stakeholders from multilateral and bilateral institutions, from governmental and nongovernmental organizations and from academia and civil society to raise international awareness and to call for a global response commensurate with the magnitude of the worldwide road traffic injury and fatality epidemic.

The conference will work to establish new benchmarks for best practices and road traffic injury prevention. It will encourage regional casualty reduction targets, and it will provide a new framework for international cooperation on global road safety.

Mr. VAN HOLLEN of Maryland, Mr. BURTON of Indiana, and I, as co-Chairs of the Congressional Caucus on Global Road Safety, encourage the Obama administration to take a strong leadership role at this conference.

It is in this vein that I introduced this resolution which supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020.

This resolution also urges the Obama administration and the Department of State, in conjunction with the National Highway Traffic Safety Administration, to set ambitious road traffic casualty reduction targets for American citizens traveling abroad and to work with foreign governments and with international organizations to harmonize road safety regulations and good practices.

Finally, it urges the Obama administration to take a leadership role at the first Ministerial Conference on Road Safety in Moscow in late November of this year, and it urges the United States to work with nations around the world to achieve the goals and ideals of a decade of action for road safety and to reduce the impact of this public health epidemic in the global community.

Mr. Speaker, road safety is a rapidly growing problem throughout the developed and developing worlds alike that respects no boundaries of geography, nationality, race, age, gender or socioeconomic status. Furthermore, it is a problem that uniquely spans many key areas of concern for Members of Congress and their constituents, not the least of which is the health and safety of American citizens both at home and abroad.

Therefore, I urge my colleagues to support this resolution.

Ms. ROS-LEHTINEN. I would like to congratulate Mr. WEXLER for introducing this resolution to enhance global road safety and to reduce the risk of road crash deaths and injuries around the world by fostering partnerships in cooperation between governments, public and private sectors and within civil society. I support the measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Con. Res. 74, which supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020. Road safety is a critical issue not only in my district and across the country, but in countries around the world.

As the Chair of the Homeland Security Subcommittee on Transportation Security and Infrastructure Protection, I believe that road safety is a critical component of protecting the nation. I fought for the building of infrastructure for safe roads in my district and I believe that this fight should be extended on a national and a global scale. According to the World Health Organization, WHO, the rise in both fatalities from motor vehicle deaths and subsequent costs is caused by the lack of appropriate road engineering and safety promotion in the public health sector.

My home State of Texas is afflicted by the scourge of road fatalities. According to the National Highway Traffic Safety Administration, in 2008, there were 3,382 deaths across the state with 1,552 of those traffic fatalities occurring in urban areas such as my district in Houston, Texas. In 2007 there were 209 road deaths in Houston, Texas, killing nearly 10 people for every 100,000. According to the 2004 World Report on Road Traffic Injury Prevention, 40,000 people die each year in road crashes in the United States alone.

Across the globe, 1.3 million people die in road crashes each year. Another 20 to 50 million people across the globe are injured in motor vehicle accidents, often as a result of speeding. Road crashes are the number one killer of young people between the ages of 10 and 24 world-wide. Road crashes not only bring tragedy and devastation to the lives of the victims and their families, they are also extremely costly. The estimated monetary cost of motor vehicle crashes is nearly $520 billion, or roughly 3 to 5 percent of the cumulative gross domestic product of the world.

The tragedy of road accidents is not only the economic loss, pain and suffering, and loss of life but also the knowledge that road crashes can be prevented. I applaud the efforts of the Ministerial Consultative Committee, which drafted a declaration for the First Global Ministerial Conference on Road Safety in Moscow to designate 2010–2020 as the "Decade for Action on Road Safety." I hope that this conference will succeed in increasing the global awareness on road safety and generate meaningful action against road fatalities.

Road safety is an international effort that almost everyone can support. More than 90 percent of all motor vehicle fatalities occur in low- and middle-income countries. I believe the efforts to raise awareness for the need for road safety and strong action to help reduce motor vehicle fatalities will help our standing in those countries that need it the most. I strongly urge passage of this important Resolution.

Ms. ROS-LEHTINEN. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 74, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

ENCOURAGING MEMBERSHIP IN THE SERVICEMEMBERS OPPORTUNITY COLLEGES CONSORTIUM

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 491) encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 491

Whereas in order to enhance their military effectiveness and to achieve their educational, vocational, and career goals, servicemembers should share in the same postsecondary educational opportunities that are available to other citizens;

Whereas to enhance access to undergraduate educational opportunities for servicemembers, institutions should maintain a necessary flexibility of programs and procedures, particularly in admissions, credit transfer, and recognition of other applicable learning, including that gained in the military, in scheduling and format of courses, and in academic residency requirements to offset servicemembers' mobility, isolation from campuses, and part-time student status;

Whereas the Servicemembers Opportunity Colleges (SOC) Consortium, which was created in 1972 to provide educational opportunities to servicemembers who had trouble completing college degrees because of their frequent relocations, today includes more than 1,800 colleges and universities among its members;

Whereas the SOC Consortium is a vehicle to help coordinate voluntary postsecondary educational opportunities for servicemembers by advocating for the flexibility needed to improve access to and availability of educational programs for servicemembers, helping the military and higher education communities understand and respond to each other's resources, limits, and requirements for meeting the education and training needs of servicemembers, and strengthening the working relationships among military and higher education representatives;

Whereas each year, hundreds of thousands of servicemembers and their family members enroll in associate, bachelor, and graduate level degree programs offered by SOC Consortium members on school campuses, military installations, and armories within the United States and overseas;

Whereas SOC Consortium member institutions provide flexibility to servicemembers, their families, and veterans seeking college degrees and, in turn, these institutions benefit from the enrollment of mature, highly motivated adult students who are making use of tuition assistance or Montgomery GI Bill benefits to pay their education costs; and

Whereas in gratitude and respect for their service to the United States, all institutions of higher education in the country should strive to provide our servicemembers with the tools and opportunities they need to achieve their educational, vocational, and career goals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium; and

(2) recognizes the institutions of higher education that are currently members of the SOC Consortium.

The SPEAKER pro tempore (Mr. SNYDER). Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on H. Res. 491 into the RECORD.

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

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 491, which encourages each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges Consortium, SOC.

Whether at home or abroad, military servicemembers deserve our Nation's utmost respect and support. It is, therefore, important that our Nation's institutions of higher education respect the commitment that military servicemembers make in protecting the freedoms we often take for granted.

The SOC recognizes the sacrifices that many of these servicemembers make, and it provides servicemembers with the opportunities for continued learning. The SOC appreciates the positive attributes military servicemembers bring as active participants in a diverse college environment.

The SOC works toward improving the relationship between the military and institutions of higher education. Increased understanding provides the flexibility necessary for servicemembers to meet the educational requirements that schools demand. The SOC manages to balance the development of programs and procedures that meet the unique needs of servicemembers while protecting and assuring the quality of educational programs. The SOC includes over 1,800 colleges and universities. Members of this consortium should be commended.

However, in order to create additional opportunities for deserving servicemembers, we need to encourage other higher education institutions to join the SOC. The SOC enables Americans to express our gratitude to servicemembers and to ensure that they have access to the same educational opportunities that are available to other citizens.

The SOC provides a wealth of pathways to a quality education while being sensitive to the needs of those who have served our country or of those who are currently on active duty. Under this program, servicemembers can easily transfer credits earned while working toward a degree; they can attend a myriad of campuses and can opt for distance learning in certain instances.

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It is imperative that servicemembers are able to obtain an excellent education, not only because it makes our troops stronger, but because it serves as a necessary way to express gratitude for all of the ways that our servicemembers sacrifice to protect our country.

Mr. Speaker, I want to thank Representative ADLER for bringing this resolution forward.

I urge my colleagues to support this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H. Res. 491, a resolution encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges, or SOC, Consortium.

The SOC Consortium was created in 1972 to provide educational assistance to servicemembers who had trouble completing their postsecondary education due to their frequent moves.

Today, more than 1,800 colleges and universities are a member of this important consortium with operational partnership between the Department of Defense and the American Association of State Colleges and Universities.

All institutions that join the consortium must agree to have military-friendly policies on campus. Generally, these institutions agree to things like reasonable transfer of credit policies, providing credit for military training and experience, and providing credit for at least one nationally recognized testing program like the college-level examination program.

The consortium also assists institutions and students in following new policy changes that may benefit servicemembers or veterans. Committee Republicans have long been supportive of ensuring that America's servicemen and -women are easily able to accomplish their goal of achieving a postsecondary education degree.

The Higher Education Opportunity Act passed last Congress included a number of new initiatives for servicemembers and veterans. The bill required the Secretary of Education to provide a Web site that should serve as a one-stop shop for servicemembers to access information about all education benefits.

This bill also included a program to provide funds to institutions to develop on-campus centers that will help servicemembers navigate everything from course registration to educational benefits to help pay for college. These programs will help ensure that these students receive all of the information they need without having to navigate through all the red tape.

I recognize that many institutions already have military-friendly policies in place whether or not they are a part of this consortium. Through this resolution, we are encouraging even more institutions to review their policies and to think about whether there is more that they could give back to those who are fighting for America's freedom.

I certainly want to congratulate my colleague Mr. ADLER for introducing this important resolution. Mr. Speaker, I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. HIRONO. Mr. Speaker, I am pleased to recognize, for 3 minutes, the gentleman from New Jersey (Mr. ADLER), the sponsor of this resolution.

Mr. ADLER of New Jersey. I thank the gentlelady for bringing this resolution to the floor. I thank my friend Mr. THOMPSON for his support. I thank both Congressman MILLER and Ranking Member KLINE for their leadership on the Education and Labor Committee.

We have a country that watches us and is sometimes appalled by what they see as too much partisanship. This is another example of Republicans and Democrats working together to help the young men and women who have both put on a uniform, gone overseas to keep us safe and free back home. Democrats, Republicans, a Member of Congress, as Americans are standing up for those people that stood up for us to keep us safe and to keep us free.

I was delighted by the remarks of both Ms. HIRONO and Mr. THOMPSON in support of this resolution. We are trying to thank those colleges, those universities, those technical schools that already do what they can in terms of admissions, in terms of credit transfers, in terms of recognizing the service time as an educational opportunity for which credit should be given.

We want to encourage those other universities, other colleges, other technical schools that don't yet do this to do what schools, colleges, technical schools around the country have done since 1972, and increasingly so.

I was very, very happy that my State university in New Jersey, Rutgers University, the State University of New Jersey, just so recently acknowledged SOC, joined SOC, and is doing what so many other universities, colleges and technical schools have been doing since 1972 to help our servicemembers, to help our newly discharged veterans realize their civilian American Dream. Each and every one of them, as they see fit, by going to a university or college of higher education may achieve the sorts of opportunities they want through higher education to have a successful civilian life.

I thank both my friends here, Ms. HIRONO and Mr. THOMPSON. I thank the leadership and the committee on both sides for trying to work for Americans, work for our veterans, work for our active servicemembers and for their family members to make sure they have a chance at a higher education.

I urge all our Members to support this resolution.

Mr. THOMPSON of Pennsylvania. I thank my good friend for sponsoring this resolution. I am certainly proud as a member of the Education and Labor Committee to support this resolution as well. I think, to me, more importantly, as the father of a United States soldier, thank you for this resolution.

I yield back the balance of my time.

Ms. HIRONO. I thank the gentleman from Pennsylvania for his remarks and, in particular, because in his family he has servicemembers. I thank Mr. ADLER for bringing this forward.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 491.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING HOWARD UNIVERSITY SCHOOL OF LAW

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 684) recognizing and honoring Howard University School of Law's 140-year legacy of social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 684

Whereas in 1867, shortly after the end of the Civil War, with funds provided by the Freedman's Bureau, Howard Normal and Theological Institute was established;

Whereas the following year, the Board of Trustees voted to expand the institute's curriculum and change the name to Howard University;

Whereas in 1869, Howard University School of Law, which shares Howard University's founding principles: Veritas et Utilitas (Truth and Service), was opened in an effort to address the great need to train lawyers who would have a strong commitment to helping African-Americans secure and protect their newly established rights granted by the 13th and 14th amendments to the Constitution;

Whereas Howard Law School is the first law school dedicated to the education of African-Americans;

Whereas Howard Law School's original faculty members were former Dean of the Law School, John Mercer Langston, and the Honorable Albert Gallatin Riddle;

Whereas John Mercer Langston, the namesake of Langston University, was the first African-American Member of the House of Representatives from the State of Virginia, representing Virginia's 4th district, and former President of Virginia Normal and Collegiate Institute (presently known as Virginia State University);

Whereas the Honorable Albert Gallatin Riddle, former Member of the 37th Congress, was an abolitionist and novelist;

Whereas Charlotte E. Ray (class of 1872) was not only the first African-American female graduate of Howard Law School, but was also the first African-American female to practice law in the District of Columbia;

Whereas James C. Napier (class of 1872), who was invited to attend Howard Law School by Dean John Mercer Langston, served as President William H. Taft's Registrar of the Treasury, and is 1 of 5 African-Americans whose signature has appeared on currency of the United States;

Whereas Robert H. Terrell (class of 1889) was the first African-American municipal judge for the District of Columbia;

Whereas former Dean of Howard Law School, William Henry Hastie, became the first African-American Governor of the United States Virgin Islands, the first African-American Federal magistrate judge, and the first African-American to be appointed as a Federal circuit court judge;

Whereas former Vice Dean, Charles Hamilton Houston, widely known as, ''the man who killed Jim Crow'', was known to remark to his students that, ''a lawyer is either a social engineer or a parasite on society . . .'';

Whereas Howard Law School served as the training ground and planning site for the lawyers who, through Brown v. Board of Education of Topeka, Kansas, rejected the notion that separate education equates to equal education;

Whereas civil rights attorneys Oliver Hill (class of 1933) and co-counsel, Spottswood Robinson III (class of 1939), were attorneys for the plaintiffs in Davis v. County School Board of Prince Edward County, which was 1 of 5 cases consolidated with Brown v. Board of Education of Topeka, Kansas;

Whereas Thurgood Marshall (class of 1933) was the lead litigator to argue Brown v. Board of Education of Topeka, Kansas, before the Supreme Court, and was later named Associate Justice on the Supreme Court;

Whereas Damon Keith (class of 1949) is currently a senior judge for the United States Court of Appeals for the Sixth Circuit;

Whereas Harris Wofford (class of 1954) is a former Senator from Pennsylvania and was a civil rights advisor to President John F. Kennedy;

Whereas former Mayor of Richmond, Virginia, L. Douglas Wilder (class of 1959), was the first African-American elected as Governor in the United States;

Whereas Vernon Jordan (class of 1960), former advisor to President Bill Clinton, noted that at Howard Law School, he found, ''a wife, a career, and a reaffirmation of [his] faith in the mission of black people'', and that his time at Howard, ''saved [his] soul'';

Whereas Roland Burris (class of 1963) is a Member of the United States Senate;

Whereas Gabrielle McDonald (class of 1966), Howard University Trustee Emerita, serves as an Arbitrator on the Iran-United States Claims Tribunal, is a former president and judge of the International Criminal Tribunal for the former Yugoslavia, formerly served as a judge for the United States District Court for the Southern District of Texas and was elected to the ''Texas Woman's Hall of Fame'';

Whereas former Dean and professor at Howard Law School, J. Clay Smith (class of 1967), who was appointed by President Jimmy Carter in 1978 and President Ronald Reagan in 1981 to serve on the Equal Employment Opportunity Commission, in the capacities of Commissioner and Acting Chairman, is the author of ''Emancipation: The Making of the Black Lawyer 1844–1944'' and ''Rebels in Law: Voices in History of Black Women Lawyers'', and the editor of ''Supreme Justice: Speeches and Writings'', written by Thurgood Marshall;

Whereas Wiley Daniel (class of 1971) was the first African-American appointed as a judge for the United States District Court for the District of Colorado;

Whereas Isaiah Leggett (class of 1974) is the County Executive for Montgomery County, Maryland;

Whereas Jack Johnson (class of 1975) is the County Executive for Prince George's County, Maryland;

Whereas the recent addition of Vicky Miles-LeGrange (class of 1977) as Chief Judge of the United States District Court for the Western District of Oklahoma evidences the ongoing commitment of the faculty and staff of Howard Law School to equip alumni with the necessary tools to succeed at every level;

Whereas Gregory Meeks (class of 1978) is a Member of the United States House of Representatives;

Whereas former District of Columbia Mayors, Walter Washington (class of 1948) and Sharon Pratt Kelly (class of 1968), and current Mayor, Adrian Fenty (class of 1996), are alumni of Howard Law School;

Whereas Howard Law School is one of a select group of law schools that can boast having as alumni a Supreme Court Justice, numerous Federal and State judges, Members of both the House of Representatives and the Senate, a Governor, and several Mayors;

Whereas the Princeton Review ranks Howard Law School's faculty as the most diverse law school faculty in the Nation;

Whereas Spencer Boyer, a Professor at Howard Law School, has 38 years of service, which makes him one of the most senior African-American law professors in the United States;

Whereas the competitive efforts of the Huver I. Brown Trial Advocacy Moot Court Team, the Charles Hamilton Houston National Moot Court Team, and the Goler Teal Butcher International Moot Court Team are evidence of Howard Law School's dedication to the vigorous training of zealous advocates;

Whereas Howard Law School's curriculum, which includes a study abroad program in Cape Town, South Africa, the Civil Rights Clinic, the Fair Housing Clinic, the World Food Law Institute, and the Institute of Intellectual Property and Social Justice, demonstrates an aggressive commitment to provide relevant hands-on instruction in an ever-evolving legal environment;

Whereas for 10 years, through the Marshall-Brennan Constitutional Literacy Project, law students in the Howard University School of Law student-fellows program teach constitutional law in public high schools in the District of Columbia;

Whereas Howard Law School's comparatively low tuition and aggressive career services staff helped the school achieve a ranking of third on the Vault.com's list of the most underrated law schools in the Nation;

Whereas Howard Law School has contributed robustly to society through the education of attorneys who have gone on to serve the world in countless public and private capacities; and

Whereas there is no greater illustration of Howard Law School's motto, ''Leadership for America and the Global Community'', than the faculty, staff, students, and alumni of Howard University School of Law: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Howard University School of Law's profound achievements and unwavering commitment to social justice for all people;

(2) encourages the continued dedication to the first-rate training of social engineers; and

(3) congratulates Howard University President, Sidney A. Ribeau, Ph.D., Howard University School of Law Dean, Kurt L. Schmoke, J.D., and the faculty, staff, students, and alumni of Howard Law School on the momentous occasion of its 140th anniversary.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman

from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 684 into the RECORD.

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

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

Mr. Speaker, I rise today to recognize and honor Howard University School of Law on the event of their 140th anniversary. The students and many exemplary alumni of Howard University School of Law truly embody their motto, ''Leadership for America and the Global Community.''

The Howard University School of Law's deep commitment to social justice and compassion began with its founding in 1869. The school was established in an effort to help African Americans secure and protect their newly established rights. Throughout this Nation's history, Howard alumni have challenged racism, worked to attain equal rights and access to education, and broken down barriers, rising to prominent positions in the field of law and justice. It was Howard University School of Law which served as the training ground and planning site of the thinkers who boldly defeated the notion that separate education can ever be equal through the landmark case Brown v. Board of Education of Topeka, Kansas.

Of the many notable African American legal scholars, Supreme Court Justice Thurgood Marshall, arguably one of the most influential African Americans in American history, was educated at Howard law school. Vernon Jordan, former National Urban League President and domestic policy adviser for President Clinton, was educated at Howard law school. Charles Hamilton Houston, who earned the title ''The Man Who Killed Jim Crow'' because of his successful civil rights litigation, served as vice dean at Howard.

There are few schools that can boast having a Supreme Court Justice, numerous Federal judges, Members of both the United States House and the Senate, a Governor and several mayors amongst its alumni. It is a proud history of those great minds, as well as the countless others that have come before, that pave the way for the next generation of legal scholars. Howard University School of Law graduates scholars with a lifelong commitment to change the world for the better.

Howard has been recognized for its diverse faculty, its relatively low cost, opportunity for hands-on experience through a study abroad program of South Africa, and many other professional development opportunities, as well as their volunteer work here in D.C., teaching constitutional law in public schools.

The dedication to the tenets of truth and service that inspired the founding of Howard University and the School of Law still exist today as this institution continues to work towards social justice and leadership. The Howard University School of Law remains an important institution continuing to serve as a beacon of justice and learning.

Mr. Speaker, I want to honor and congratulate the current Howard University president, Dr. Sidney Ribeau, and the Howard University of School of Law dean, Kurt Schmoke, as well as the faculty, staff, students and alumni of the Howard University School of Law on this momentous occasion of its 140th anniversary. I urge my colleagues to support this measure.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Resolution 684, a resolution recognizing and honoring Howard University School of Law's 140th anniversary of legacy and social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars.

Howard University was chartered by Congress as a private university in Washington, D.C., in 1867. The law school at Howard opened its doors to its first six students in 1869. By the end of the first year, the law school had enrolled a total of 22 students. The first students graduated from Howard University School of Law on February 3, 1871. The American Bar Association accredited the school in 1931. Today, Howard University School of Law graduates approximately 185 students with either a juris doctorate or a master of law degree. Students attending Howard come from all over the United States and the globe.

Howard University School of Law has had a history of promoting social and civil change. In fact, it has an impressive lineup of alumni that were key figures in American history, including former Representative John Mercer Langston, the first African American Member of the House of Representatives; Charlotte E. Ray, the first African American woman to practice law in the District of Columbia; and Thurgood Marshall, a former Justice of the United States Supreme Court and lead litigator in the landmark case Brown v. Board of Education.

I congratulate Howard School of Law on 140 years of academic success and wish them luck as they continue to inspire the country's next generation.

I urge my colleagues to support this resolution.

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

Ms. HIRONO. Mr. Speaker, I am pleased to recognize, for 4 minutes, the gentlewoman from Michigan (Ms. KILPATRICK), the sponsor of this resolution.

Ms. KILPATRICK of Michigan. I thank the gentlewoman from Hawaii for her leadership in coming to this House and taking us by storm. To our ranking member who is managing the bill today, thank you for your support.

As has been mentioned, 140 years ago, Howard University established its law school. Since that time, hundreds of young men and women have graduated from this prestigious law school. Today, under the direction of our president, Sidney Ribeau, it is also carrying on the legacy that was started in 1869.

Thurgood Marshall, Supreme Court Justice, known for his tenacity, his intelligence, his forthrightness, and at Howard University in 1869 and beyond, they talked about social engineers they were putting out, men and women who could elaborate and repeat the Constitution and represent young people, old people, and people all over this country. They continue in that tradition today:

Thurgood Marshall, 1954, the Board of Education, equal schools under the law;

Kurt Schmoke, former mayor of Baltimore, Maryland;

Our sitting Senator right now, Senator BURRIS from Chicago, Illinois, is a graduate of Howard law school;

Our own colleague, GREGORY MEEKS of New York, is a graduate of Howard law school.

The school today probably is just as important as it was, not probably, is just as important today as it was 140 years ago. I am honored that the House would take up the legislation today that we would pass it on suspension. In a couple of weeks, they are having a ceremony on campus at Howard University, and I invite all the alumni of Howard University to come back, come back on campus and let's celebrate.

Today we live in a world where equal protection under the law is a must. We must make sure that every citizen in America has access to quality representation, access to a fair process, and that lawyers from all over this country and abroad who represent those clients will give to the very best of their ability. Howard University law school is 140 years old. We thank those who began the school 140 years ago.

We pray that as the tradition of the law school continues to excel around the world, that we will continue to lift up the United States of America, that we will protect our judicial system, and that the lawyers who graduate from all the law schools across this country, including Howard University's law school, represent to the very best of their ability so that American citizens will know that the third branch of government is alive and well because in 1869 Howard University was established.

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

Ms. HIRONO. Mr. Speaker, I thank the gentleman from Pennsylvania for his remarks in support of this measure and also Ms. KILPATRICK for bringing this measure forward. I, again, commend Howard University law school for its continuing commitment to equality, justice and opportunity for all, and urge all of my colleagues to vote for this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 684, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF WESTERN WYOMING COMMUNITY COLLEGE

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 696) acknowledging and congratulating Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 696

Whereas Western Wyoming Community College was established in 1959 through the efforts of a citizens committee and a general election that formed the original district;

Whereas the College began classes in Rock Springs High School, moved to the Reliance School, and then finally moved to its present College Drive location in Rock Springs in 1969;

Whereas the College opened an extended campus in Green River in 1975;

Whereas these expansions were made possible in part by the Sweetwater County voters, who approved 3 general obligation bond issues, leading to the construction of Western's current award-winning structure;

Whereas the College's service area now encompasses all of Southwestern Wyoming, including Sweetwater, Uinta, Carbon, Sublette, and Lincoln counties;

Whereas the College has grown from serving 40 students during the fall semester of 1959 to currently serving over 4,000 credit and 2,000 community education students each semester;

Whereas the College adheres to its Guiding Principles: ''Learning is our Purpose'', ''Students are our Focus'', ''Employees are our Most Important Resource'', ''The Community is our Partner'', ''Adapting to Change Defines our Future'', and ''Ethical Standards Guide our Actions'';

Whereas the College embodies these principles in its motto: ''A commitment to quality and success'';

Whereas the College is a valued partner with industry, education, and local business in its service area to provide transfer and technical education, workforce training, cultural and athletic activities, and community education courses;

Whereas the College is the fifth of 7 comprehensive community colleges in Wyoming, and a vital part of Wyoming's higher education system;

Whereas the transfer agreement between Wyoming's community colleges and the University of Wyoming creates a seamless transition for students wishing to continue their education; and

Whereas the fall of 2009 marks the 50th anniversary of the establishment of Western Wyoming Community College: Now, therefore, be it

Resolved, That the House of Representatives acknowledges and congratulates Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 696 into the RECORD.

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

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume. Mr. Speaker, I rise today in support of H. Res. 696, which celebrates Western Wyoming Community College's 50th year of service to the students and the State of Wyoming.

Established in 1959, a local citizens committee and a general election led to Western Wyoming Community College. Beginning with only 40 community college students and occupying the local high school facilities, WWCC has emerged as a vital part of the southwestern Wyoming community that prepares graduates for advanced degrees and workforce readiness.

WWCC is a comprehensive community college that provides a great foundation for students because of its small class sizes, hands-on learning experiences, and highly qualified instructors. WWCC truly succeeds at educating its students. In 2008, 100 percent of the nursing class passed the State exam.

Today, Western Wyoming Community College enrolls over 3,000 students and offers a wide range of courses. With nine academic programs, 70 concentrations, $3 million worth of financial aid, and moderate undergraduate tuition, WWCC provides an affordable and diverse academic education for many students living in the surrounding area.

The college prides itself on responding to the changing needs of local businesses and industries, primarily mining and energy, with exceptional academic and technical programs. Its success is based on a strong history of collaboration with local industries.

With that said, WWCC lives up to its motto: ''A commitment to quality and success.'' I commend Representative LUMMIS for bringing this resolution forward. Again, I want to express my support for this bill, and urge my colleagues to vote ''yes.''

I reserve the balance of my time.

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

I rise today in support of House Resolution 696, acknowledging and congratulating Western Wyoming Community College in southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of Wyoming.

Western Wyoming Community College was established in 1959. Through the efforts of a citizens' committee, a campaign began, an election was held, and the college in the original district was created. Through the support of the community, the campus has been expanded several times since it was originally built in 1966. Student numbers have increased from 40 in 1959 to over 5,000 in 2002.

Western Wyoming Community College has grown almost every year and is now one of the seven community colleges that serve the State of Wyoming. The main campus is located in Rock Springs, Wyoming, and, together with an extended campus located in Green River, comprises the fourth-largest population center in Wyoming.

WWCC offers a variety of educational services to the community. They offer 2-year transfer programs for students pursuing a baccalaureate, 2-year occupational degrees, and a number of occupational certificate programs. The college has programs in humanities and fine arts; social science; science and mathematics; business; technology and industry; and health science.

Western's mission statement reflects the dedication to education that has led WWCC to become the successful institution it is today. Of the 293 first-time, full-time students that enrolled in WWCC in 2005, 72 percent graduated or went on to other higher education institutions by 2008.

The mission of WWCC is to provide access to postsecondary educational opportunities by offering broad, comprehensive programs in academic as well as vocational technical subjects. Committed to quality and success, Western encourages flexibility, innovation, and active learning for students, faculty, and staff.

Western Wyoming Community College celebrates the 50th anniversary of their founding this month. For 50 years, WWCC has provided a quality education to the people of their community, allowing them to further their careers and better their lives.

I thank Representative LUMMIS of Wyoming for introducing this resolution. I congratulate Western Wyoming Community College. I ask my colleagues to support this resolution.

I reserve the balance of my time.

Ms. HIRONO. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. I rise today in support of House Resolution 696 and in recognition of the 50 years of achievement in service by Western Wyoming Community College. I further wish to thank the gentlelady from Hawaii and the gentleman from Pennsylvania for their support of this resolution.

As the gentlelady from Hawaii pointed out, Western began in fall of 1959, serving only 40 students out of Rock Springs High School. Today, they have an award-winning campus on College Drive in Rock Springs as well as an extended campus in Green River, which collectively serve 4,000 credits and 2,000 community education students each semester.

Western serves Sweetwater, Uinta, Carbon, Sublette, and Lincoln Counties, all in southwest Wyoming. It is a valued partner with industry, education and local business in its service area to provide transfer and technical education, workforce training, cultural and athletic activities, and community education courses.

Like many educational institutions across the Nation, Western adheres to a set of altruistic guiding principles: Learning is our Purpose; Students are our Focus; Employees are our Most Important Resource; the Community is our Partner; Adapting to Change Defines our Future; and, Ethical Standards Guide our Actions. And it embodies these principles in its motto: ''A commitment to quality and success.''

Across our Nation, community colleges play a vital role in the higher education system. No State feels their significance more than the State of Wyoming.

Wyoming is almost 100,000 square miles and is served by only one 4-year university. Western is the fifth of seven comprehensive community colleges that bridge this geographic span, making college affordable and accessible across the State of Wyoming.

The seven community colleges across Wyoming allow some students to complete their education with technical training or a 2-year associates degree, while others transfer earned credit to continue and receive their bachelor degrees and beyond.

Making the goals of many students even more accessible is the seamless transfer agreement between the University of Wyoming and the community colleges, allowing students to continue their education in Laramie without loss of credits in the move.

So in recognition of the Western Mustangs, their 50th anniversary, and to community colleges across Wyoming and the Nation, I ask my colleagues to celebrate Western's achievements with me today.

Western will be celebrating as a campus from this Saturday, September 26, through the following Sunday, October 4. Please help me in having the U.S. House of Representatives celebrate this achievement with them by passing House Resolution 696.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, having no additional speakers, I yield back the balance of my time.

Ms. HIRONO. I want to thank the gentlelady from Wyoming for bringing this forward, because community colleges all across the country play a pivotal role in providing educational opportunities for our citizens. I, of course, congratulate WWCC on its 50th anniversary.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 696.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

CONGRATULATING THE WICHITA STATE UNIVERSITY MEN'S AND WOMEN'S BOWLING TEAMS

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 455) congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 455

Whereas the Wichita State University (WSU) men's and women's bowling teams won the 2009 United States Bowling Congress (USBC) Intercollegiate Bowling National Championship in Rockford, Illinois, on April 15–18, 2009;

Whereas the WSU men's team defeated the University of Nebraska-Lincoln and Webber International University and advanced to the finals, where they defeated Saginaw Valley State University two games to one in a best of three series to win the championship;

Whereas the WSU women's team defeated Ball State University, Fresno State University, and McKendree University and advanced to the finals, where they defeated Lindenwood University two games to zero to win the championship;

Whereas the WSU men's team has won nine USBC Intercollegiate Bowling National Championships, in 1980, 1987, 1993, 1994, 1995, 1998, 2003, 2008, and 2009, and has advanced to the national tournament a record 29 times;

Whereas the WSU women's team has won nine USBC Intercollegiate Bowling National Championships, in 1975, 1977, 1978, 1986, 1990, 1994, 2005, 2007, and 2009, and has advanced to the national tournament a record 34 times;

Whereas head coach Gordon Vadakin has led the men's and women's teams to a combined 32 USBC Intercollegiate Bowling National Championship tournaments and 17 national titles since he began coaching in 1976;

Whereas assistant coaches Mark Lewis, Brian Adelgren, and Nathan Bohr were also instrumental in the WSU teams' 2009 victories;

Whereas the 2009 men's championship team, comprised of Jake Peters, Nick Pahr, Brandon Hall, Josh McBride, John Szczerbinski, Stephen Cowland, Josh Blanchard, Adam Ferri, Kyle Bischoff, Will Barnes, Geoffrey Young, and Kevin Tatrow, won the national title due to the combined efforts of each of its members;

Whereas the 2009 women's championship team, comprised of Melissa Hurst, Maggie Zakrzewski, Suzana Signaigo, Sandra Gongora, Jessica Baker, Samantha Hesley, Mariana Ayala, Daniela Alvarado, Rocio Restrepo, and Samantha Linder, won the national title due to the combined efforts of each of its members;

Whereas Sandra Gongora was named the National Collegiate Bowling Coaches Association and the Bowling Writers Association of America (BWAA) Female Collegiate Bowler of the Year, and John Szczerbinski and Josh Blanchard were BWAA Male Collegiate Bowler of the Year runners-up; and

Whereas Sandra Gongora, John Szczerbinski, and Josh Blanchard were named as first team All-Americans by the USBC: Now, therefore, be it

Resolved, That the House of Representatives congratulates and commends the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 455 into the RECORD.

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

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

I rise today to congratulate the Wichita State University men's and women's bowling teams for each of their victories in the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

April 15–18, 2009, college bowling fans were treated to a number of great bowling matches between the most skilled bowlers in the country. The Wichita State University men's bowling team entered the national tournament for the 24th consecutive year and ranked as the number one team in the Nation. They garnered their ninth national championship, defeating Saginaw Valley State University in the final match. The women's team also

collected its ninth national championship, beating Lindenwood University in their finals.

Sandra Gongora from the Shockers was named the Bowling Writers Association of America (BWAA) Female Collegiate Bowler of the Year. John Szezerbinski and Josh Blanchard of the men's team were BWAA Male Collegiate Bowler of the Year runners-up.

As the most accomplished collegiate bowling program in the Nation, the Wichita State Shockers bowling teams have 18 national championship victories. No other team in the Nation has achieved this magnitude of success. The program has produced 169 All-Americans and seven National Bowlers of the Year. Better yet, 32 former and current Shockers bowlers represented our country on Team USA.

I want to extend my congratulations to Gordon Vadakin, the head coach of both the women's and men's team. Through his leadership, Coach Vadakin led Wichita State University to 32 intercollegiate bowling national championship tournaments since he began coaching in 1976.

Mark Lewis, Brian Adelgren, and Nathan Bohr also helped these teams reach elite status with their roles as assistant coaches.

Bowling, by far, is the school's most preeminent athletic program. Winning the national championship and collecting its 18th national title has brought national acclaim to Wichita State University. I know the fans of the university will revel in this accomplishment.

Mr. Speaker, once again, I congratulate the Wichita State University Shockers for their success and thank Representative TIAHRT for bringing this resolution forward.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume. I rise today in support of House Resolution 455, congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

□ 1230

Wichita State University began as Fairmount College, a private congressional school, in 1895. Wichita State University changed its name and officially entered the State system of higher education on July 1, 1964. And today WSU offers more than 60 undergraduate degree programs in more than 200 areas of study in six undergraduate colleges.

The university is an NCAA Division I institution, and fields teams in tennis, cross-country, basketball, track, golf, crew, bowling, men's baseball, and women's volleyball and softball. The name for WSU's athletic teams is the Shockers. The name reflects the University's heritage. Early students earned money by shocking, or harvesting, wheat in nearby fields. The WSU Shockers have excelled at many sports over the years, but bowling has recently become one of WSU's most successful athletic teams.

The sport of bowling originated in ancient Egypt. Bowling balls and pins were found in the tomb of an Egyptian king who died in 5200 B.C. The ancient Polynesians bowled on lanes that were 60 feet long, the same as today, and bowling was part of a religious ceremony in fourth-century Germany. British kings Edward II and Richard II banned bowling because they said people were wasting too much time playing the sport.

Bowling has been popular in America since Colonial days. The German settlers introduced ninepins, the game that evolved into today's modern tenpin sport. Today bowling is enjoyed by 95 million people in more than 90 countries worldwide.

As the most accomplished collegiate bowling program in the Nation, the Wichita State Shocker bowling teams have 18 national championship victories to their name. In the 2009 men's national championship, the Shockers and the Saginaw Valley State University squared off in a showdown between the two most successful programs in the history of collegiate bowling for the title. The Lady Shockers came through and won their second national championship in three seasons after a 2–0 sweep of Lindenwood in the championship match.

I'm honored to stand before the House today to congratulate and recognize the significant achievements of the players and the coaches whose hard work has led to the success of the Wichita State University Shockers men's and women's bowling teams as USBC Intercollegiate National Champions.

I ask my colleagues to support this resolution.

Mr. Speaker, I yield such time as he may consume to my good friend who's the author of this resolution, the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I want to first thank the gentlewoman from Hawaii for her help in this legislation and for the kind words to Wichita State and also to the gentleman from Pennsylvania, who also gave us a wonderful history about this sport and also Wichita State University and his kind words.

Mr. Speaker, I am pleased to offer House Resolution 455 honoring the 2009 National Champion Wichita State University Shocker men's and women's bowling teams. By its very nature, a national championship is special, but to have both men's and women's teams from the same school earn the same title in the same year is truly remarkable.

The Wichita State University men's team entered the elimination portion of the tournament seeded first, a ranking which they held all the way through the finals where they claimed the national championship. The Lady Shockers were ranked second entering the elimination tournament and overcame a difficult schedule on their way to becoming national champions. These championship teams carry on a winning tradition at Wichita State University. This is the ninth national title for each of them, the second consecutive national title for the men, and the third women's national title in 5 years.

Wichita State University has been blessed with an incredible coaching staff. Head coach Gordon Vadakin and assistant coach Mark Lewis are both members of the United States Bowling Congress Hall of Fame. Gordon Vadakin has been coaching at Wichita State University since 1976, leading the men's and women's teams to a combined 32 USBC Intercollegiate Bowling National Championship tournaments and winning a record 16 of them. The Wichita State University team has two additional outstanding assistant coaches in Brian Adelgren and Nathan Bohr.

I want to congratulate the men's team of Jake Peters, Nick Pahr, Brandon Hall, Josh McBride, Stephen Cowland, Adam Ferri, Kyle Bischoff, Will Barnes, Geoffrey Young, Kevin Tatrow; and Male Collegiate Bowler of the Year runners-up John Szczerbinski and Josh Blanchard; and to the women's team of Melissa Hurst, Maggie Zakrzewski, Suzana Signaigo, Jessica Baker, Samantha Hesley, Mariana Ayala, Daniela Alvarado, Rocio Restrepo, Samantha Linder, and Female Collegiate Bowler of the Year Sandra Gongora.

Once again, I am pleased today that the United States House of Representatives will congratulate and commend the Wichita State University men's and women's bowling teams for winning the 2009 Intercollegiate Bowling National Championship Tournament. Go Shox.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 455, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

FISCAL YEAR 2010 FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3607) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3607

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 ''Fiscal Year 2010 Federal Aviation Administration Extension Act''.

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2009'' and inserting ''December 31, 2009''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2009'' and inserting ''December 31, 2009''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking ''September 30, 2009'' and inserting ''December 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2009'' and inserting ''January 1, 2010'', and

(2) by inserting ''or the Fiscal Year 2010 Federal Aviation Administration Extension Act'' before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking ''October 1, 2009'' and inserting ''January 1, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (5);

(B) by striking the period at the end of paragraph (6) and inserting ''; and''; and

(C) by adding at the end the following:

''(7) $1,000,000,000 for the 3-month period beginning on October 1, 2009.''.

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2010, and shall remain available until expended.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking ''September 30, 2009,'' and inserting ''December 31, 2009,''.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking ''October 1, 2009.'' and inserting ''January 1, 2010.''.

(b) Section 41743(e)(2) of such title is amended by striking ''2009'' and inserting ''2010''.

(c) Section 44302(f)(1) of such title is amended—

(1) by striking ''September 30, 2009,'' and inserting ''December 31, 2009,''; and

(2) by striking ''December 31, 2009,'' and inserting ''March 31, 2010,''.

(d) Section 44303(b) of such title is amended by striking ''December 31, 2009,'' and inserting ''March 31, 2010,''.

(e) Section 47107(s)(3) of such title is amended by striking ''October 1, 2009.'' and inserting ''January 1, 2010.''.

(f) Section 47115(j) of such title is amended by inserting ''and for the portion of fiscal year 2010 ending before January 1, 2010,'' after ''2009,''.

(g) Section 47141(f) of such title is amended by striking ''September 30, 2009.'' and inserting ''December 31, 2009.''.

(h) Section 49108 of such title is amended by striking ''September 30, 2009,'' and inserting ''December 31, 2009,''.

(i) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by inserting '', or in the portion of fiscal year 2010 ending before January 1, 2010,'' after ''fiscal year 2009''.

(j) Section 186(d) of such Act (117 Stat. 2518) is amended by inserting ''and for the portion of fiscal year 2010 ending before January 1, 2010,'' after ''2009,''.

(k) Section 409(d) of such Act (49 U.S.C. 41731 note) is amended by striking ''September 30, 2009.'' and inserting ''September 30, 2010.''.

(l) The amendments made by this section shall take effect on October 1, 2009.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) $2,338,287,375 for the 3-month period beginning on October 1, 2009.''.

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $733,444,250 for the 3-month period beginning on October 1, 2009.''.

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (12);

(2) by striking the period at the end of paragraph (13) and inserting ''; and''; and

(3) by adding at the end the following:

''(14) $46,250,000 for the 3-month period beginning on October 1, 2009.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 3607.

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

There was no objection.

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

We passed a bill to extend the programs of FAA to make wide-sweeping changes and improvements and increase the investment in the next-generation aviation technology in the previous Congress. We passed it again this year. But, regrettably, the other body has not acted on that legislation. We therefore are required to come to the floor with a bill to extend and keep in place existing programs, and that's really unfortunate that we have to do it this way.

The gentleman from Illinois who is the Chair of the Aviation Subcommittee, the gentleman from Wisconsin, the ranking member, have put an enormous amount of time, dozens and dozens of hours of hearings and time spent deliberating with committee staff on the provisions of the bill. We've worked out a truly bipartisan piece of legislation that represents the biggest investment in aviation in the history of the program.

In 1958 when the Federal Aviation Administration was created and President Eisenhower signed into law the legislation moving it from the old Civil Aeronautics Authority to the Federal Aviation Administration, the investment was under a billion dollars in aviation. Earlier this year we brought to the floor a bill to invest over $50 billion in the next 4 years in the Nation's aviation programs, in the construction of runways and taxiways on the hard side of airports, to improve terminals, to extend and increase the passenger facility charge so that airport authorities will have means by which to serve air travelers more efficiently, more effectively, with greater comfort and expediency than they're doing now. And on the technology side to make long-range investments, sustainable investments, in the future of air traffic control in the domestic airspace.

Goodness, a billion people traveled by air worldwide last year; 750 million of those traveled in the U.S. airspace. We have a responsibility to improve the speed with which air traffic controllers and the accuracy with which they communicate with aircraft and move aircraft in this vast airspace of ours. In addition to which, the United States has responsibility of over 3 million square miles of the Atlantic airspace and 18 million square miles of the Pacific airspace, both of which are fast-growing international air travel markets.

The transatlantic airspace is a $35 billion market for us, and the Pacific airspace is a $25 billion to $28 billion, growing at 5 to 7 percent a year. But to make it effective and to support our carriers as well as carriers from other countries, we need to advance the oceanic guidance system for aircraft above 39,000 feet. We can't do that unless we provide the funding for the FAA to improve these technologies.

Until the other body moves on this legislation, we have to proceed with this short-term extension. I hope that our action will encourage the other body to move ahead.

Mr. Speaker, I yield the balance of my time to the gentleman from Illinois, the chairman of the subcommittee, Mr. COSTELLO, with authority to allocate time.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois will control the time.

There was no objection.

Mr. COSTELLO. I thank Chairman OBERSTAR for yielding the time, and I reserve the balance of my time.

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

In the 110th Congress, the House passed the FAA Reauthorization Act of 2007, which was H.R. 2881. That legislation reauthorized the FAA for 4 years. In May of this year, the House voted again to pass a comprehensive reauthorization bill, this time numbered H.R. 915, the FAA Reauthorization Act of 2009.

Unfortunately, the Senate has been unable to come to an agreement on its bill over the last 2 years. So for the past 2 years, Congress has passed extensions of the Federal Aviation Administration's funding and authority through the end of budget year 2009. The latest extension expires next week. So today we're considering another extension.

H.R. 3607 would extend the taxes, programs, and funding of the FAA through December of 2009. This bill extends FAA funding and contract authority for 3 months; provides $1 billion in Airport Improvement Program funding through December of 2009; extends the War Risk Insurance program; and extends the Small Community Air Service Development Program. H.R. 3607 would ensure that our National Aviation System continues to operate until a full FAA reauthorization can be enacted.

As I have indicated many times since the passage of the House FAA reauthorization bill back in 2007, we need to pass a long-term bill so that we can meet the growing demands placed on our Nation's aviation infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure need to be at the top of our list of priorities. While I have some concerns with the House-passed bill, I look forward to addressing these issues in conference to develop bipartisan solutions on some of the more controversial provisions.

□ 1245

I urge our colleagues in the other body to complete their work on a comprehensive FAA reauthorization package in a timely fashion. While I am disappointed that the FAA has gone so long without a comprehensive reauthorization, I support this extension as the best alternative to keep the FAA and the national air space system running safely until we can take up and pass a bipartisanship and bicameral bill.

I reserve the balance of my time.

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

Again, I want to thank Chairman OBERSTAR for yielding time to me. I rise in support of H.R. 3607, the Federal Aviation Administration Extension Act of 2009. I want to thank Chairman OBERSTAR, Ranking Member MICA, Mr. PETRI, and Chairman RANGEL and Ranking Member CAMP for bringing this legislation to the floor today. Chairman RANGEL of the Ways and Means Committee and Mr. CAMP were very cooperative in extending the taxes so we could do this extension today.

As Chairman OBERSTAR indicated, in a previous Congress and again in May of this year, the House passed the FAA Reauthorization Act of 2009, a long-term authorization of the FAA programs. We have been waiting on the other body for several months to bring a bill to the floor and pass it. In fact, it has been almost 2 years since Vision 100, the last FAA reauthorization bill, expired. Congress has been unable to pass a multiyear FAA bill; so then, instead of approving that bill, because of the other body, we have had to approve a series of short-term extensions. However, until H.R. 915 is signed into law, it is imperative that we not allow the FAA's critical programs to lapse.

The Aviation Trust Fund is currently operating under a short-term extension that expires on September 30, 2009. To that end, H.R. 3607 would extend not only the aviation taxes and expenditure authority, but also the Airport Improvement Program contract authority until December 31 of this year.

H.R. 3607 provides an additional $1 billion in AIP contract authority, resulting in a full year contract authority level of $4 billion for fiscal year 2009. These additional funds will allow airports to proceed with critical safety and capacity enhancement projects, particularly larger projects that require a full year's worth of AIP funds to move forward.

Mr. Speaker, aviation is too important to our Nation's economy, contributing $1.2 trillion in output and approximately 11.4 million jobs, to allow the taxes or the funding for critical aviation programs to expire. Congress must ensure that this extension passes today to reduce delays and congestion, improve safety and efficiency, stimulate the economy, and create jobs. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the ranking Republican on the full Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you for recognizing me, and I just want to take a minute to add my support for the reauthorization that is before us today. I want to associate myself with the comments of Chairman OBERSTAR, the full committee chairman. I am pleased as the ranking Republican on the committee to join him, and I also support Mr. COSTELLO in his statements for the reauthorization.

This delay in reauthorizing policy and projects and all of the Federal direction to the Federal Aviation Administration, this delay is unprecedented. Not only has the House acted appropriately, we passed in the last Congress and we passed again in this Congress authorization. The other body has yet to act on this important matter and left us in limbo. I am hoping that this is, in fact, the last extension. This is, in fact, the seventh extension. This is, in fact, I believe, the longest period we have gone in history without in place policy and law authorizing the Federal Aviation Administration.

One of the major issues is behind us, and that is the issue of the air traffic controllers' contract. That has been resolved. The administration has cut a deal with the union. I think it has got about a three-quarters of a billion dollar price tag, but that is off the table. It was an item that was contentious.

This legislation should be able to be conferenced with the other body in less than an hour. There are just one or two remaining items. I cannot believe that we are here again with a seventh request for extension. We have no choice but to request this extension now. Hopefully, Congress can reach a bipartisan and bicameral accord and pass a long-term FAA reauthorization. It is critical for the next generation. It is critical for having a policy in place that runs one of the key safety regulatory agencies in our government vital to the aviation industry and the economy of our Nation.

So I am pleased to join Mr. OBERSTAR, Mr. COSTELLO, our ranking member, Mr. PETRI, and I am hoping that we can move forward both with this reauthorization and then with a permanent bill.

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

Mr. COSTELLO. Mr. Speaker, I urge our colleagues to vote in favor of this extension. I join Mr. MICA and Mr. OBERSTAR and others in hoping that the other body will move very quickly on the reauthorization so we can get a bill on the President's desk. I urge my colleagues to support this extension.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3607.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENDING CONDOLENCES TO VICTIMS OF GEORGIA FLOODS

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 765) expressing condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009, and expressing gratitude to all of the emergency personnel who continue to work with

unyielding determination to meet the needs of Georgia's residents.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 765

Whereas the State of Georgia has been hit by days of unusually strong storms that have resulted in downpours and flooding, beginning on September 18, 2009;

Whereas numerous Georgia rivers and creeks, including the Chattooga and Chattahoochee Rivers and Chickamauga Creek, swollen by days of rain, have overtopped their banks, creating a dangerous and deadly situation for nearby residents;

Whereas the storms and floods have taken human lives;

Whereas the floodwater has destroyed homes, flooded roadways, including major highways, compromised drinking water, severely damaged plumbing systems, and caused significant damage to homes and businesses;

Whereas on September 21, 2009, Georgia Governor Sonny Perdue declared a state of emergency in 17 counties, including Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Crawford, DeKalb, Douglas, Forsyth, Fulton, Gwinnett, Newton, Paulding, Rockdale, Stephens, and Walker Counties;

Whereas the National Weather Service estimated that between 15 and 22 inches of rain have fallen in the metropolitan Atlanta counties of Gwinnett, Douglas, and Paulding between September 18 and 21, 2009;

Whereas the rains have broken a 130-year-old record at Hartsfield-Jackson International Airport;

Whereas hundreds of Georgians have been evacuated from their homes and over 300 people are seeking refuge in shelters;

Whereas the Governor estimates that over 1,000 residences are seriously flooded;

Whereas the weather has closed schools in several counties;

Whereas as many as tens of thousands of people have been without power in metropolitan Atlanta;

Whereas search and rescue operations are continuing in several counties where the water continues to rise;

Whereas the Georgia Emergency Management Agency has coordinated with local emergency personnel and has worked tirelessly to protect human lives and rescue those threatened by the floods;

Whereas the Georgia Emergency Management Agency continues to facilitate requests for assistance from citizens and first responders all across the State of Georgia;

Whereas the Georgia Emergency Management Agency and other first responders have acted valiantly in life safety response operations, including delivering sandbags and rescuing people trapped in their cars and homes from the floodwater;

Whereas the Federal Emergency Management Agency has activated its national and regional response coordination centers and is working closely with the State of Georgia to monitor the response efforts and identify and respond to any immediate emergency needs for the citizens and communities of the State that are impacted by these devastating floods; and

Whereas volunteers are giving their time to help ensure that evacuees are sheltered, clothed, fed, and comforted through this traumatic event: Now, therefore, be it

Resolved, That the House of Representatives—

(1) offers its deepest sympathy and condolences to the families of those who lost their lives in the flooding in the State of Georgia;

(2) expresses its condolences to the families who lost their homes and other property in the floods;

(3) expresses gratitude and appreciation to the people of the State of Georgia and the surrounding States, who continue to work to protect people from the still rising floodwaters;

(4) expresses its support as the Federal Emergency Management Agency continues its efforts to respond to any needs of the citizens and communities affected by the flooding; and

(5) honors the emergency responders, within and beyond metropolitan Atlanta and the State of Georgia, for their bravery and sacrifice during this tragedy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 765.

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

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of H. Res. 765.

We have come to this floor many times over the past 2½ years with resolutions to express our condolences for victims of the ravages of nature, to the first responders, to the families of the victims, and we are here again in the wake of unprecedented flooding in Georgia following on an extraordinary period of drought in that State.

This tragic disaster, the complete toll for which has yet to be calculated, is a reminder that amidst all of our concern for homeland security, as my good friend, former chairman of the Committee on Transportation and Infrastructure, DON YOUNG said many times, we face that tragedy every year with disasters in the form of nature's ravages upon our countryside, and we are here and we meet again today to thank the men and women who serve the Nation, serve the State of Georgia and the people of that State as police officers, firefighters, emergency managers, emergency medical personnel, who every day place themselves in danger to save the lives of their fellow citizens. Not only in Georgia but all over this country, we all see it, each of us in our districts.

When tragedy comes calling, whether an emergency medical problem facing a neighbor or large-scale natural disaster, the Nation's emergency responders, our charitable organizations, are the first ones on the scene to provide their professional help and their comfort and their support. They are well-trained, highly skilled people on the front lines within this country responding to the needs of people and also responding to mitigate the damage and the ravage of natural disasters.

This is also National Preparedness Month, and while the devastation in Georgia and surrounding States is tragic, this is an opportunity for us to think in a broader context of all of the types of disasters, whether fire on the west coast in California or flood on the east coast, are constantly a threat to our fellow citizens.

Mr. Speaker, at this point I yield to the gentleman from Georgia (Mr. LEWIS) such time as he may consume.

Mr. LEWIS of Georgia. Mr. Speaker, I rise to thank Chairman OBERSTAR and members of the Transportation and Infrastructure Committee for moving with all deliberate speed to bring this resolution to the floor today.

As many of you know, for the past week it has been raining all over the State of Georgia. In some parts of the State, the rain has been devastating. I offer this resolution with my colleagues from the State of Georgia to express my sincerest sympathies to the families of those who have lost their loved ones in the floods. This is a terrible tragedy for the people of the State of Georgia. Some families have lost their homes; they have lost everything.

I am deeply concerned about the damage this flooding has caused to homes and businesses, to roads and bridges. Some schools in the State remain closed, and at least one school has been destroyed. The Governor is estimating that the damage will rise into the hundreds of millions of dollars, and that is based on what can be seen. Many areas are still underwater, and we hear that the rain is not yet over.

I appeal to the citizens of Georgia to be careful as you move around. It is impossible to know how deep the waters are or how fast they are moving.

Finally, I want to thank all of the emergency personnel for all of their hard work in protecting people from the dangers of the floodwaters.

I know that my colleagues join me in my commitment to working with the State, city and county officials, as well as FEMA and the Federal Government, to ensure that the State of Georgia has everything it needs to protect human life and to help our citizens rebuild and recover from these unbelievable waters, this unbelievable flood.

Mr. Speaker, I urge all Members of this body to support this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

This resolution would express the condolences of this Congress to the families of those tragically lost during the storms and floods that hit Georgia earlier this week. As our distinguished chairman explained earlier, it would also serve to recognize and remind the American people of the work of the emergency responders, the first responders during this disaster and, frankly, during all disasters.

Earlier this week, those storms hit part of the Southeast, soaking the region for days. In many cases it is still

going on and causing significant flooding. Those rains caused severe flooding, destroying bridges and forcing hundreds and hundreds of people to be evacuated. Unfortunately, those same floodwaters caused a number of tragic deaths, including the death of a 2-year-old boy.

We Floridians, unfortunately, know all too well what kind of devastation a storm like this can cause.

□ 1300

We also have been able to see firsthand the first responders and other emergency personnel and the Red Cross, how they continuously work tirelessly, as they are doing right now as we speak, to respond in the aftermath to those who are hurting and suffering still.

So I do think that it is very fitting to remember those lives that have been lost, tragically lost, and to once again express our deep profound gratitude to those involved in the response and the recovery effort.

I also want to thank the distinguished chairman of the committee, Mr. OBERSTAR, for bringing this up so quickly. I support passage of the resolution and urge my colleagues to do the same.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia (Mr. DEAL).

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

Yesterday, I visited the sections in my congressional district that were affected by the floods that were brought on by the torrential rains that our State has experienced. I was accompanied on that visit by county commissioners and other State and local officials.

Having seen the devastation that has been brought on by these rising waters, I am pleased to join with my other colleagues from Georgia in urging President Obama to declare portions of Georgia, including three counties in my congressional district, to be Federal disaster areas. I was deeply moved by the flood damage that was caused in the counties of Catoosa, Forsyth and Walker that are in my district. Chickamauga Creek was nearing its crest, and there are a number of homes and businesses that are now covered or partially covered by deep, muddy water.

Unfortunately, many of those who are affected by this are not covered by the standard insurance policies, and therefore they are going to be left without any help other than the help already being provided by churches and civic organizations and other parts of our community as they respond to the needs of their fellow citizens. Therefore, I urge the President to begin the process immediately of providing Federal assistance.

Citizens of Georgia have always been willing to respond when disaster strikes, and many of our citizens have gone to other parts of the country when hurricanes had hit. I know that as this water subsides there will be organized volunteers who will come to the aid of the citizens in our State.

I am also hopeful that people of faith will continue to join me in praying for those who are hurting for the loss of their loved ones and the loss of their home and their other possessions. We should pray for those who are willing to volunteer during this time of tragedy, sometimes at great risk.

I applaud the work of the local and State emergency responders who have been on duty, both before and after this storm. Public safety agencies have once again risen to the occasion, and I want to extend my thanks to each of them, because many of them have been on duty around the clock. We have so many professionals who work tirelessly to make certain that our communities are safe and that people are rescued when they are in peril, and such is the case in our State today.

Mr. Speaker, I therefore wholeheartedly support this resolution and urge its adoption.

Mr. OBERSTAR. Mr. Speaker, although our Speaker is in line to address us, she has graciously agreed to yield to the gentleman from Georgia.

I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you so much, Chairman OBERSTAR, and thank you for your graciousness, Madam Speaker, and your offer of help and condolences that you have extended to each member of our Georgia delegation and to all the people of Georgia. We thank you for your concern, and yours, Mr. Chairman.

I certainly rise with a heavy heart. This is an extraordinarily challenging time for the people of my State of Georgia and certainly for people in my congressional district, for, Mr. Speaker, of the nine persons that have lost their lives so far, six of them have come from my district, and, as a matter of fact, six have come from one county, and that is Douglas County. So our hearts and our prayers go out for all of these families.

Rest assured that this Congress has their thoughts and their needs deep in our bosom at this time of great sacrifice and of great hurt and pain. It is important for the people of Georgia to know that we in Congress are moving swiftly in concert with our President to make sure that this gets the signature of a statement of national emergency and a declaration of emergency, because until that happens, we will not be able to get the funds that are needed.

That is what is of utmost importance now. There are people without homes. There are people without homes without any flood insurance, which means that that would be on their backs to pay for, which many do not have. The estimate of damage is over $300 million as we speak and continues to grow. So we need to move with all swiftness, with all quick dispatch, to get this Federal aid down and to make sure that the people, particularly in those areas that were hit throughout Metro Atlanta, but also in the areas of Cobb County in my district.

We have been in touch with our county commissions in those areas, with Tom Wortham in Douglas County and the mayor of Douglasville, Mayor Mickey Thompson, who are working feverishly to make sure that they are responding to the needs of our citizens.

So, Mr. Speaker, Mr. Chairman, all the Members of the Congress, we certainly appreciate the condolences, and we appreciate the care and the sincerity that this Congress is expressing to the people of Georgia, and we assure the people of Georgia that we will get the help down to them quickly.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Mr. OBERSTAR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI), our distinguished Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding and for giving us this opportunity to come to the floor to express on the floor of the House our condolences to the people of Georgia in this very, very sad time.

Thank you, Mr. Chairman, and Members of the Georgia delegation, for calling attention to the serious flooding in Georgia and other parts of the American southeast and again with this resolution to offer our condolences on behalf of all Members of the Congress.

Of course, we offer our condolences to those who lost their lives. We are sad for those who have lost their homes and their livelihoods. Those lost, as Mr. DAVID SCOTT referenced, include nine people dead, dozens stranded and more than 30,000 without electricity. Those lost included a teenage boy trying to rescue another in danger; a mother of two young children; and a very young child, 2 years old, swept away from his father's arms. When that word came over the TV, my colleagues, all of America wept. It is just so sad. Our hearts ache for those who have lost so much.

But in the emerging sun, what do we see? We see neighbors coming to the aid of neighbors and the tireless work of our first responders.

Members of Congress are being briefed on the ongoing events by our members of the Georgia delegation. Thank you, Mr. LEWIS, for being the author of this resolution. We are all trying to reach out to see what we can do to help individually in conversation and as a Congress.

I know that President Obama will act upon the request that he has just received. He has received the request from Governor Perdue. Now he has received the formal documentation from FEMA, and I am certain that it will be addressed immediately.

The thoughts and prayers of this entire Congress and the people we represent, the American people, are with

the people of Georgia today and in these days ahead as we work with them to ensure that they have all that they need. I hope it is some level of comfort to them that their representatives on both sides of the aisle from Georgia have made us fully aware of the direct impact that the rains have had on Georgia. We stand ready to help with whatever we can do officially, but always with what we can do in our prayers.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia (Mr. JOHNSON), whose district also covers a great portion of the area ravaged by the floods.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

Mr. Speaker, my constituents are suffering greatly this week. In just 72 hours, the Atlanta metropolitan area has received 15 to 22 inches of relentless rain, causing widespread flooding, numerous deaths and hundreds of millions of dollars of property damage.

I rise today, Mr. Speaker, to express my deepest concern for the victims of this terrible flood, to join Governor Perdue in urging the President to declare an emergency for the State of Georgia, and to urge passage of the resolution before us.

Sponsored by my colleague, Congressman JOHN LEWIS of Atlanta, this resolution will offer our sympathy to flood victims and our gratitude to those heroes who have worked tirelessly to protect people from the floodwaters.

I know that Speaker PELOSI is doing everything that she can to assist the people of Georgia, and for that I thank her. As a matter of fact, as early as yesterday morning she was on the phone with each of us to express her concerns and to also pledge any assistance that she could give. So we appreciate that.

Governor Perdue and President Obama have been on the phone coordinating efforts to deal with this national disaster. I applaud the Governor for the State's competent and effective response, and I join him in urging our President to make available Federal funds to supplement Georgia's efforts to mitigate the effects of the flood.

Mr. Speaker, my constituents and all the residents of flooded areas in the American South have shown tremendous courage in the face of washed-out roads, destroyed homes and treacherous conditions. Let us pass this resolution as a small token of our empathy and support.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I have no further speakers and yield back my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and agree to the resolution, H. Res. 765.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1315

PROVIDING FOR CONSIDERATION OF H.R. 324, SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 760 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 760

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 324) to establish the Santa Cruz Valley national Heritage Area, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 760.

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

There was no objection.

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

House Resolution 760 provides for the consideration of House Resolution 324, the Santa Cruz Valley National Heritage Area Act. The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill, except for clause 9 and clause 10 of rule XXI. Mr. Speaker, the rule also provides for the adoption of an amendment printed in the Rules Committee report to clarify that the bill does not in any way modify, alter or amend any border enforcement authority. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the bill before us today, H.R. 324, designates the Santa Cruz Valley region of southern Arizona as a National Heritage Area. The Santa Cruz Valley is one of America's longest inhabited regions, with traces of human occupation extending back more than 12,000 years. The region was at the center of centuries of Native American cultural history. It also served as a corridor of Spanish exploration, colonization, missionary activity, as well as a frontier of Mexican and early American mining, ranching and agriculture.

The heritage area includes two national parks, two national historic trails, four State parks, six county parks, four major lakes, two designated scenic highways, and hundreds of miles of back-country trails and urban bikeways. It also includes 32 museums, 28 districts, 102 individual buildings listed on the National Register of Historic Places, as well as dozens of prehistoric and historic archaeological sites. A July 2005 study by the Center for Desert Archaeology, on which the bill is based, examined the many resources in the region. The National Park Service reviewed the study and found that the area meets the 10 criteria for proposed heritage areas.

Designating the Santa Cruz Valley as a heritage area allows the Park Service to support the State and local conservation efforts through Federal recognition, seed money and technical assistance. This simply means that local groups will have the resources they need to educate the public about the historic, cultural and natural value of the area.

I would like to commend my good friends, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Arizona (Ms. GIFFORDS), for bringing this legislation to the floor today so that we can ensure that America's history and natural wonderment is protected for future generations.

I reserve the balance of my time.

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

I rise today to urge my colleagues to vote against the rule for the bill H.R. 324, the Santa Cruz Valley National Heritage Area Act, a bill that has already failed when it was offered under suspension earlier this month.

It disappoints me to have to come here and urge opposition to this rule for a bill offered by my colleague Congressman GRIJALVA. However, there are many reasons to oppose this bill coming to the floor. The bill failed by a vote of 249–145 just 2 weeks ago. It is a

waste of our constituents' time to bring this bill forward again under a rule and take up legislative time to debate something that has already been voted down, especially since the bill did not go through the committee.

I also learned yesterday in the Rules Committee that this bill was a part of S. 22, the Omnibus Public Land Management Act of 2009, but it was taken out by the Senate, which is not a good omen for the bill when it goes to the Senate.

When I was in North Carolina over the August recess, my constituents expressed many concerns with Congress in what's going on in Washington. The Democrats in charge are not allowing us to accomplish the work that our constituents elected us to do. Instead, this Congress is borrowing and spending money that we do not have at a rate our country has never seen. While our constituents at home are tightening their belts and struggling to find ways to put food on their kitchen tables, Congress is blindly writing checks for unnecessary measures that do nothing but increase the size of the Federal Government and put our country in debt to foreign nations.

This bill authorizes another $15 million in taxpayer dollars to seize 3,325 square miles of land for control by the Federal Government, some of which is private property. The designation in this bill could lead to restrictive Federal zoning and land use planning that usurps private property rights and blocks necessary energy development. National Heritage Areas are comprised of both public and private lands and are administered by a central managing entity, which includes the Federal Government and Federal funds. The managing entity has the power to regulate zoning and place other restrictions across local government jurisdictions. This means Federal management plans can restrict our residential and commercial property owners to make use of their private property without any notice or warning.

The National Park Service currently has billions of dollars in maintenance backlogs. Earlier this year, Congress passed S. 22, the Omnibus Public Land Management Act of 2009. It created 10 new National Heritage Areas at a cost of $103.5 million. The Santa Cruz Valley National Heritage Area Act locks up even more land, infringes on more private property rights, and spends more taxpayer dollars to add yet another heritage area to a system already overburdened.

Furthermore, the proposed 3,325-square-mile heritage area in Arizona is located in the most heavily trafficked drug and human trafficking area along the U.S. border. The U.S. Border Patrol already experiences major difficulties and obstacles patrolling Federal lands. Designating this heritage area along the border would add even more complications to their ability to prevent illegal drug trafficking and crossings. Creating more obstacles for the U.S. Border Patrol is detrimental to our ability to get illegal immigration and drug trafficking under control and represents irresponsible governing.

Mr. Speaker, the U.S. national debt stands at $11.8 trillion and counting. The nonpartisan Congressional Budget Office has predicted that huge deficits under the Obama administration's annual budget would force our Nation to borrow nearly $9.3 trillion over the next decade. This year's deficit alone is expected to soar past $1.8 trillion. We borrow 50 cents for every dollar we spend. The time to rein in Federal spending is long overdue. Voting down this rule will take one small step in harnessing the Federal Government's spending as well as the Federal Government's increasing control of private land. This Pelosi-controlled Congress seems intent on putting the government in control of every aspect of our lives—education, health care and private property.

Again, Mr. Speaker, I urge a ''no'' vote on the rule and on the bill.

Having no further speakers, I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I would like to say in response and in my close that this bill, in fact, does not regulate zoning, as the gentlelady indicated. It does not have any effect on private property rights. In fact, I'm told that the entire State of Tennessee is part of a heritage area, and we would not think of the entire State of Tennessee as being affected with private property rights effects.

I would submit to you that we would know, just from that designation alone, that it is similar to this one that we are passing today, that the citizens of Tennessee are not affected in their private property rights with that heritage area designation. This bill is subject to appropriation, a $15 million maximum over 15 years, that would have to be voted on by the Appropriations Committee, then subject to appropriation in both the House and the Senate, subject to signature by the President.

Mr. Speaker, National Heritage Area designations have no regulatory consequences whatsoever. This bill specifically says that nothing in it diminishes the authority of the State to regulate fishing, hunting and the management of fish and wildlife. It includes extensive protections for private property owners and prohibits the use of Federal funds received under the act for land acquisition. It would in no way have any impact on border protection and any other law enforcement effort. Additionally, the language was self-executed in the rule which specifically states that nothing in the bill modifies, alters or amends any other border enforcement authority.

The gentlelady indicated that the bill failed. The bill failed under a two-thirds requirement. In fact, it got well over 240 votes to 140 votes in the negative. The bill got 100 votes more than a majority. I think this bill has tremendous support on this floor. In fact, it has tremendous support in the State of Arizona. It's a good measure, and I believe it will pass overwhelmingly when it comes back under a rule in this House.

Mr. Speaker, I would ask that we support this bill. As I said earlier, this bill is not only important to our Nation's history, it is also important that America's most treasured resources are protected for future generations. It deserves the strong support of my colleagues on both sides of the aisle.

Mr. Speaker, I urge a ''yes'' vote on the rule and on the previous question.

I yield back the balance of my time, and I move the previous question on the resolution

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Resolution 760 will be followed by 5-minute votes on suspending the rules with regard to House Resolution 765, H.R. 2215, if ordered, and H.R. 3614.

The vote was taken by electronic device, and there were—yeas 244, nays 177, not voting 11, as follows:

[Roll No. 723]

YEAS—244

Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum

McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—177

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

NOT VOTING—11

Abercrombie
Barrett (SC)
Capuano
Delahunt
Doyle
Fattah
Forbes
Perlmutter
Radanovich
Slaughter
Smith (NJ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1354

Ms. FALLIN, Messrs. ROE of Tennessee, HALL of Texas, and POE of Texas changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 723, had I been present, I would have voted "yea."

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 723, I was unavoidably detained and missed the vote on House Resolution 760. Had I been present, I would have voted "yea."

EXTENDING CONDOLENCES TO VICTIMS OF GEORGIA FLOODS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 765, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and agree to the resolution, H. Res. 765.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 724]

YEAS—421

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

Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Abercrombie
Barrett (SC)
Capuano
Delahunt
Doyle
Forbes
McMahon
Murphy (CT)
Pingree (ME)
Radanovich
Smith (NJ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McMAHON. Mr. Speaker, on rollcall No. 724, had I been present, I would have voted "yea."

JOHN J. SHIVNEN POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 2215.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2215.

The question was taken.

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

RECORDED VOTE

Mr. CONNOLLY of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 9, as follows:

[Roll No. 725]

AYES—423

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

NOT VOTING—9

Abercrombie
Barrett (SC)
Cantor
Capuano
Delahunt
Doyle
Forbes
Radanovich
Smith (NJ)

□ 1410

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SMALL BUSINESS ADMINISTRATION EXTENSION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3614, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3614.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 2, not voting 13, as follows:

[Roll No. 726]

YEAS—417

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper

Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—13

Abercrombie
Barrett (SC)
Becerra
Capuano
Chandler
Delahunt
Doyle
Forbes
Poe (TX)
Radanovich
Ros-Lehtinen
Shadegg
Smith (NJ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1416

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHANDLER. Mr. Speaker, on rollcall 726, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. ABERCROMBIE. Mr. Speaker, I regret that I missed rollcall vote nos. 720–726. Had I been present, I would have voted "aye" on all rollcall votes.

SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

Mr. GRIJALVA. Mr. Speaker, pursuant to House Resolution 760, I call up the bill (H.R. 324) to establish the Santa Cruz Valley National Heritage Area, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to House Resolution 760, the amendment printed in House Report 111–263 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 324

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Santa Cruz Valley National Heritage Area Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.
Sec. 4. Designation of Santa Cruz Valley National Heritage Area.
Sec. 5. Management plan.
Sec. 6. Evaluation; report.
Sec. 7. Local coordinating entity.
Sec. 8. Relationship to other Federal agencies.
Sec. 9. Private property and regulatory protections.
Sec. 10. Authorization of appropriations.
Sec. 11. Use of Federal funds from other sources.
Sec. 12. Sunset for grants and other assistance.

SEC. 2. PURPOSES.

The purposes of this Act include—

(1) to establish the Santa Cruz Valley National Heritage Area in the State of Arizona;

(2) to implement the recommendations of the "Alternative Concepts for Commemorating Spanish Colonization" study completed by the National Park Service in 1991, and the "Feasibility Study for the Santa Cruz Valley National Heritage Area" prepared by the Center for Desert Archaeology in July 2005;

(3) to provide a management framework to foster a close working relationship with all levels of government, the private sector, and the local communities in the region and to conserve the region's heritage while continuing to pursue compatible economic opportunities;

(4) to assist communities, organizations, and citizens in the State of Arizona in identifying, preserving, interpreting, and developing the historical, cultural, scenic, and natural resources of the region for the educational and inspirational benefit of current and future generations; and

(5) to provide appropriate linkages between units of the National Park System and communities, governments, and organizations within the National Heritage Area.

SEC. 3. DEFINITIONS.

In this Act:

(1) NATIONAL HERITAGE AREA.—The term "National Heritage Area" means the Santa Cruz Valley National Heritage Area established in this Act.

(2) LOCAL COORDINATING ENTITY.—The term "local coordinating entity" means the Santa Cruz Valley Heritage Alliance, Inc., which is hereby designated by Congress—

(A) to develop, in partnership with others, the management plan for the National Heritage Area; and

(B) to act as a catalyst for the implementation of projects and programs among diverse partners in the National Heritage Area.

(3) MANAGEMENT PLAN.—The term "management plan" means the plan prepared by the local coordinating entity for the National Heritage Area that specifies actions, policies, strategies, performance goals, and recommendations to meet the goals of the National Heritage Area, in accordance with this Act.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 4. DESIGNATION OF SANTA CRUZ VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Santa Cruz Valley National Heritage Area.

(b) BOUNDARIES.—

(1) IN GENERAL.—The National Heritage Area shall consist of portions of the counties of Santa Cruz and Pima.

(2) MAP.—The boundaries of the National Heritage Area shall be as generally depicted on the map titled "Santa Cruz Valley National Heritage Area", and numbered T09/80,000, and dated November 13, 2007. The map shall be on file and available to the public in the appropriate offices of the National Park Service and the local coordinating entity.

SEC. 5. MANAGEMENT PLAN.

(a) REQUIREMENTS.—The management plan for the National Heritage Area shall—

(1) describe comprehensive policies, goals, strategies, and recommendations for telling the story of the heritage of the area covered

by the National Heritage Area and encouraging long-term resource protection, enhancement, interpretation, funding, management, and development of the National Heritage Area;

(2) include a description of actions and commitments that Federal, State, Tribal, and local governments, private organizations, and citizens will take to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(3) specify existing and potential sources of funding or economic development strategies to protect, enhance, interpret, fund, manage, and develop the National Heritage Area;

(4) include an inventory of the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area related to the national importance and themes of the National Heritage Area that should be protected, enhanced, interpreted, managed, funded, and developed;

(5) recommend policies and strategies for resource management, including the development of intergovernmental and interagency agreements to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(6) describe a program for implementation for the management plan, including—

(A) performance goals;

(B) plans for resource protection, enhancement, interpretation, funding, management, and development; and

(C) specific commitments for implementation that have been made by the local coordinating entity or any Federal, State, Tribal, or local government agency, organization, business, or individual;

(7) include an analysis of, and recommendations for, means by which Federal, State, Tribal, and local programs may best be coordinated (including the role of the National Park Service and other Federal agencies associated with the National Heritage Area) to further the purposes of this Act; and

(8) include a business plan that—

(A) describes the role, operation, financing, and functions of the local coordinating entity and of each of the major activities contained in the management plan; and

(B) provides adequate assurances that the local coordinating entity has the partnerships and financial and other resources necessary to implement the management plan for the National Heritage Area.

(b) DEADLINE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to develop the management plan after designation as a National Heritage Area, the local coordinating entity shall submit the management plan to the Secretary for approval.

(2) TERMINATION OF FUNDING.—If the management plan is not submitted to the Secretary in accordance with paragraph (1), the local coordinating entity shall not qualify for any additional financial assistance under this Act until such time as the management plan is submitted to and approved by the Secretary.

(c) APPROVAL OF MANAGEMENT PLAN.—

(1) REVIEW.—Not later than 180 days after receiving the plan, the Secretary shall review and approve or disapprove the management plan for a National Heritage Area on the basis of the criteria established under paragraph (3).

(2) CONSULTATION.—The Secretary shall consult with the Governor of each State in which the National Heritage Area is located before approving a management plan for the National Heritage Area.

(3) CRITERIA FOR APPROVAL.—In determining whether to approve a management plan for a National Heritage Area, the Secretary shall consider whether—

(A) the local coordinating entity represents the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners;

(B) the local coordinating entity—

(i) has afforded adequate opportunity for public and Federal, State, Tribal, and local governmental involvement (including through workshops and hearings) in the preparation of the management plan; and

(ii) provides for at least semiannual public meetings to ensure adequate implementation of the management plan;

(C) the resource protection, enhancement, interpretation, funding, management, and development strategies described in the management plan, if implemented, would adequately protect, enhance, interpret, fund, manage, and develop the natural, historic, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(D) the management plan would not adversely affect any activities authorized on Federal land under public land laws or land use plans;

(E) the local coordinating entity has demonstrated the financial capability, in partnership with others, to carry out the plan;

(F) the Secretary has received adequate assurances from the appropriate State, Tribal, and local officials whose support is needed to ensure the effective implementation of the State, Tribal, and local elements of the management plan; and

(G) the management plan demonstrates partnerships among the local coordinating entity, Federal, State, Tribal, and local governments, regional planning organizations, nonprofit organizations, or private sector parties for implementation of the management plan.

(4) DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves the management plan, the Secretary—

(i) shall advise the local coordinating entity in writing of the reasons for the disapproval; and

(ii) may make recommendations to the local coordinating entity for revisions to the management plan.

(B) DEADLINE.—Not later than 180 days after receiving a revised management plan, the Secretary shall approve or disapprove the revised management plan.

(5) AMENDMENTS.—

(A) IN GENERAL.—An amendment to the management plan that substantially alters the purposes of the National Heritage Area shall be reviewed by the Secretary and approved or disapproved in the same manner as the original management plan.

(B) IMPLEMENTATION.—The local coordinating entity shall not use Federal funds authorized by this Act to implement an amendment to the management plan until the Secretary approves the amendment.

(6) AUTHORITIES.—The Secretary may—

(A) provide technical assistance under the authority of this Act for the development and implementation of the management plan; and

(B) enter into cooperative agreements with interested parties to carry out this Act.

SEC. 6. EVALUATION; REPORT.

(a) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the National Heritage Area under this Act, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) EVALUATION.—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the authorizing legislation for the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the Federal, State, Tribal, and local, and private investments in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) REPORT.—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit a report to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The report shall include recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 7. LOCAL COORDINATING ENTITY.

(a) DUTIES.—To further the purposes of the National Heritage Area, the Santa Cruz Valley Heritage Alliance, Inc., as the local coordinating entity, shall—

(1) prepare a management plan for the National Heritage Area, and submit the management plan to the Secretary, in accordance with this Act;

(2) submit an annual report to the Secretary for each fiscal year for which the local coordinating entity receives Federal funds under this Act, specifying—

(A) the specific performance goals and accomplishments of the local coordinating entity;

(B) the expenses and income of the local coordinating entity;

(C) the amounts and sources of matching funds;

(D) the amounts leveraged with Federal funds and sources of the leveraging; and

(E) grants made to any other entities during the fiscal year;

(3) make available for audit for each fiscal year for which the local coordinating entity receives Federal funds under this Act, all information pertaining to the expenditure of the funds and any matching funds; and

(4) encourage economic viability and sustainability that is consistent with the purposes of the National Heritage Area.

(b) AUTHORITIES.—For the purposes of preparing and implementing the approved management plan for the National Heritage Area, the local coordinating entity may use Federal funds made available under this Act to—

(1) make grants to political jurisdictions, nonprofit organizations, and other parties within the National Heritage Area;

(2) enter into cooperative agreements with or provide technical assistance to political jurisdictions, nonprofit organizations, Federal agencies, and other interested parties;

(3) hire and compensate staff, including individuals with expertise in—

(A) natural, historical, cultural, educational, scenic, and recreational resource conservation;

(B) economic and community development; and

(C) heritage planning;

(4) obtain funds or services from any source, including other Federal programs;

(5) contract for goods or services; and

(6) support activities of partners and any other activities that further the purposes of the National Heritage Area and are consistent with the approved management plan.

(c) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—The local coordinating entity may not use Federal funds authorized under this Act to acquire any interest in real property.

SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on a National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(1) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of a National Heritage Area;

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency; or

(4) modifies, alters, or amends any border enforcement authority.

SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner to permit public access (including access by Federal, State, Tribal, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, Tribal, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency, or conveys any land use or other regulatory authority to any local coordinating entity, including but not necessarily limited to development and management of energy, water, or water-related infrastructure;

(4) authorizes or implies the reservation or appropriation of water or water rights;

(5) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the National Heritage Area; or

(6) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to carry out this Act not more than $1,000,000 for any fiscal year. Funds so appropriated shall remain available until expended.

(b) LIMITATION ON TOTAL AMOUNTS APPROPRIATED.—Not more than $15,000,000 may be appropriated to carry out this Act.

(c) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be not more than 50 percent; the non-Federal contribution may be in the form of in-kind contributions of goods or services fairly valued.

SEC. 11. USE OF FEDERAL FUNDS FROM OTHER SOURCES.

Nothing in this Act shall preclude the local coordinating entity from using Federal funds available under other laws for the purposes for which those funds were authorized.

SEC. 12. SUNSET FOR GRANTS AND OTHER ASSISTANCE.

The authority of the Secretary to provide financial assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

The SPEAKER pro tempore. The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 324.

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

There was no objection.

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

I rise today in strong support of H.R. 324, legislation I was proud to introduce earlier this year along with my friend and colleague Representative GIFFORDS.

My own history began in the Santa Cruz Valley at the Canoa Ranch where my father worked. My earliest memories are of life in an extraordinary, scenic valley; and they comprise a very important part of who I am today.

H.R. 324 designates the Santa Cruz Valley region of Arizona as a national heritage area. This would allow the National Park Service to support existing and future State and local conservation efforts through Federal recognition, seed money, and technical assistance.

The Santa Cruz Valley is one of America's longest inhabited regions, with traces of human occupation extending back 12,000 years. The region was not only the center of centuries of Native American culture and history but also served as a corridor of Spanish exploration, colonization, and missionary activity; and a frontier of Mexican and early American mining, ranching, and agriculture. Today the valley is a leading center of desert ecology, climate research, astronomy, optics, and archeology.

The historic Spanish missions, presidio fortresses, and ranches are found throughout the valley. Streets lined with Sonoran-style adobe houses recall the period when the region was part of Mexico. Ghost towns, old mines, territorial-style ranch houses, remnants of the mining and cattle industries date to the 1850s when this area became part of the United States.

The valley sweeps across the Santa Cruz and eastern Pima County, encompassing cactus-covered slopes, open grasslands, rugged canyons, forested mountain ranges rising to more than 9,000 feet, and lush oases created by rare desert streams. That varied landscape provides many different habitats that are home to a diversity of plant and animal life, including tropical species, unique desert species, and mountaintop survivors from the Ice Age.

The heritage area designated by H.R. 324 includes two national parks, four State parks, six large county parks, four major lakes, two designated scenic highways, and several hundred miles of backcountry trails and urban bikeways.

The Juan Bautista de Anza National Historic Trail, designated by Congress in 1990, runs along the Santa Cruz River for the length of the heritage area. The Butterfield Overland Dispatch Trail also crosses the valley. Also included are 32 museums, as well as 28 districts and 102 individual buildings listed on the National Register of Historic Places, and dozens of prehistoric and historic archeological sites.

A July 2005 study by the Center for Desert Archaeology, on which the bill is based, examined the many resources of the region and found that the area meets the 10 criteria set forth by the National Park Service for proposed heritage areas.

H.R. 324 designates the area; sets out the duties of the management organization and the requirements for a management plan; requires the Secretary of the Interior to approve or disapprove of the plan within 180 days; provides criteria for judging that plan; allows the Secretary to provide technical assistance and grants; and authorizes $15 million over 15 years, with no more than $1 million to be appropriated in any fiscal year. All Federal funds must be matched by contributions from non-Federal sources. The bill includes extensive protections for private property owners and prohibits the use of Federal lands received under the act for land acquisition.

H.R. 324 is strongly supported throughout the Santa Cruz Valley. All incorporated local governments have supported it and have given this proposal their formal support. Other supporters include two Native American tribes, chambers of commerce and other civic organizations, the Arizona Office of Tourism and other tourism councils, the Southern Arizona Home Builders Association, conservation groups and developers, and many other businesses and individuals.

Mr. Speaker, at this point I would like to say a few words about the heritage areas in general. This is a well-established, well-tested program that has been operating for 25 years. There are 49 heritage areas running in 29 States. Well over 50 million people live, work, and recreate inside the national heritage area.

Mr. Speaker, the National Park Service and the Alliance of National Heritage Areas commissioned Michigan

State University to study the economic impacts of the national heritage area. The study found that just one national heritage area resulted in $780,000 in wages and salaries; $1.2 million in value added, mostly from dining and lodging; and created 51 jobs. If you extend this to all the heritage areas, we are talking about hundreds of millions of dollars in economic benefit to local communities and roughly 2,500 jobs.

In closing, Mr. Speaker, let me once again urge my colleagues to support H.R. 324, my bill to help preserve a fascinating area full of history and culture and the wonders of nature.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. HASTINGS of Washington. Mr. Speaker, this legislation raises serious concerns about border security and the private property rights of private landowners by establishing an over 3,300-square-mile—let me repeat that, Mr. Speaker—3,300-square-mile national heritage area that includes land along the Arizona and Mexico border.

Mr. Speaker, House Republicans support the wise and responsible stewardship of Federal lands. We also strongly believe the protection and conservation of natural areas is important. Yet it need not be done at the expense of our homeland security or the private property rights of U.S. citizens.

On the issue of homeland security, some of the most heavily trafficked drug smuggling and human trafficking routes in the United States would be designated as a national heritage area under this bill. To make matters worse, the bill lacks sufficient protections to ensure that border security enforcement, drug interdiction and illegal immigration control is not restricted, is not hindered, and is not impeded by this legislation.

At a time when our borderlands are far from secure, now is simply not the time to place yet another layer of Federal interference in these areas. It is critical that policies meant to conserve natural areas or to preserve or promote unique areas in our Nation do not become corridors for illegal activities that threaten the safety and security of United States citizens.

This Congress must ensure that the responsibilities of the Border Patrol and the Department of Homeland Security are not undercut by the actions of another agency or Department. This is especially true with the Department of the Interior, which, Mr. Speaker, controls 40 percent of the lands along the southern border.

In response to concerns raised about the lack of border security protections in this bill, the Democrat majority has used their power on the Rules Committee to automatically add meager text to this bill that falls far short of meaningful protection of our border security. This meager text simply states that no border enforcement authority is being modified, altered, or amended.

Well, Mr. Speaker, this leaves the barn door open to the reality that this heritage area designation could restrict, could hinder or impede border enforcement or security authority, including drug interdiction and illegal immigration control.

It also completely fails to address the effects that other existing laws are having over the ability of the Border Patrol and the Department of Homeland Security to achieve operational control of the border.

Instead of addressing the hurdles to border security that exist on public land, this bill, frankly, Mr. Speaker, exacerbates them.

On the issue of property rights, this legislation does include language that expresses support for property protection. I will acknowledge that. However, the bill omits stronger protections that have been included in many of the other recently established heritage areas.

What should be included in this bill is an assurance that the written consent of property owners be acquired before their property is included into the planning activities of the heritage area's management entities. Property owners should also be permitted the choice to opt out of the heritage area's boundaries if they choose.

Now, as I noted, the bill does include language related to private property, and it does say that property owners are allowed to ''refrain from participation.'' Yet, Mr. Speaker, nothing changes the fact that this bill places property owners within a new Federal designation.

□ 1430

It would allow a basis for ambitious Federal land managers to claim that now they have a mandate and millions of Federal dollars to interfere with local decisions affecting the private property of others.

The reality is that there are likely a great number of property owners who have no idea that they are being included in this heritage area designation. After all, Mr. Speaker, we are talking about over 3,300 square miles. This House should insist that the weak and ineffectual provisions of the bill are strengthened with real and meaningful protections that protect all landowners with the choice to opt out of this designation.

With deep concern, Mr. Speaker, across the country over the growing intrusion of the Federal Government into our daily lives, as evidenced by the debate on health care in this country and private choices of American citizens, great caution and care should be taken to protect the property rights of the thousands and thousands of property owners located within the over 3,300 square-mile heritage area that is being proposed by this legislation.

So, Mr. Speaker, without sufficient protections for private property rights and the security of our southern border from drug smuggling and illegal immigration, I must oppose this legislation.

I reserve the balance of my time.

Mr. GRIJALVA. I yield such time as she may consume to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, I would like to thank my colleague, Chairman GRIJALVA, for bringing this bill forward.

I rise today in support of H.R. 324, the Santa Cruz Valley National Heritage Act. This bill would designate the area around the Santa Cruz River in southern Arizona as a national heritage area, from Marana in the north down to Patagonia in the south.

By designating this area a national heritage area, the beautiful Santa Cruz Valley region will receive modest Federal support for promoting the area's history, cultural resources, and the indigenous wildlife habitat. This designation will be a valuable tool to promote economic development and tourism in a rural area, in an area that has been hard hit by the downturn in the economy.

Just as important, we will be ensuring that visitors to the Santa Cruz Valley area can learn about this unique watershed that exists there and the diverse societies it has supported throughout hundreds of thousands of years, Native American tribes, descendants of Spanish ancestors, American pioneers, and now, members of a very diverse southern Arizona community.

Unfortunately, this bill has been the subject of much misinformation. Contrary to what some have said, the Santa Cruz Valley does not jeopardize private property rights. In fact, the bill language explicitly protects property rights. The bill also protects public use of federally managed lands. Having participated in and led dozens of meetings in that area, hearing from constituencies from the business community to the environmental community, folks across a broad spectrum, there is very strong support for this legislation. This is why the bill will move forward in a way that is very positive for the people of southern Arizona. I urge a ''yes'' vote on H.R. 324 to support preserving Arizona's natural heritage.

Again, I commend the chairman for bringing the bill forward.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the ranking Republican on the House Judiciary Committee, the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Washington State and the ranking member of the Natural Resources Committee for yielding.

Mr. Speaker, I oppose this legislation, H.R. 324, because it weakens our border security and, therefore, endangers American lives.

Arizona's border with Mexico has become the focal point of much of the illegal immigration, drug smuggling,

and related violence in America. This legislation will adversely impact the ability of DHS to secure part of the border. Designation as a national heritage area can prevent the Border Patrol's access to the land. It could prevent agents from using motorized vehicles or flying helicopters at low altitudes.

Such policies encourage illegal immigration and drug smuggling. The smugglers and illegal immigrants know they have a better chance of eluding capture in these areas than in better enforced border areas.

In addition, the bill will have the exact opposite effect of its stated purpose ''to conserve the region's heritage'' since smugglers and illegal immigrants often cause environmental damage. They abandon huge volumes of trash and debris. Preventing Border Patrol agents from accessing these areas will only allow this environmental destruction to continue.

I understand that language has been added in an effort to address the concerns that have been raised, but the language is ambiguous and will invite lawsuits. It does not ensure that law enforcement officials will have access to the land and be able to secure the border.

Mr. Speaker, for that reason, we should oppose this legislation.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the chairman of the full Resources Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I rise in strong support of the measure that is sponsored by our good friend from Arizona, the chairman of the National Parks, Forest and Public Lands Subcommittee, Representative GRIJALVA. I also rise, as I have said, and as I have done time and time and time again, to point out that the claim that national heritage areas harm the rights of private property owners is utterly false. F-A-L-S-E. Utterly false.

As Chairman GRIJALVA has already pointed out, H.R. 324 contains the extensive property rights protections included in every heritage area which has passed the House in recent years under both Democratic and Republican majorities, and signed into law by both Republican and Democratic Presidents.

So I would urge my colleagues to simply read the bill. On page 16, starting on line 4, it states, and I quote, ''Nothing,'' N-O-T-H-I-N-G, ''in this Act (1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area.''

Furthermore, the bill makes clear that private property owners may not be forced to provide access to the public or any government agency, and the bill does not alter or expand any existing land use or other regulatory authority. These provisions cover every possible contingency however far-fetched that the minority may dream up.

Let's look at the facts one more time. National heritage areas have been around for 25 years. Ronald Reagan signed the first one into law. Today we have 49 heritage areas in 29 States. Well over 50 million people live, work and recreate in a heritage area, 50 million people, and not one of them has been adversely affected. That's because heritage areas have no regulatory powers, no zoning authority, no power of eminent domain. Forty-nine heritage areas; 50 million people. That's almost my entire congressional district in a national heritage area.

As a matter of fact, the entire State of Tennessee is a national heritage area. It is the Tennessee Civil War National Heritage Area. That is the entire State of Tennessee. Think about it.

Last I heard, Dollywood was still booming. The Grand Ole Opry was still swinging. People were still engaging in commerce, holding homes, and contributing to the economy in Tennessee. I believe it is still on the map. And not one of them has had their private property rights diminished. And in all of these areas over all of these years, there has never been a single instance where an individual's right to private property was abridged.

The Government Accountability Office interviewed property rights advocacy groups, and even they were unable to provide a single example. Not a single one. So this is the biggest red herring that I have ever come across.

Nevertheless, we have included these property rights protections in H.R. 324 to make clear once again that national heritage areas do not threaten private property. At some point in order to retain even a shred of credibility, those who make these claims will either have to produce some evidence or admit their mistake.

Seriously, folks, these allegations are beginning to wear thin. You have no evidence whatsoever.

As to the pending measure, the Santa Cruz Valley is a treasure trove of natural and cultural resources and it would be shameful, simply shameful indeed, if we lost the opportunity to protect and preserve these resources based on irresponsible accusations that were proven false long, long, long ago. So I urge support for H.R. 324.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to another member of the Judiciary Committee, the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Washington for yielding.

I rise in opposition to H.R. 324, the Santa Cruz Valley National Heritage Area.

This 3,300 miles shares already overlapping jurisdictions between the Bureau of Land Management, U.S. Forest Service, National Park Service, the Department of Defense, and then there are some residents of the tribes, the Pascua and the Tohono people, as well.

This area is a very high traffic volume for contraband, that being illegal drugs and illegal people, coming up through this corridor. I have traveled that corridor and visited as recently as last July, a little over a month and a half ago. We know that in some cases there have been national park lands marked off limits to the people of the United States because the illegal drug traffic and the litter has gotten so bad. It is too dangerous. They wouldn't take me there.

We need to enforce the laws on our border and not complicate the overlapping jurisdictions that are there. We know that the Border Patrol has enough trouble trying to get to an operational control of the border without having to deal with an additional area that would be a national heritage area added on top of it.

I am not sure about the State of Tennessee, but I would wonder if the TVA didn't come in there about the time Tennessee was declared a national heritage area, and it seems to me that the private sector was nudged out with that move, if my recollection of history is accurate.

But the bill still lacks sufficient protections that would allow the free flow of our U.S. border security personnel for drug interdiction and illegal immigration enforcement.

I would add also on the Coronado National Forest, that is in the center of this location and that is a direct conduit of illegal traffic coming through. So we need the jurisdiction to be such that it is free-flowing, and we need to enforce our immigration laws. We need to provide operational control of the border.

I would also point out that some of the difficulties we have in enforcing our immigration laws are also rooted in our inability to enforce even under current circumstances. And in this designation, I will be able to roll out my map and point to you, Mr. Speaker, the spot or locations, mountaintop after mountaintop, that are surveillance locations for the U.S. law enforcement that is trying to enforce illegal immigration and illegal drugs and the interdiction of same coming up through this corridor.

This serves no real purpose to accomplish anything other than to draw down Federal moneys. And as I look through this bill, and I didn't get them all marked, but I see the word ''fund'' or ''funds'' or ''resources'' being used over and over again.

The attention I would draw to page 5 of the bill, line 12, specify existing and potential sources of funding or economic development strategies to interpret, fund, manage.

And the same page of the bill, line 25, recommend fund, manage. And it goes on and on. As I go through the bill, it looks to me like it is a method to figure out how to drawn down Federal funds.

Page 9 of the bill, line 5, enhance, interpret, fund, manage.

Federal funds implementation, on page 10.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional minute.

Mr. KING of Iowa. I thank the gentleman from Washington.

Mr. Speaker, I would continue. On page 10, it references implementation. The local coordinating entity. It references use of Federal funds.

□ 1445

On page 13, the amounts leveraged with Federal funds is referenced again.

On page 14, lines 19, 20 and 21, ''heritage planning; obtain funds from any source, including Federal programs,'' Mr. Speaker.

Page 15, line 4, ''The local coordinating entity may not use Federal funds authorized under this act.'' So there is a prohibition there in reference to funds.

Then with regard to the property rights component of this, we have seen this language before. ''Nothing abridges the rights of any property owner.'' That is kind of like the bill that came to the floor that said there are no earmarks in this bill, but there were thousands of them. To define it away doesn't mean it goes away.

I rise in opposition to this, and I would urge a ''no'' vote on H.R. 324.

Mr. GRIJALVA. Mr. Speaker, I would just extend congratulations to my colleague that just finished speaking. He caught us. This is a grant-funded program. Heritage areas have been grant-funded programs for 25 years, and I am glad that he was able to find that and point that out.

Those of us that represent the border understand how painful, how divisive, and in some areas how devastating what is going on on the border is. Not only with unauthorized entries, but with the drug cartels coming one way, the gun runners going the other way sending guns to Mexico, we understand it is very painful, and the inactivity of this Congress to deal with that immigration issue has made that pain even more severe. But I think it is wrong to try to deal with an immigration issue that people are either afraid to deal with or exploit for political purposes and try to layer that on to a heritage area in the Santa Cruz Valley.

I say that for far too long when we talk about the border region, it is always in a negative context. Always. And for too long, the people that live there, the people that raise their families there, the people that work there, the culture, the natural heritage that that area has is ignored, underfunded, and never really dealt with.

This is an opportunity to do something along a border region that is not going to promote illegal crossings, that is not going to impede any law enforcement, including Border Patrol, from carrying out their duty and the application of the law; to do something for an area, a part of the United States of America, to do something for that area and say this is special, this is unique, we want to work with this area and show that uniqueness to the rest of the country.

I think it is an opportunity to do more than just scapegoat and fear monger about border issues and do something positive, something necessary, and something that will tell the people that live there, like many of us do, you are worthy, you are in this country, you are United States citizens, and we acknowledge that because of the special unique heritage that you bring to this country.

I think this is part of this discussion today, and we shouldn't let fear-mongering and we shouldn't let scapegoating dominate the decision that needs to be made on this legislation, which is to approve it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the distinguished chairman of the committee, Mr. RAHALL, spoke at length about private property rights, and, as is not unusual, there are differing opinions of that.

I have before me, Mr. Speaker, an article from the North Dakota Farm Bureau written by an individual, Mr. Harold Maxwell, who belongs to the Arizona Farm Bureau. He lives in Yuma. He was involved in a heritage designation in that area and he worked very hard to get private property rights protection included in that area of Arizona. But he has an article that I think spells out a lot of what we were talking about on our side of the need to further protect private property rights.

GET INVOLVED TO PROTECT PROPERTY RIGHTS

(By Harold Maxwell)

ARIZONA, February 27, 2008—Recently, there has been extensive discussion in Arizona about the proposed Little Colorado River Valley National Heritage Area. As one of the individuals that worked to resolve some of the issues that arose from the Yuma Crossing National Heritage Area, I have a unique view on the potential pitfalls and benefits of having a National Heritage Area (NHA).

First, let me state that the Yuma Crossing National Heritage Area in its final form has been a benefit to our community. That being said, two main issues exist that must be addressed to ensure that a National Heritage Area truly is a benefit to the local community, rather than a threat.

First let's tackle the issue of individual property rights. Proponents of another proposed NHA, the Little Colorado River Valley National Heritage Area (LCRVNHA), cite two main reasons why the local populous should not be concerned about their property rights. The authors of the proposed Heritage Area bill like to point to specific language in the bill that they included in an attempt to afford property owners some protection.

They also like to cite a 2004 study by the GAO that found no issues affecting property values or use. Let me address both of those issues.

Most legislation that designates a NHA and its subsequent management plan includes language that prohibits the National Park Service and/or the Heritage Board from using eminent domain to acquire property. These management plans also prohibit the use of the Federal funds obtained under the bill from being used to acquire land. Unfortunately, these ''protections'' are limited.

The proposed LCRVNHA bill does not prohibit local governments from changing zoning ordinances to conform to the land use plans suggested by the Heritage Area Board. Local governments find themselves in a difficult situation: either adopt the new land use plans and put local property owners at risk, or reject the land use plans and put their federal funding at risk.

This is not just idle conjecture. The Wheeling National Heritage Area, Blackstone River Valley National Heritage Corridor, Essex National Heritage Area, Erie Canalway National Heritage Corridor, and the Journey Through Hallowed Ground NHAs are just a few examples of where local zoning was changed to accommodate the management plan and those changes did negatively impact local land owners' property rights.

The other statement, that no federal funds obtained under the bill can be used to acquire land, is also misleading. This statement only applies to funds authorized by Congress for a Heritage Area. Any matching funds that are raised are free to be spent however the Heritage Area Board sees fit.

This is not an insignificant problem. Heritage Areas on average receive $8 in matching funds for every $1 that is provided under the Heritage Area Act. Far and away the majority of the funds generated by a Heritage Area are eligible to purchase private property, or issue conservation or historical easements. This is of particular significance in Arizona, as only 13% of our land is privately owned. Any acquisition that removes land from the tax rolls has the potential for a huge negative impact on the amount of property tax collected for our local communities.

Even a more serious issue is the potential of a Heritage Area to acquire land and then donate the land to the National Park Service (NPS). This is what happened with the Shenandoah Valley Battlefield Foundation. The Cedar Creek and Belle Grove National Historical Park as it is now known was created in 2003 by using a combination of donated lands and conservation easements. Though National Heritage Areas do not impose direct restrictions on property this is not the case for the NPS. Federal law grants the National Parks the right to impose specific land use restrictions on properties adjacent to their boundaries.

A March 2004 Governmental Accounting Office (GAO) study on heritage areas is the Holy Grail for the National Heritage Areas' claim that Heritage Areas do not impact property rights. The GAO study claims to have found no issues affecting property values or use. This has always been perplexing to me as I know of three separate incidences involving property rights and the Yuma Crossing National Heritage Area.

Having read the GAO report, I now believe that I can shed some light on the subject. In regard to the Yuma events, the GAO report was published in March 2004. The meeting held in Yuma concerning property rights, with an attendance of more than 600 Yuma County residents, was held the end of February 2004. One of the reasons that the GAO did not find any incidents in Yuma was that the publication had gone to press by the time of the Yuma meeting.

It was also noted in the GAO's report that the survey was limited to ''national groups'' and apparently did not include a survey of individual property owners in the more than three-dozen NHAs already in existence. It is also evident that the GAO was only concerned about the immediate impact of the bill and not the consequences from the land

use planning that was encouraged by the National Heritage Areas. When one reviews the literature looking for cases where NHAs have influenced local zoning ordinances, it becomes apparent even to the casual observer that NHAs can and do have the ability to affect property rights.

LOCAL CONTROL

The second major concern involving National Heritage Areas is local control. No clearer example of the benefit of local control can be found than the Yuma experience. After the Yuma Crossing Heritage Area Bill passed Congress designating 22-square miles of Yuma as a National Heritage Area, the local agencies responsible for zoning started to interpret what it meant to own property in and around the boundaries of the new Heritage Area. It was these decisions made by bureaucrats that caused the local population to become concerned about their property rights. Local pressure was brought to bear on the County Board of Supervisors and the City of Yuma to pass resolutions instructing staff not to use the boundaries of the New Heritage Area in determining zoning issues. This solved the immediate issue, but the community realized that the Yuma Crossing Heritage Act was a federal law that would become more difficult to change as federal monies were invested.

We also understood that the local resolutions could be lifted at some time in the future after the Heritage area was well established. The local community decided, for their own protection, to reduce the scope of the project back to what was originally proposed: 4 square miles or 2,560 acres of downtown Yuma and the Colorado River inside the levee system. Even with strong local support it took Yuma over 3 years to change the original legislation. The Yuma community now believes that this new boundary is focused enough that even if the local ordinances are changed the community will be protected from their impact. One of the benefits of such a focused area is that we have enough money to effect change. If one assumes that their Heritage Area will get all of the potential $10 million from the federal government, and no project has, then the Yuma Crossing National Heritage Area has the potential of receiving a little more than $3,900 per acre for our project, as compared to the $710 per acre it could have received under the original scope.

The proposed Little Colorado River Valley National Heritage Area is too large. At over 23,000 square miles or 14,720,000 acres, it falls into the trap that some of the other Heritage Areas have fallen into: On a per acre basis the Little Colorado River Valley National Heritage Area will at a maximum receive only 68 cents per acre under the bill. When a Heritage area is too large the funds are insufficient to get the project up and running on a self-sustaining basis. One of the goals for all Heritage areas is to be self-sustaining at the sunset of their authorization bill in 15 years.

Yuma learned that local control is critical. When issues arose it was relatively easy to convince our County Board of Supervisors and the Yuma City Council to pass resolutions protecting our citizens. The proposed Little Colorado River Valley National Heritage Area covers parts of four states, seven Native American Nations, and 27 counties. How do you have local control in such a large entity? The only effective control is on a county, sovereign nation, or city basis. When a project covers so many different governing agencies the only way for the project to work is for the local governments to cede local control to the Heritage Area. After having looked at some of the major pitfalls with the Little Colorado River Valley Heritage Area, these are the changes I would recommend in the plan if your community chooses to go forward.

First, maintain local control. One 23,000 square mile heritage area managed out of Tucson with some local people appointed to the board is not local control. The Little Colorado River Valley National Heritage Area includes parts of 4 states, 7 Native American nations, and 27 counties. At the very least there should be 34 separate Heritage Areas divided along county and Native American nation lines. This would give control down to the county or nation level. A side benefit would be that each heritage area would be eligible for $10 million in government funds on their own. That is a potential of $340 million dollars in federal funds vs. the current proposal of $10 million. Learn from the Yuma experience. If Yuma reduced the size of its Heritage Area from 22 square miles to 4 square miles due to concerns over property rights, one can only imagine the potential issues with the 23,000 square mile Heritage Area that is being proposed.

Secondly, be very focused. One of the ways that you can protect yourselves against property rights abuse is to make certain that the areas that are included are well defined and include cultural, historical and environmental areas that can be developed into self sustaining economic zones. Vast expanses of the current proposal would not fit these criteria. Heritage Areas are intended to be self-sustaining after the first 15 years of existence.

Finally, the legislation authorizing the Heritage Area should prohibit the Heritage Area from using any of the funds raised to buy private property or to purchase any form of easement (conservation, historical etc.). This would ensure that private property stays on the tax rolls and is not retired. It also would ensure that land is not ''donated'' by the Heritage Area to create a new or expanded National Park.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I continue to reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the distinguished ranking member on the Natural Resources Subcommittee on National Parks, Forests and Public Lands, and I ask unanimous consent that he control the time after he uses his time for his debate.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I thank the gentleman for yielding.

I think a couple of the speakers have given what is one of the crux problems, not of this, the Santa Cruz Heritage Area, but of the overall issue itself. The gentleman from Arizona, who does a good job in representing his constituents, did say there are 49 heritage areas that have been heritage areas for the last 25 years, and therein is the problem.

When Mo Udall was chairman of that committee and Bruce Vento was the subcommittee chairman, that is the first time this concept of a heritage area was introduced. The concept was going to be that this was start-up money, and then the heritage areas would be on their own. Bruce Vento did say, 10 years and we are out of there. This was never supposed to be a 25-year program for any of these areas.

The problem is that when the 10 years are up, we keep extending the time limit on these areas and we keep extending the life and giving more and more money to these areas. In fact, it has become such a part that there is a cottage industry that has developed going out to areas to train them on how they can become and stay a heritage area to get more and more funding. It violates the very concept of why heritage areas were there in the first place.

This year alone we have added nine new heritage areas. This bill itself has $15 million, which is a 50 percent increase on what the majority of heritage areas do receive.

The problem is very simple: This heritage area is to try to expand its tourism and other elements, and other areas pay for it. So if you are in tourist area A, you are now being taxed and your money will go to promote tourism in area B. And if that was simply a start-up fund, simply to get them started, none of us really have objections to that. But it isn't. It is becoming perpetual as we extend and extend and spend and spend more and more on these elements.

This particular heritage area in front of us covers 3,300 square miles, private and public land. When Republicans were in charge of this committee, as a standard we always included language in heritage area legislation that gave property owners the ability to opt out of boundaries. It was a compromise. It was weak, but at least it was there.

What we are trying to say in that is that people should have a voice in what is done to them. People should be given choices and options. And we should not refrain from doing that. We should not have the government setting what the standard is, what the boundary is, what the requirement is. And there are instances when outside groups have tried to pressure local zoning entities because of these boundaries.

It is not right that people should be locked inside a boundary, oftentimes with little prior knowledge of what is actually happening, because boundaries do have consequences. Otherwise, why have these boundaries?

If these heritage areas are so innocuous, there is no reason to lock an owner in. Give them the opportunity for full information so they can make decisions and, again, give them the choices of what they wish to do. That is how we should be treating individuals and property owners.

This area is one that is heavily traveled with narcotic trafficking, human trafficking, and now I appreciate the fact that the gentleman from Arizona and the Rules Committee in a self-executing rule did give some modicum of protection on these areas.

As late as last July we attempted in committee to try and put language similar to this to give some protection

in these areas. Rejected—not on a partisan vote, because several of the opposition side actually did vote with us, but nonetheless rejected in committee. I am proud of Representative GRIJALVA for now including this language in this bill, but it could be better, and that is the issue before us.

Less than a week ago, the GAO revealed that secure border initiatives are behind schedule, are years behind schedule, because of environmental delays. That simply means there are people out there within the National Park Service that blame the Border Patrol for environmental damage.

The Park Service's own admission is that it takes 6 months to complete documents necessary to place critical border protection technologies, like observation towers. There was one tower stopped on the border areas until they could prove in some kind of scientific study that the Sonoran pronghorn deer would leave that area of their own volition and would not be scared by these towers. I am sorry, that is ridiculous, but that is the reality of why we are here and the reality of what is happening.

So there are some concerns with this area. The majority did put language in there to try and protect border security and the border areas, and I am thankful for that and I applaud you for doing that, but you could have taken a big step further.

In this bill you did put some language in there to try and protect personal property, but you could have gone further just simply to say people should have the choice and the option of what they are doing. And once again we have a problem of heritage areas, supposed to be temporary, supposed to be start-up, staying year after year after year, getting fund after fund after fund of public money from point A to fund the exact thing that is happening in point B in competition with point A.

We have to rethink this thing, which is indeed what the Park Service asked us to do several years ago, to not produce anymore of these heritage areas until we come up with a comprehensive plan of how we are going to function with these heritage areas.

With that, Mr. Speaker, once again, the Republic will not falter if this bill passes, but it could have been much, much better, and it could have done much more to protect not only our border security but also the rights of individuals than what we are doing here. There are some good steps forward, I admit, but we have a long, long way to go. Once again, we still have the problem of what to do with heritage areas that are supposed to be temporary and simply will not go away.

Mr. Speaker, I would ask the gentleman from Arizona if he has any more speakers?

Mr. GRIJALVA. No.

Mr. BISHOP. In that situation, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, in summary, I think H.R. 324 is a good piece of legislation. When the heritage areas were formed 25 years ago, I don't believe Members of Congress, Republicans and Democrats, knew how successful they were going to be, how popular they were going to be, how much private money that these initiatives would leverage in communities, and, because of that, it continues to be popular with Members of both sides of the aisle.

The other issue is, as we go through this legislation and debate what is in there or not, I don't believe that there is a level of appeasement that we can put into this legislation that would garner the support from my colleagues on the other side of the aisle.

It is a good piece of legislation. I consider this not only good for the region that I represent, but beginning the process of on-the-border lands dealing with issues comprehensively. One of those issues is to recognize the richness, the diversity and the history of the region.

The other area that I want to talk about briefly is the issue of border enforcement. The problems along the border with enforcement are not due to the creation of heritage areas. They are not the reason that we have unauthorized crossings. They are not the reason that we have drug cartels. They are not the reason that we have organized gun runners from the United States. Those are not the reasons. Heritage areas are not to blame for that horrible situation. And the inability of Homeland Security over the last 5 years to effectively put their technology to work, to effectively do the kind of border security initiatives that they needed, environmental issues are not the cause of that.

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I would say ineptitude, inefficiencies and waste of money were the reasons that that didn't get done. This bill solves a problem. It solves a problem of a region badly needing a shot in the arm, an acknowledgement that it is and continues to be a valued part of this great Nation of ours.

I yield back the remainder of my time and ask that the legislation be supported.

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

Pursuant to House Resolution 760, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of Utah. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of Utah. In its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP of Utah moves to recommit the bill H.R. 324 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendments:

In section 5(c)(1) of the bill, insert ", in consultation with the Secretary of Homeland Security," after "Secretary".

In section 8(c) of the bill, amend paragraph (4) to read as follows:

(4) modifies, restricts, impedes, hinders, or supplants any border enforcement or security authority, including drug interdiction and illegal immigration control.

In section 9 of the bill, insert "(a) CLARIFICATION.—" before "Nothing".

At the end of section 9 of the bill, add the following:

(b) PRIVATE PROPERTY OWNER PROTECTION.—

(1) No privately owned property shall be preserved, conserved, or promoted by the management plan for the National Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(2) Any owner of private property included within the boundary of the National Heritage Area shall have their property immediately removed from within the boundary by submitting a written request to the management entity.

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 13. BORDER SECURITY.

Nothing in this Act may impede, prohibit, or restrict activities of the Secretary of Homeland Security to achieve operational control (as defined under Public Law 109–367) within the National Heritage Area.

Mr. BISHOP of Utah (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered read.

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

Mr. GRIJALVA. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah is recognized for 5 minutes in support of his motion.

Mr. BISHOP of Utah. Thank you, Mr. Speaker. I appreciate the opportunity.

As I said, this bill could definitely be improved, and we are presenting some amendments in here that take the bill and make it a much better, stronger, significant bill.

I said in the original remarks that of course we have problems with heritage areas that simply will not go away. Even though they were supposed to be around for only 10 years, they keep living and living and consuming more and more funds. Having said that, I could still be supportive of this amendment if there were some specific guarantees placed in there for those specific issues that we have addressed in the past that actually could be a way we can move forward with other bills of a similar ilk.

Specifically in there, it deals with the idea of property rights. The gentleman from Arizona did sponsor legislation that dealt with the Yuma Crossing National Heritage Area. This was an area created in the year 2000 and, according to the Arizona Farm Bureau, was much larger than local farmers were expecting. Further exacerbating the problem, local zoning bureaucrats began to use the heritage area boundaries in planning. The problem is, once established, those entities had no recourse as private property owners to exempt themselves unless you came to Congress and had Congress adjust the boundaries. The gentleman from Arizona did that. We passed a law that shrunk the size of those areas down. That is a cumbersome and silly process to go through when all we need to do is give people the opportunity of being informed and make decisions for themselves so they can remove themselves when they wish to. That is what this amendment does. It asks the properties owners, before being included, to give their consent to be included in this new entity.

Now some will say, well, that's burdensome and difficult. It's hard to find all the property owners in an area. Yet when tax time comes, the government entities have an easy time finding all the property owners in an area. We could do the same thing, because the matter is not how efficient it is or how easy it is. The matter should be that private property rights are not a burden to government, and they should be respected in every way that is possible, especially in these areas where the National Park Service, who will be administering this, does not have a celebrated history of respecting private property rights and finding unique ways of having willing sellers.

This language that we are proposing should become the standard template for all legislation that deals with heritage areas and how we handle private property rights within those. This bill draws boundaries on a map. It covers and surrounds private property owners and then gives them no real recourse to remove themselves from those boundaries. Even if it says they don't have to participate, that is not the same thing, and it does have consequences. When it comes to border security, this bill is a perfect effort for us to move forward in some specific way.

Now, as I said, I commend the gentleman for actually adding some language that we have been trying to add to these types of bills in committee. But the language here is not necessarily enough. The sad situation that we find—not because of this bill, nor will it be solved because of this bill unless we add this particular language—is that the Border Patrol finds itself in a position of subservience to the National Park Service. I don't think Americans really know that when a Border Patrol agent crosses into a national park, he has to get out of his car, park it and walk. I don't think they realize that the Border Patrol has to consult with the National Park Service before they can put up an antenna on that border. Their amendment gets some language in there to try to not impede or prohibit. But what we also put in this amendment is language that says that nothing will happen that will hinder or restrict our homeland security on border areas. This is a perfect opportunity to do so. It is there.

This amendment, for the first time, says that when those land use plans—and the bulk of the border in which the drug traffic and human traffic is coming are on public lands—it says that Homeland Security must be consulted in coming up with the land use plans. So they are an equal partner because this is significant. Right now they are not. This amendment is going to move us forward so that Homeland Security will not be impeded in their element. They will not have to wait to put up surveillance to see if a particular sheep will, on its own volition, move or not move. That is ridiculous, but that is what we are trying to do with this amendment.

Once again, this amendment takes the bill and improves it, which is why I'm proud of this amendment. This amendment clearly states what property rights are and which property owners may be in a heritage area which, as we have noted, does not go away in 10 years but tends to last on and on and on.

This amendment clearly gives Homeland Security, for the first time, a right to be an equal player in the decision of how to handle these lands, and this also gives us the right to make sure that nothing hinders or restricts what we do on the border.

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

Mr. GRIJALVA. I rise to claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Thank you, Mr. Speaker.

I have come to accept the fact that redundancy is part of the process here that we go through. So in accepting that reality, let me just state one more time, nowhere in this legislation is there an infringement, a taking of private property rights. Nowhere.

The motion asks that close to a quarter of a million property owners, if not more, be notified and asked to either be part of or not be part of this heritage area. That process would create a Swiss cheese designation for that area; and in the previous 49, there is not one incident where a private property owner has been forced, coerced into being part of or permitting their private property to be used as a designation. That is already in the legislation.

With regard to the issue of border enforcement, again, I asked the Rules Committee to insert that so there would be clarification that the activities of Homeland Security, plus all other local enforcement—the sheriffs, local police, tribal police, et cetera—that their ability to carry out their mission and enforce the law was part and parcel and that the heritage area in no way would impinge, infringe or restrict that ability. That is already in the legislation.

So why the motion to recommit? I think it's just part of a very cynical exploitation of a very, very divisive issue in this country, the issue of immigration and the issue of unauthorized people in this country. The heritage area is not responsible for that situation. It has been the inability of this Congress to come to grips with the situation that has aggravated and made it worse. And as a person who represents the border and has to deal with constituents that are affected by this decision every day, the lack of attention, serious, rational, mature attention to this issue, rather than exploitation of this issue, is what they're asking this Congress to do. The heritage area has nothing to do with how we're going to resolve this issue. The heritage area, for once, is an acknowledgement of a part of this country that for too long and, most recently, in a very cynical way has been exploited both as a region and the people who live there. We are saying, this heritage area is your acknowledgement that you're part and parcel of this country.

I ask that the motion to recommit be defeated.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 324, if ordered, and suspension of the rules with regard to H. Res. 696, if ordered.

The vote was taken by electronic device, and there were—yeas 259, nays 167, not voting 6, as follows:

[Roll No. 727]

YEAS—259

Aderholt	Biggert	Boucher
Adler (NJ)	Bilbray	Boustany
Akin	Bilirakis	Boyd
Alexander	Bishop (GA)	Brady (TX)
Altmire	Bishop (NY)	Bright
Arcuri	Bishop (UT)	Broun (GA)
Austria	Blackburn	Brown (SC)
Bachmann	Blunt	Brown-Waite, Ginny
Bachus	Boccieri	Buchanan
Baird	Boehner	Burgess
Barrow	Bonner	Burton (IN)
Bartlett	Bono Mack	Buyer
Barton (TX)	Boozman	Calvert
Bean	Boren	Camp
Berkley	Boswell	

Campbell
Cantor
Cao
Capito
Cardoza
Carney
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Crenshaw
Cuellar
Culberson
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Etheridge
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Harman
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hodes
Hoekstra
Holden
Hunter
Inglis
Israel
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Marshall
Massa
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Schwartz
Sensenbrenner
Sessions
Sestak
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tanner
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Walden
Walz
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—167

Abercrombie
Ackerman
Andrews
Baca
Baldwin
Becerra
Berman
Berry
Blumenauer
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Carnahan
Carson (IN)
Castor (FL)
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Dingell
Doggett
Edwards (MD)
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey (MA)
Matsui
McCollum
McDermott
McGovern
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—6

Barrett (SC)
Capuano
Delahunt
Doyle
Granger
Smith (NJ)

□ 1550

Messrs. ACKERMAN, SCHRADER, LEVIN, SCOTT of Georgia, ELLISON, SARBANES, COHEN, LANGEVIN, TONKO and Mr. CARSON of Indiana changed their vote from ''yea'' to ''nay.''

Messrs. ROE of Tennessee, KISSELL, Mrs. MYRICK, Messrs. KING of New York, ROSKAM, BILIRAKIS, KAGEN, HODES, Mrs. MCMORRIS RODGERS, Messrs. SESTAK, BOSWELL, BOREN, LYNCH, CHILDERS, KLEIN of Florida, MAFFEI, HOLDEN, MASSA, COSTELLO, DEFAZIO, MATHESON, Ms. TITUS, Ms. RICHARDSON, Mr. KANJORSKI, Mrs. HALVORSON, Messrs. PATRICK J. MURPHY of Pennsylvania, DRIEHAUS, CHANDLER, MEEK of Florida, LIPINSKI, CUELLAR, DAVIS of Tennessee, Ms. HERSETH SANDLIN, Messrs. GORDON of Tennessee, TANNER, BISHOP of Georgia, PETERSON, BOYD, ROSS, KIND, Mrs. KIRKPATRICK of Arizona, Messrs. ETHERIDGE, EDWARDS of Texas, BOUCHER, Ms. SCHWARTZ, Ms. KOSMAS, Ms. BERKLEY, Messrs. ISRAEL, BISHOP of New York, COSTA, SKELTON, CARDOZA, BAIRD, Mrs. MCCARTHY of New York and Ms. HARMAN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. GRIJALVA. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 324, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GRIJALVA:

In section 5(c)(1) of the bill, insert '', in consultation with the Secretary of Homeland Security,'' after ''Secretary''.

In section 8(c) of the bill, amend paragraph (4) to read as follows:

(4) modifies, restricts, impedes, hinders, or supplants any border enforcement or security authority, including drug interdiction and illegal immigration control.

In section 9 of the bill, insert ''(a) CLARIFICATION.—'' before ''Nothing''.

At the end of section 9 of the bill, add the following:

(b) PRIVATE PROPERTY OWNER PROTECTION.—

(1) No privately owned property shall be preserved, conserved, or promoted by the management plan for the National Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(2) Any owner of private property included within the boundary of the National Heritage Area shall have their property immediately removed from within the boundary by submitting a written request to the management entity.

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 13. BORDER SECURITY.

Nothing in this Act may impede, prohibit, or restrict activities of the Secretary of Homeland Security to achieve operational control (as defined under Public Law 109–367) within the National Heritage Area.

Mr. GRIJALVA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 281, noes 142, not voting 9, as follows:

[Roll No. 728]

AYES—281

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Buyer
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper

Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—142

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Pence
Pitts
Poe (TX)
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

NOT VOTING—9

Barrett (SC)
Capuano
Delahunt
Diaz-Balart, M.
Doyle
Granger
Schock
Shuster
Smith (NJ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1559

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF WESTERN WYOMING COMMUNITY COLLEGE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 696.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 696.

The question was taken.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 729]

AYES—418

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert

Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—14

Arcuri
Barrett (SC)
Bartlett
Boehner
Capuano
Delahunt
Doggett
Doyle
Granger
Holden
Lummis
Minnick
Smith (NJ)
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1606

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SURFACE TRANSPORTATION EXTENSION ACT OF 2009

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3617) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3617

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

SECTION 1. SHORT TITLE; EXTENSION PERIOD.

(a) SHORT TITLE.—This Act may be cited as the ''Surface Transportation Extension Act of 2009''.

(b) EXTENSION PERIOD.—This Act extends funding for programs funded out of the Highway Trust Fund for the period beginning on October 1, 2009, and ending on the earlier of—

(1) the date of enactment of a multiyear law reauthorizing the Federal-aid highway, highway safety, motor carrier safety, and transit programs enacted after the date of enactment of this Act; and

(2) December 31, 2009.

SEC. 2. FEDERAL-AID HIGHWAY PROGRAM.

(a) APPORTIONMENTS.—

(1) IN GENERAL.—On October 1 of fiscal year 2010, the Secretary of Transportation shall apportion funds authorized for such fiscal year under section 1101(c) of SAFETEA–LU (119 Stat. 1153) (as added by subsection (d) of this section) to each State such that the State's share of funds apportioned is equal to the State's share for fiscal year 2009 of funds apportioned or allocated for the programs specified in paragraph (2).

(2) SPECIFIC PROGRAMS.—The programs referred to in paragraph (1) are—

(A) the programs listed in section 105(a)(2) of title 23, United States Code;

(B) the program authorized by section 144(f)(1) of such title;

(C) the program authorized by section 1934 of SAFETEA–LU (119 Stat. 1485); and

(D) the program authorized by section 1962 of SAFETEA–LU (119 Stat. 1518).

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) PROGRAMS.—Of the funds to be apportioned to each State under subsection (a), the Secretary shall ensure that the State is apportioned an amount, determined in accordance with paragraph (2), of the funds for each program specified in subsection (a)(2), with the following exceptions:

(A) The high priority projects program authorized by section 117 of title 23, United States Code.

(B) The program authorized by section 144(f)(1) of such title.

(C) The program authorized by section 1934 of SAFETEA–LU (119 Stat. 1485).

(D) The program authorized by section 1962 of SAFETEA–LU (119 Stat. 1518).

(2) DISTRIBUTION.—The amount that each State shall be apportioned under this subsection for each program for which funds may be apportioned under paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a) for the fiscal year; by

(B) the ratio that—

(i) the amount of funds apportioned or allocated for such program to the State for fiscal year 2009; bears to—

(ii) the total of the amount of funds apportioned or allocated for all of such programs to the State for fiscal year 2009.

(3) ADMINISTRATION OF FUNDS.—Funds authorized by the amendment made by subsection (d) shall be administered as if the funds had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code, or under SAFETEA–LU (119 Stat. 1144 et seq.), except that the deductions and set-asides under the following sections shall not apply to such funds:

(A) Sections 104(b)(1)(A), 104(f), 104(h)(1), 118(c)(1), 130(e)(1), 140(b), 140(c), and 144(f)(1) of title 23, United States Code.

(B) Section 1404(c)(3) of SAFETEA–LU (119 Stat. 1229).

(C) Section 111 of the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572).

(4) SPECIAL RULE FOR EQUITY BONUS.—The amounts apportioned to the States under this section for the equity bonus program under section 105 of title 23, United States Code, shall be treated, for purposes of section 105(d) of such title, as amounts made available under section 105 of such title, except that, for the period referred to in section 1(b), the $2,639,000,000 set forth in section 105(d)(1) of such title shall be treated as being $659,750,000.

(5) EXTENSION OF BRIDGES NOT ON FEDERAL-AID HIGHWAYS.—Section 144(f)(2)(A) of title 23, United States Code, is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(c) REPAYMENT FROM FUTURE APPORTIONMENTS.—

(1) IN GENERAL.—The Secretary shall reduce the amount that would be apportioned, but for this section, to a State for programs under chapter 1 of title 23, United States Code, or under title I of SAFETEA–LU (119 Stat. 1144 et seq.), for fiscal year 2010, under a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount that is apportioned to each State under subsection (a) for each such program for fiscal year 2010.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(d) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101 of SAFETEA–LU (119 Stat. 1153) is amended by adding at the end the following:

''(c) ADDITIONAL AUTHORIZATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 2009 $9,848,113,116 for the period referred to in section 1(b) of that Act.

''(2) SPECIAL RULE.—Funds apportioned under section 2(a) of the Surface Transportation Extension Act of 2009 shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

''(3) CONTRACT AUTHORITY.—Funds authorized by this subsection shall be made available for obligation and administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that funds made available for the safe routes to school program authorized by section 1404, the coordinated border infrastructure program authorized by section 1303, and the Appalachian development highway system program authorized by subtitle IV of title 40, United States Code, shall remain available until expended.''.

(e) LIMITATION ON OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), upon enactment of an Act making appropriations for the Department of Transportation for fiscal year 2010 (other than an Act or resolution making continuing appropriations), the Secretary shall—

(A) first calculate the distribution of the obligation limitation for Federal-aid highways and highway safety construction programs provided by such Act according to the provisions of such Act, and, as necessary for purposes of making the calculations for the distribution of any obligation limitation under such Act, the Secretary shall annualize the amount of contract authority provided under this Act for Federal-aid highways and highway safety construction programs; and then

(B) multiply the results of the calculations made under subparagraph (A) by one-quarter.

(2) EXCEPTION.—An amount equal to $159,750,000 of the funds made available for the period referred to in section 1(b) for the equity bonus program authorized by section 105 of title 23, United States Code, shall not be subject to any obligation limitation.

(3) TIME PERIOD FOR OBLIGATIONS.—After the last day of the period referred to in section 1(b), no funds shall be obligated for any Federal-aid highway program project until the date of enactment of a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act.

(4) TREATMENT OF OBLIGATIONS.—Any obligation of obligation authority distributed under this subsection for fiscal year 2010 shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 2010 for the purposes of any obligation limitation set in an Act making appropriations for the Department of Transportation for fiscal year 2010.

SEC. 3. FEDERAL-AID HIGHWAY PROGRAM ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) for administrative expenses of the Federal-aid highway program $105,929,410 for the period referred to in section 1(b). Such funds may be used for the purposes described in sections 104(a)(2) and 104(i) of title 23, United States Code.

(b) CONTRACT AUTHORITY.—Funds made available by this section shall be available for obligation and shall be administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs, except that such funds shall remain available until expended.

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) EXTENSION OF ISTEA AXLE WEIGHT EXEMPTION FOR TRANSIT VEHICLES AND OVER-THE-ROAD BUSES.—Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note; 106 Stat. 1552) is amended—

(1) in paragraph (1) by striking ''October 1, 2009'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(2) in paragraph (2)(A) by striking ''September 30, 2009'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(b) EXTENSION OF FLEXIBILITY UNDER TEA–21 IN USE OF CERTAIN STP FUNDS.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(c) EXTENSION OF AUTHORIZATIONS AND FLEXIBILITIES UNDER TITLE I OF SAFETEA–LU.—

(1) FEDERAL LANDS HIGHWAYS PROGRAM.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(9)(A) of SAFETEA–LU (119 Stat. 1154) is amended—

(i) in clause (iv) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(vi) $112,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) PARK ROADS AND PARKWAYS.—Section 1101(a)(9)(B)(i) of SAFETEA–LU (119 Stat. 1154) is amended—

(i) in subclause (IV) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(VI) $60,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(C) REFUGE ROADS.—Section 1101(a)(9)(C) of SAFETEA–LU (119 Stat. 1154) is amended by inserting before the period at the end the following: ''and $7,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(D) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(9)(D) of SAFETEA–LU (119 Stat. 1154) is amended—

(i) in clause (iv) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(vi) $75,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(E) FOREST HIGHWAYS.—Section 1119(m) of SAFETEA–LU (119 Stat. 1190) is amended—

(i) in paragraph (1) by striking ''for each fiscal year'' and inserting ''for each of fiscal years 2005 through 2009 and $5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'';

(ii) in paragraph (2) by striking ''for each fiscal year'' and inserting ''for each of fiscal years 2005 through 2009 and $250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(iii) in paragraph (3) by striking ''for each fiscal year'' and inserting ''for each of fiscal years 2005 through 2009 and $2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(F) BIA ADMINISTRATIVE EXPENSES.—Section 202(d)(2)(F)(i) of title 23, United States Code, is amended by striking ''and $27,000,000 for fiscal year 2009'' and inserting ''$27,000,000 for fiscal year 2009, and $6,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(G) INDIAN RESERVATION ROAD BRIDGES.—Section 202(d)(4)(B)(i) of title 23, United States Code, is amended by inserting after ''2009'' the following: ''and $3,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(2) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(10) of SAFETEA–LU (119 Stat. 1154) is amended—

(i) in subparagraph (D) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(F) $97,400,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) DESIGNATED PROJECTS.—Notwithstanding section 1302(e) of SAFETEA–LU (119 Stat. 1205), the Secretary shall allocate funds made available for the national corridor infrastructure improvement program for the period referred to in section 1(b) on the basis of a competitive selection process in accordance with section 1302(b) of such Act (119 Stat. 1204).

(3) NATIONAL SCENIC BYWAYS PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(12) of SAFETEA–LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(F) $10,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) RESOURCE CENTER.—Section 1803(c) of SAFETEA–LU (119 Stat. 1458) is amended by striking ''and $3,000,000 for each of fiscal years 2006 through 2009'' and inserting '', $3,000,000 for each of fiscal years 2006 through 2009, and $750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(4) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(13) of SAFETEA–LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(F) $16,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) NATIONAL FERRY DATABASE.—Section 1801(e)(4)(C) of SAFETEA–LU (119 Stat. 1456) is amended by inserting after ''2009'' the following: ''and not more than $125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(C) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 147(d) of title 23, United States Code, is amended—

(i) in paragraph (1) by inserting after ''2009'' the following: '', and $5,000,000 of the amount made available to carry out this section for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(ii) in paragraph (2) by striking ''a fiscal year'' and inserting ''each of fiscal years 2005 through 2009, and $2,500,000 of the $5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(iii) in paragraph (3) by striking ''a fiscal year'' and inserting ''each of fiscal years 2005 through 2009, and $1,250,000 of the $5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''; and

(iv) in paragraph (4) by striking ''a fiscal year'' and inserting ''each of fiscal years 2005 through 2009, and $1,250,000 of the $5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''.

(5) PUERTO RICO HIGHWAY PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(14) of SAFETEA–LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(F) $37,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) ALLOCATION OF FUNDS.—Section 165(a) of title 23, United States Code, is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(6) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(15) of SAFETEA–LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(F) $88,950,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) DESIGNATED PROJECTS.—Notwithstanding section 1301(m) of SAFETEA–LU (119 Stat. 1202), the Secretary shall allocate funds made available for the projects of national and regional significance program for the period referred to in section 1(b) on the basis of a competitive selection process in accordance with sections 1301(d), 1301(e), and 1301(f) of such Act (119 Stat. 1199).

(7) DEPLOYMENT OF MAGNETIC LEVITATION TRANSPORTATION PROJECTS.—Section 1101(a)(18) of SAFETEA–LU (119 Stat. 1155) is amended by inserting after ''2009'' the following: ''and $11,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(8) HIGHWAYS FOR LIFE.—

(A) IN GENERAL.—Section 1101(a)(20) of SAFETEA–LU (119 Stat. 1156) is amended—

(i) in subparagraph (A) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(C) $5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) PROJECT SELECTIONS.—Section 1502(b)(6) of SAFETEA–LU (119 Stat. 1237) is amended by striking ''the period of fiscal years 2005 through 2009'' and inserting ''the period beginning on October 1, 2004, and ending on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(9) HIGHWAY USE TAX EVASION PROJECTS.—

(A) IN GENERAL.—Section 1101(a)(21) of SAFETEA–LU (119 Stat. 1156) is amended—

(i) in subparagraph (C) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(E) $3,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(B) ALLOCATIONS.—Section 1115(c) of SAFETEA–LU (119 Stat. 1177) is amended—

(i) by inserting after ''2009'' the first place it appears the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(ii) by adding at the end the following:

''(5) $3,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(C) SUBALLOCATIONS.—Section 143 of title 23, United States Code, is amended—

(i) in subsection (b)(2) by inserting after ''$2,000,000'' the following: ''(and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, $500,000)''; and

(ii) in subsection (c)(3) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(10) TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION PROGRAM.—Section 1117(g)(1) of SAFETEA–LU (119 Stat. 1178) is amended by striking ''and $61,250,000 for each of fiscal years 2006 through 2009'' and inserting '', $61,250,000 for each of fiscal years 2006 through 2009, and $15,312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(11) TRUCK PARKING FACILITIES.—Section 1305(d)(1) of SAFETEA–LU (119 Stat. 1215) is amended by inserting after ''2009'' the following: ''and $1,562,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(12) DELTA REGION TRANSPORTATION DEVELOPMENT PROGRAM.—Section 1308(h)(1) of SAFETEA–LU (119 Stat. 1218) is amended by inserting after ''2009'' the following: ''and $2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(13) ROADWAY SAFETY IMPROVEMENTS FOR OLDER DRIVERS AND PEDESTRIANS.—Section 1405(c) of SAFETEA–LU (119 Stat. 1231) is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(14) WORK ZONE SAFETY GRANTS.—Section 1409(c)(1) of SAFETEA–LU (119 Stat. 1232) is amended by inserting before the period at the end the following: ''and $1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(15) NATIONAL WORK ZONE SAFETY INFORMATION CLEARINGHOUSE.—Section 1410 of SAFETEA–LU (119 Stat. 1233) is amended—

(A) in subsection (a) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(B) in subsection (b) by inserting before the period at the end the following: ''and $250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(16) ROADWAY SAFETY.—Section 1411 of SAFETEA–LU (119 Stat. 1234) is amended—

(A) in subsection (a)(2) by inserting after ''2009'' the following: ''and $125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(B) in subsection (b)(2) by striking ''and $500,000 for each of fiscal years 2006 through 2009'' and inserting '', $500,000 for each of fiscal years 2006 through 2009, and $125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(17) VALUE PRICING PILOT PROGRAM.—Section 1012(b)(8) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is amended—

(A) in subparagraph (A)—

(i) in clause (i) by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(iii) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, $3,000,000.''; and

(B) in subparagraph (B) by inserting after ''2009'' the following: ''and $750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(18) EXPRESS LANES DEMONSTRATION PROGRAM.—Section 1604(b)(2) of SAFETEA–LU (119 Stat. 1250) is amended by striking ''during the period of fiscal years 2005 through 2009'' and inserting ''during the period beginning on October 1, 2004, and ending on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(19) NATIONAL HISTORIC COVERED BRIDGE PRESERVATION.—Section 1804(d) of SAFETEA–LU (119 Stat. 1459) is amended by inserting before the period at the end the following: ''and $2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(20) ADDITIONAL AUTHORIZATION OF CONTRACT AUTHORITY FOR STATES WITH INDIAN RESERVATIONS.—Section 1214(d)(5)(A) of the Transportation Equity Act for the 21st Century (23 U.S.C. 202 note; 112 Stat. 206) is amended by inserting before the period at the end the following: ''and $450,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(21) NONMOTORIZED TRANSPORTATION PILOT PROGRAM.—Section 1807 of SAFETEA–LU (23 U.S.C. 217 note; 119 Stat. 1460) is amended—

(A) in subsection (c) by striking ''per fiscal year'' and inserting ''for each of fiscal years 2006 through 2009 and $1,562,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(B) in subsection (f)(1) by inserting before the period at the end the following: ''and $6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(22) ADDITION TO CMAQ-ELIGIBLE PROJECTS.—Section 1808 of SAFETEA–LU (119 Stat. 1464) is amended—

(A) in subsection (i) by striking ''September 30, 2009,'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''; and

(B) in subsection (j) by striking ''September 30, 2009,'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''.

(23) GRANT PROGRAM TO PROHIBIT RACIAL PROFILING.—Section 1906(e)(1) of SAFETEA–LU (23 U.S.C. 402 note; 119 Stat. 1469) is amended by inserting before the period at the end the following: ''and $1,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(24) GOING-TO-THE-SUN ROAD, GLACIER NATIONAL PARK, MONTANA.—Section 1940(a) of SAFETEA–LU (119 Stat. 1511; 120 Stat. 1109) is amended—

(A) in paragraph (2) by striking ''and'' at the end;

(B) in paragraph (3) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) $4,166,667 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(25) GREAT LAKES ITS IMPLEMENTATION.—Section 1943(b) of SAFETEA–LU (119 Stat. 1512) is amended by striking ''and $3,000,000 for fiscal year 2009'' and inserting '', $3,000,000 for fiscal year 2009, and $750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(26) BONDING ASSISTANCE PROGRAM.—Section 332(e)(2) of title 49, United States Code, is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(27) DENALI ACCESS SYSTEM PROGRAM.—Section 309(j)(1) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note) is amended by inserting before the period at the end the following: ''and $3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(28) SAFE ROUTES TO SCHOOL PROGRAM ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 1404(c)(3) of SAFETEA–LU (119 Stat. 1228) $750,000 for the period referred to in section 1(b).

(B) CONTRACT AUTHORITY.—Funds made available by this paragraph shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

(d) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA–LU.—

(1) IN GENERAL.—

(A) SURFACE TRANSPORTATION RESEARCH, DEVELOPMENT, AND DEPLOYMENT PROGRAM.—Section 5101(a)(1) of SAFETEA–LU (119 Stat. 1779) is amended by inserting after ''2009'' the following: ''and $49,100,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(B) TRAINING AND EDUCATION.—Section 5101(a)(2) of SAFETEA–LU (119 Stat. 1779) is amended by inserting after ''2009'' the following: ''and $6,675,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(C) BUREAU OF TRANSPORTATION STATISTICS.—Section 5101(a)(3) of SAFETEA–LU (119 Stat. 1779) is amended by inserting after ''2009'' the following: ''and $6,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(D) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5101(a)(4) of SAFETEA–LU (119 Stat. 1779) is amended by striking ''and $78,900,000 for fiscal year 2009'' and inserting ''$78,900,000 for fiscal year 2009, and $19,725,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(E) INTELLIGENT TRANSPORTATION SYSTEMS (ITS) RESEARCH.—Section 5101(a)(5) of

SAFETEA–LU (119 Stat. 1779) is amended by inserting after ''2009'' the following: ''and $27,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(2) DISTRIBUTION OF FUNDS.—For each program continued under the amendments made by paragraph (1), the Secretary of Transportation shall allocate the funds made available for the program for the period referred to in section 1(b) among the major program areas under that program in the same ratio as funds were allocated among those major program areas for fiscal year 2009, except that any designation of funds for specific activities shall not be required to be continued during that period.

(3) OBLIGATION CEILING.—Section 5102 of SAFETEA–LU (119 Stat. 1780) is amended by inserting before the period at the end the following: ''and $102,722,222 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(e) EXTENSION OF SAFETEA–LU TECHNICAL CORRECTIONS ACT OF 2008 PROVISIONS.—

(1) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Section 105(d) of the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1601) is amended by inserting after ''$1,000,000'' the following: '', and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 not more than $250,000,''.

(2) HIGHWAY RESEARCH FUNDING.—

(A) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—

(i) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the future strategic highway research program under section 510 of title 23, United States Code, $13,127,073 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.

(ii) CONTRACT AUTHORITY.—Funds made available by this subparagraph shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of activities carried out using such funds shall be 100 percent and such funds shall remain available until expended. Such funds shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

(B) FUNDING FOR RESEARCH ACTIVITIES.—Section 111(f) of the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1605) is amended—

(i) in paragraph (1) by inserting after ''2009'' the following: ''and $250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(ii) in paragraph (2) by inserting after ''2009'' the following: ''and $1,225,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(C) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506(k)(3) of title 49, United States Code, is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(f) EXTENSION OF SET-ASIDE PROGRAMS AND ACTIVITIES.—Section 1101 of SAFETEA–LU (119 Stat. 1153) is further amended by adding at the end the following:

''(d) EXTENSION OF SET-ASIDE PROGRAMS AND ACTIVITIES.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009:

''(A) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—To cover costs of the Secretary described in section 104(h)(1) of title 23, United States Code, $210,000.

''(B) INTERSTATE MAINTENANCE DISCRETIONARY PROJECTS.—To carry out projects described in section 118(c)(1) of such title $25,000,000.

''(C) NONDISCRIMINATION.—

''(i) SKILLS TRAINING.—For the administration of section 140(b) of such title $2,500,000.

''(ii) ON-THE-JOB TRAINING.—For the administration of section 140(c) of such title $2,500,000.

''(D) TERRITORIES.—For the territorial highway program under section 215 of such title $12,500,000.

''(E) ALASKA HIGHWAY.—For the Alaska Highway program under section 218 of such title $7,500,000.

''(2) PROJECT SELECTION CRITERIA.—The project selection criteria in section 118(c)(2) of such title shall apply to amounts made available by paragraph (1)(B).

''(3) CONTRACT AUTHORITY.—Funds made available by this subsection shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.''.

(g) OPERATION LIFESAVER.—Section 104(d)(1)(B) of title 23, United States Code, is amended by inserting after ''2009'' the following: ''and $140,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(h) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 104(d)(2)(A)(ii) of title 23, United States Code, is amended by striking ''and $15,000,000 for fiscal year 2009'' and inserting ''$15,000,000 for fiscal year 2009, and $3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(2) CERTAIN IMPROVEMENTS.—Section 104(d)(2)(E) of such title is amended by striking ''and $3,000,000 for fiscal year 2009'' and inserting ''$3,000,000 for fiscal year 2009, and $750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(i) INCREASED FEDERAL SHARE FOR CMAQ PROJECTS.—Section 120(c)(2) of title 23, United States Code, is amended by inserting after ''or both,'' the following: ''or with funds obligated in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''.

(j) HOV FACILITIES.—Section 166(b)(5) of title 23, United States Code, is amended by striking ''Before September 30, 2009'' each place it appears and inserting ''Through the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(k) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 608 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by inserting before the period at the end the following: ''and $30,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(2) in subsection (a)(3) by inserting before the period at the end the following: ''and not more than $550,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(l) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(B) in subparagraph (B) by inserting after ''fiscal years'' the following: '', and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(2) in subsection (d)(2) by inserting after ''2009'' the following: '', and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(3) in subsection (d)(3) by inserting after ''2009'' the following: '', and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''; and

(4) in subsection (k) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(m) REDUCTION OF ALLOCATED PROGRAMS.—The Secretary of Transportation shall reduce the amount that would be made available, but for this section, for fiscal year 2010 for allocation under a program that is continued both by a multiyear law reauthorizing such program enacted after the date of enactment of this Act and by this section (including the amendments made by this section) by the amount made available for such program by this section (including the amendments made by this section).

(n) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds allocated under this section and the amendments made by this section for fiscal year 2010 for a program category for which funds are not authorized for fiscal year 2010 under a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act may be restored to the Federal-aid highway program.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $58,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of such Act (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $26,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 405 of title 23, United States Code, is amended—

(A) in subsection (a)(3) by striking ''6'' and inserting ''7''; and

(B) in subsection (a)(4)(C) by striking ''in each of the fifth and sixth fiscal years beginning after September 30, 2003,'' and inserting ''in each subsequent fiscal year''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(3) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(d) SAFETY BELT PERFORMANCE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 406(c)(1) of title 23, United States Code, is amended by striking ''2009'' and inserting ''2010''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(4) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $31,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of such Act (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $8,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 410 of title 23, United States Code, is amended—

(A) in subsection (a)(3)(C) by striking ''in each of the fifth, sixth, seventh, and eighth fiscal years'' and inserting ''in each subsequent fiscal year''; and

(B) in subsection (b)(2)(C) by striking ''and 2009'' and inserting '', 2009, and 2010''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(6) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $34,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of such Act (119 Stat. 1520) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $1,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 2009(a) of such Act (23 U.S.C. 402 note; 119 Stat. 1535) is amended by striking ''2009'' and inserting ''2010''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(8) of such Act (119 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the second place it appears the following: '', and $7,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(i) MOTORCYCLIST SAFETY.—

(1) EXTENSION OF PROGRAM.—Section 2010(d)(1)(B) of such Act (23 U.S.C. 402 note; 119 Stat. 1536) is amended by striking ''and fourth'' and inserting ''fourth, and fifth''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(9) of such Act (119 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $1,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 2011(c)(2) of such Act (23 U.S.C. 405 note; 119 Stat. 1538) is amended by striking ''fourth fiscal year'' and inserting ''fourth and fifth fiscal years''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(10) of such Act (119 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $1,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of such Act (119 Stat. 1520) is amended—

(1) by striking ''and'' the last place it appears; and

(2) by inserting after ''2009'' the following: '', and $4,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(l) APPLICABILITY OF TITLE 23.—Section 2001(c) of such Act (119 Stat. 1520) is amended by striking ''2009'' and inserting ''2010''.

(m) DRUG-IMPAIRED DRIVING ENFORCEMENT.—Section 2013(f) of such Act (23 U.S.C. 403 note; 119 Stat. 1540) is amended to read as follows:

''(f) FUNDING.—Out of amounts made available to carry out section 403 of title 23, United States Code, the Secretary shall make available to carry out this section—

''(1) $1,200,000 for each of fiscal years 2006 through 2009; and

''(2) $300,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(n) OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.—Section 2017 of such Act (23 U.S.C. 402 note; 119 Stat. 1541) is amended—

(1) in subsection (a)(1) by inserting after ''2009'' the following: ''and $425,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(2) in subsection (b)(2) by inserting after ''2009'' the following: ''and $500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

SEC. 6. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $52,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) $58,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(c) HIGH PRIORITY ACTIVITIES.—Section 31104(k) of title 49, United States Code, is amended—

(1) in paragraph (2) by inserting after ''2009'' the following: '', and $3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(2) in paragraph (4) by inserting ''or for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''fiscal year''.

(d) GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking the period at the end and inserting ''and $6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.'';

(2) in paragraph (2) by striking the period at the end and inserting ''and $8,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.'';

(3) in paragraph (3) by striking the period at the end and inserting ''and $1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.'';

(4) in paragraph (4) by striking the period at the end and inserting ''and $6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''; and

(5) in paragraph (5) by striking the period at the end and inserting ''and $750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by inserting after ''fiscal year'' the following: ''and, in the case of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, up to $7,250,000''.

(f) HIGH PRIORITY ACTIVITIES.—Section 31313(b)(2) of such title is amended by inserting ''or for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''fiscal year''.

(g) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM MODERNIZATION.—Section 4123(d) of SAFETEA–LU (119 Stat. 1736) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) $2,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(h) OUTREACH AND EDUCATION.—Section 4127(e) of such Act (119 Stat. 1741) is amended by inserting after ''2009'' the following: ''(and, in the case of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, $250,000 to the Federal Motor Carrier Safety Administration and $750,000 to the National Highway Traffic Safety Administration)''.

(i) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of such Act (119 Stat. 1744) is amended by inserting after ''2009'' the following: ''and $250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(j) EXEMPTION DURING HARVEST PERIODS.—Section 4146 of such Act (119 Stat. 1749) is amended by striking ''at the end of fiscal year 2009'' and inserting ''on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(k) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of such Act (119 Stat. 1759) is amended by striking ''September 30, 2009'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(l) OFFICE OF INTERMODALISM.—Section 5503(i) of title 49, United States Code, is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) ALLOCATION OF FUNDS.—Section 5305(g) of title 49, United States Code, is amended by striking ''2009'' and inserting ''2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(b) SPECIAL RULE.—Section 5307(b)(2) of such title is amended—

(1) in the paragraph heading by striking ''2009'' and inserting ''2009 AND THE EXTENSION PERIOD'';

(2) in subparagraph (A) by striking ''2009,'' and inserting ''2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting ''MAXIMUM AMOUNTS IN FISCAL YEARS 2008 AND 2009 AND THE EXTENSION PERIOD.—''; and

(B) by striking ''2009'' and inserting ''2009 and the period referred to in section 1(b) of

the Surface Transportation Extension Act of 2009''.

(c) ALLOCATING AMOUNTS.—Section 5309(m) of such title is amended—

(1) in paragraph (2) by striking the matter preceding subparagraph (A), including the paragraph designator and heading, and inserting the following:

''(2) FISCAL YEARS 2006 THROUGH 2009 AND THE EXTENSION PERIOD.—The amounts made available or appropriated for fiscal years 2006 through 2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 under sections 5338(b) and 5338(c) shall be allocated as follows:'';

(2) in paragraph (2)(A)(i) by striking ''2009'' and inserting ''2009 and $50,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'';

(3) in paragraph (6)(B) by striking ''2009'' and inserting ''2009, and $3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(4) in paragraph (6)(C) by striking ''2009'' and inserting ''2009, and $1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'';

(5) in paragraph (7)(A)—

(A) by striking ''2009'' and inserting ''2009, and $2,500,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''; and

(B) by striking ''each fiscal year'' and inserting ''each of fiscal years 2006 through 2009'';

(6) in paragraph (7)(B) by inserting after clause (iv) the following:

''(v) $3,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.'';

(7) in paragraph (7)(C) by inserting ''and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''fiscal year'';

(8) in paragraph (7)(D) by inserting '', and not less than $8,750,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''fiscal year''; and

(9) in paragraph (7)(E) by inserting '', and $750,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''fiscal year''.

(d) APPORTIONMENTS.—Section 5311(c)(1) of such title is amended by inserting after subparagraph (D) the following:

''(E) $3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(e) APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.—Section 5337(a) of such title is amended by striking ''2009'' and inserting ''2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 (with 3/12 of each of the dollar amounts listed in paragraphs (1) through (6) made available for the extension period)''.

(f) FORMULA AND BUS GRANTS.—Section 5338(b) of such title is amended—

(1) in paragraph (1)—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(C) by adding at the end the following:

''(E) $2,090,141,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.'';

(2) in paragraph (2)(A)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $28,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(3) in paragraph (2)(B)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $1,040,091,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(4) in paragraph (2)(C)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $12,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(5) in paragraph (2)(D)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $416,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(6) in paragraph (2)(E)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $246,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(7) in paragraph (2)(F)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $33,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(8) in paragraph (2)(G)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $116,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(9) in paragraph (2)(H)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $41,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(10) in paragraph (2)(I)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $23,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(11) in paragraph (2)(J)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $6,725,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(12) in paragraph (2)(K)—

(A) by striking ''and'' after ''2008;''; and

(B) by inserting '', and $875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(13) in paragraph (2)(L)—

(A) by striking ''and'' after ''2008;''; and

(B) by inserting '', and $6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(14) in paragraph (2)(M)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $116,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009''; and

(15) in paragraph (2)(N)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting '', and $2,200,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009''.

(g) CAPITAL INVESTMENT GRANTS.—Section 5338(c) of such title is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) $452,312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(h) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of such title is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting ''and $17,437,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''2009,'';

(2) in paragraph (1)(A)—

(A) by striking ''and'' after ''2008,''; and

(B) by inserting ''and $2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009'' after ''2009'';

(3) in paragraph (1)(B)—

(A) by inserting '', and $1,075,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''each fiscal year'' the first place it appears; and

(B) by inserting '', and of which not more than $250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''each fiscal year'' the second place it appears;

(4) in paragraph (1)(C) by inserting '', and $1,750,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''each fiscal year'';

(5) in paragraph (1)(D) by inserting '', and $750,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''each fiscal year''; and

(6) in paragraph (1)(E) by inserting '', and $250,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,'' after ''each fiscal year''.

(i) ADMINISTRATION.—Section 5338(e) of such title is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) $24,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.''.

(j) EXTENSION OF SAFETEA–LU PROGRAMS.—

(1) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA–LU (119 Stat. 1572) is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(2) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011(c)(5) of SAFETEA–LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(3) RESTRICTIONS ON USE OF BUS CATEGORY FUNDS FOR FIXED GUIDEWAY PROJECTS.—Section 3011(d) of SAFETEA–LU (49 U.S.C. 5309 note) is amended by inserting after ''2009'' the following: ''and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(4) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA–LU (49 U.S.C. 5310 note) is amended by striking ''September 30, 2009'' and inserting ''the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(k) OBLIGATION CEILING.—Section 3040 of SAFETEA–LU (119 Stat. 1639) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $2,584,516,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, of which not more than $2,090,141,250 shall be from the Mass Transit Account.''.

(l) FINAL DESIGN AND CONSTRUCTION OF NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043(b) of SAFETEA–LU (119 Stat. 1641) is amended in the matter preceding paragraph (1) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(m) PRELIMINARY ENGINEERING OF NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043(c) of SAFETEA–LU (119 Stat. 1642) is amended in the matter preceding paragraph (1) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

(n) APPORTIONMENT PERIOD.—The Secretary of Transportation shall apportion funds under this section, including the amendments made by this section, not later than 21 days after the date of enactment of this Act.

(o) TREATMENT OF FUNDS.—Amounts made available under the amendments made by this section shall be treated for purposes of section 1101(b) of SAFETEA–LU (23 U.S.C. 101 note) as amounts made available for programs under title III of that Act.

SEC. 8. BOATING SAFETY EXTENSION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by inserting after ''1984,'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,''.

(b) DIVISION OF ANNUAL APPROPRIATIONS.—

(1) IN GENERAL.—Section 4(a) of such Act (16 U.S.C. 777c(a)) is amended—

(A) by inserting after ''2009'' the following: ''and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''; and

(B) by striking ''annual''.

(2) ADMINISTRATIVE EXPENSES.—Section 4(b)(1)(A) of such Act (16 U.S.C. 777c(b)(1)(A)) is amended to read as follows:

''(A) SET-ASIDE FOR ADMINISTRATION.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2006 through 2009 and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, the Secretary of the Interior may use no more than the amount specified in subparagraph (B) or (C) for the fiscal year or period, as appropriate, for expenses for administration incurred in the implementation of this Act, in accordance with this section and section 9. The amount specified in subparagraph (B) or (C) for a fiscal year or period may not be included in the amount of the appropriation distributed under subsection (a) for the fiscal year or period.''.

(3) SET-ASIDE AMOUNT.—Section 4(b)(1) of such Act (16 U.S.C. 777c(b)(1)) is amended by adding at the end the following:

''(C) EXTENSION PERIOD.—The available amount referred to in subparagraph (A) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 is 25 percent of the available amount under subparagraph (B) for fiscal year 2009.''.

(4) APPORTIONMENT AMONG STATES.—The first sentence of section 4(c) of such Act (16 U.S.C. 777c(c)) is amended by striking ''annual''.

(c) PUBLIC ACCESS TO WATERS.—Section 8(b) of such Act (16 U.S.C. 777g(b)) is amended—

(1) in paragraph (1)—

(A) in the first sentence by striking ''for each fiscal year''; and

(B) in the second sentence by striking ''in a fiscal year''; and

(2) in paragraph (2) by striking ''annual''.

(d) PAYMENTS OF FUNDS TO AND COOPERATION WITH PUERTO RICO, THE DISTRICT OF COLUMBIA, GUAM, AMERICAN SAMOA, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS.—Section 12 of such Act (16 U.S.C. 777k) is amended by striking ''annual''.

(e) MULTISTATE CONSERVATION GRANT PROGRAM.—

(1) AMOUNT FOR GRANTS.—Section 14(a)(1) of such Act (16 U.S.C. 777m(a)(1)) is amended to read as follows:

''(1) AMOUNT FOR GRANTS.—Not more than $3,000,000 of each annual appropriation made in accordance with the provisions of section 3, and not more than $750,000 of the appropriation made for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 in accordance with the provisions of section 3, shall be distributed to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.''.

(2) FUNDING FOR OTHER ACTIVITIES.—Section 14(e) of such Act (16 U.S.C. 777m(e)) is amended by adding at the end the following:

''For the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, paragraph (1) shall be applied by substituting '$50,000' for '$200,000' and paragraph (2) shall be applied by substituting '$100,000' for '$400,000'.''.

SEC. 9. LEVEL OF OBLIGATION LIMITATIONS.

(a) HIGHWAY CATEGORY.—Section 8003(a) of SAFETEA–LU (119 Stat. 1917) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, $10,617,492,545.''.

(b) MASS TRANSIT CATEGORY.—Section 8003(b) of SAFETEA–LU (119 Stat. 1917) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, $2,584,516,250.''.

(c) TREATMENT OF FUNDS.—No adjustment pursuant to section 110 of title 23, United States Code, shall be made for fiscal year 2010.

SEC. 10. HAZARDOUS MATERIALS RESEARCH PROJECTS.

Section 7131(c) of SAFETEA–LU (119 Stat. 1910) is amended by inserting after ''2009'' the following: ''and $312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009''.

SEC. 11. EXTENSION AND EXPANSION OF EXPENDITURE AUTHORITY FROM TRUST FUNDS.

(a) HIGHWAY TRUST FUND.—

(1) HIGHWAY ACCOUNT.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''September 30, 2009 (October 1, 2009'' and inserting ''December 31, 2009 (January 1, 2010'', and

(B) by striking ''under'' and all that follows and inserting ''under the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).''.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) by striking ''October 1, 2009'' and inserting ''January 1, 2010'', and

(B) by striking ''in accordance with'' and all that follows and inserting ''in accordance with the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking ''September 30, 2009 (October 1, 2009'' and inserting ''December 31, 2009 (January 1, 2010''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—

(1) IN GENERAL.—Paragraph (2) of section 9504(b) of such Code is amended—

(A) by striking ''(as in effect'' in subparagraph (A) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009),'',

(B) by striking ''(as in effect'' in subparagraph (B) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009), and'', and

(C) by striking ''(as in effect'' in subparagraph (C) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009).''.

(2) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking ''October 1, 2009'' and inserting ''January 1, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 30, 2009.

The SPEAKER pro tempore (Mr. BLUMENAUER). Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3617, and to include extraneous material therein.

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

There was no objection.

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

We gather here, I guess I would say in my view, reluctantly to ask for a vote in support of extending the current surface transportation programs that are included in existing law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to extend it for 3 months.

I expected that we would have put in place by now a 6-year extension of current law, a new transformational surface transportation program. But along the way, there has been a failure of political will in various quarters. Not on this committee, not on the Committee on Transportation and Infrastructure. We have done our work under the vigorous leadership of the gentleman from

Oregon (Mr. DEFAZIO), Chair of the Surface Transportation Subcommittee, in partnership with Mr. DUNCAN on the Republican side; and in the full committee Mr. MICA and I have worked together for the past 2½ years to craft a transformation of the Department of Transportation, of the Federal Highway Administration, of the Federal Transit Administration, of our safety programs into a coherent new vision and a new program with which to address the Nation's transportation needs, new partnerships with the States and with the cities and with the metropolitan planning organizations. And we've done that. We moved a bill out of subcommittee.

But along the way, there was a stumbling down the street from here at the White House that resulted in asking for an 18-month extension of current law, and then the other body fell in line with a request for an extension of 18 months.

That's not what we need in America. Eighteen months from now, we will be back here at the same place on the House floor decrying the lack of investment, decrying the falloff of funding, decrying the lack of investment in our transit systems while America chokes evermore in congestion; while rural America is not able to move its goods to market; while our traffic corridors for freight goods movement continue to move slowly; while businesses, enterprises like United Parcel Service spent $100 million dollars a year for every 5-minute delay their trucks experience.

General Mills in Minnesota loses $2 million for every mile an hour their trucks travel below the speed limit because they have to pay overtime charges and late delivery fees. That's not the kind of transportation we need in America to keep this economy moving, to keep our society mobile. We need a robust investment.

Two national transportation policy commissions have reviewed the current structure of law and the current financing of law and said this is not good enough; we need to invest vastly more than we are doing at all levels of government. And both recommended an investment level in the range of $450 billion over 6 years. That's what our bill does.

But since we have not been able to reach an agreement to bring that bill to the floor within the timeframe that we envisioned, we are here to ask for a 3-month extension to carry all programs to ensure continuity of existing investment in our surface transportation needs.

That is what this bill will do: continue programs for 3 additional months, which will give us an opportunity to continue working out the issues of how we deliver services, we deliver transportation investments in a more efficient, effective way to lead America into this 21st century.

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

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

First of all, I want to thank the Chair of the full T&I Committee and my Democrat counterpart on the committee, the leader, Mr. OBERSTAR, for his tireless efforts. He has been fighting unprecedented obstacles in trying to pass a 6-year extension of our most important transportation infrastructure legislation.

As you know, in just a few days our current legislation expires. In Congress we passed a 6-year authorization, and that's important so that States can plan and other entities can do long-term projects. As we have seen, the problem with the stimulus bill is we had some very narrow constraints on the time in which money could be spent. And because significant infrastructure projects take a long time to go through planning, process, approval, and the various red tape, we have seen that it's very difficult, in fact, almost impossible, even with the best efforts of Secretary LaHood and district secretaries throughout the Nation, transportation leaders throughout the Nation, to move that money out into projects and get people working.

□ 1615

That is why a 6-year bill is very important. I am kind of sad in a way that we have to come here for a 3-month extension. Now, I am not opposed to a 3-month extension; but on behalf of my leadership, what my leadership has requested is that this extension be brought to the floor not on a suspension, which is sort of a unanimous consent to proceed, but to have the legislation go through the Rules Committee and have the opportunity for our side of the aisle to express itself. And the only opportunity you get to do that is in a motion to recommit and through the regular order and process. That only requires a majority vote, and I am confident at that time many Members would vote on both sides of the aisle to proceed.

Everyone would like a long-term transportation bill. No one is happy that we are here at this 11th hour. The current legislation expires in just a few days, without a long-term bill to get people working, to get long-term approval.

So what we have here are several problems. First, we have a short-term proposal which many people have been opposed to.

I will take you back to the last time we did a 6-year bill. It took a year and a half, nearly 2 years to pass the next bill, so people were left in limbo for a long time. States can't plan. Projects can't move forward. Major infrastructure cannot be built nor approved when you don't know what the level of Federal participation will be.

There are some issues with this proposal to proceed for 3 months. Members on both sides of the aisle should be aware of them. First of all, we have an issue that some projects, and it has been confirmed with the other side of the aisle today, some projects that are named in the past 6-year bill will not go over into this extension. So in one category of nontransit and transit, you have about a quarter of a billion, about a half a billion dollars in total will be transferred from the past legislation and directed toward specific projects to the discretion of the Secretary. So that does raise some ire, some questions, not just on the Republican side but on the other side, what is going to happen with this half a billion dollars.

The other issue that we don't address in this, and this is kind of sad because we do need to do this long term, is rescissions. Rescissions, unfortunately we made a decision when we passed the last bill when we got to this stage that we had to have money to support these projects. We don't have money to support these projects at the level we had previously agreed upon, so what takes place is an automatic rescission. Now, I wish this extension dealt with the rescission issue.

What is going to happen, even if we pass this, most of the Members of Congress, and listen carefully, you are going to get a call from your Secretary of Transportation. The Secretary of Transportation is going to tell you that the States will begin announcing rescissions. That means they are going to be cutting back projects because Congress hasn't done its work. A 3-month extension isn't going to do that. We really need a 6-month extension to stop the rescissions. I'm telling you, you are going to get those calls and that is a concern that is not addressed in this legislation.

So we do have some problems with this. All in all, I want to move the process forward. If the Republican side of the aisle, my side of the aisle decides to take down or not approve an extension today, it is not the final word. What they would like is the opportunity, and I present this on behalf of our leadership on this side of the aisle, is a fair chance to bring up an issue. It may only be one vote, one opportunity to submit to the House for hopeful improvement in this move to extend the expiring transportation authorization. It may be only one opportunity. They would like to do that through the regular order of coming out with a rule.

So that is the situation we find ourselves in. It is not a happy situation for me. It is not a happy situation for my colleague, Mr. OBERSTAR, but that is the reality of the legislative situation that presents itself this afternoon.

I have additional comments, but I will reserve the balance of my time at this time.

Mr. OBERSTAR. I yield myself 2 minutes.

In the consideration of the current law, SAFETEA in 2004 and 2005, there were 12 extensions of the previous TEA–21 Act. Five of those bills were considered under unanimous consent; unanimous consent with our concurrence on the Democratic side or else it

couldn't have passed by unanimous consent. Four were agreed to by voice vote. Three were passed by recorded vote. At least two of those were requested by the Republican majority. The first was 410–0, the second was 418–0, and the third recorded vote was 409–8. We didn't ask for a rule to take up the extension of current law. We partnered with the majority Republicans to keep existing law in place and keep working on the replacement bill, which came to be SAFETEA.

I don't understand the appeal now for a rule to take up—something I suggested when I learned from my good friend who had to be the messenger bearing bad news that the Republican leadership in the House said they would not support the bill under suspension. I said, well, we will take it up under a rule. Then I thought further about this and found there is a great deal of support on both sides of the aisle for a 3-month extension. Then I started thinking further, we didn't do that when we were in the minority. We had a partnership. We wanted to see good policy achieved.

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

Mr. OBERSTAR. I yield myself an additional minute.

I say to the gentleman from Florida, who has been a straightforward partner, we have candidly talked through issues. Mr. DEFAZIO and Mr. DUNCAN have candidly discussed issues. Staffs have worked vigorously in crafting this transformational bill. There was no need for this disruption. We need an additional 3 months to continue working straightforward on the bill.

Now, there was a statement put out by the leader's office that the leader on the Republican side and the Republican National Committee chairman join with President Obama in supporting an 18-month extension of current law. That is the most unusual partnership I have ever seen. The Republican National Committee Chair and the Democratic President of the United States in a most unusual alliance. It is for the good of the country.

Mr. MICA. Mr. Speaker, I'm pleased to yield 3 minutes to one of the leaders on our side of the aisle, part of our leadership team, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Florida.

Mr. Speaker, I rise in opposition to this bill for several reasons. In my estimation, Mr. Speaker, I believe that this bill reflects a bit of gamesmanship within the discussion over the extension of a highway reauthorization bill.

I know that the gentleman from Minnesota has made very clear his desire to pass an increase in the gas tax to fund a multiyear reauthorization bill. Simultaneously, while the gentleman has expressed that desire, this administration, as well as the folks on the other side of this building in the Senate, have indicated that they do not want to support a tax increase at this time and instead have advocated an 18-month extension of the highway bill.

It appears that the gentleman from Minnesota has, in response, come up with this bill which would give a 3-month extension seemingly to buy time to bring the parties together to the table to agree on a gas tax.

Now, Mr. Speaker, let's face it, the American people right now especially cannot afford an increase in the gas tax. Such a tax would hit the unemployed, would hit small businesses, would hit those least able to afford it the hardest.

In addition to that, Mr. Speaker, our States and our contractors who are there needing some certainty deserve better than just a 3-month extension. Mr. Speaker, we on our side of the aisle stand ready to work with the gentleman as well as with his leadership on a thoughtful approach to highway reauthorization. What we are asking for is a public rejection of increasing the gas tax. We say ''no'' to higher gas taxes.

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds.

I appreciate the remarks of the gentleman, the distinguished assistant minority leader. In my remarks to the Ways and Means Committee, I laid out seven or eight different options. All of those options are on the table. In our metropolitan mobility center provision of the bill, we engage a wide range of private sector financing mechanisms to support investment in surface transportation in the areas of critical need where the greatest congestion occurs. We welcome all of those ideas.

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

Mr. OBERSTAR. I yield myself an additional 30 seconds.

As the gentleman from Florida knows very well, he has advanced ideas that we have engaged in and are continuing to engage in how to finance the long-term 6 years of the surface transportation. This is not a gas-tax-now-and-only proposal. We are not considering such in this 3-month extension, I say to the gentleman.

I would just like to quote a distinguished leader of this country: ''So what we are proposing is to add the equivalent of 5 cents per gallon to the existing Federal highway user fee, the gas tax. That hasn't been increased for 23 years. The cost to the average motorist will be small. The benefit to our transportation system will be immense. The program will not increase the Federal deficit or add to the taxes you and I pay. It will be paid by those of us who use the system, and will cost the average car owner about $30 a year, less than the cost of a couple of shock absorbers.'' That was Ronald Reagan in 1982. I applauded him for that statement. It was a great statement of leadership. We are asking for ideas for leadership on how to finance the future of transportation. Give us the time, give us the 3 months that we need to continue the dialogue. I invite the gentleman from Virginia to participate in these discussions with us. I hope that he will.

I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Tennessee (Mr. DUNCAN), the ranking member of the Highway Subcommittee of the Transportation and Infrastructure Committee.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

First of all, I want to say that I certainly agree with and support the comments that he made on this legislation a few moments ago. I find myself in the same position, and I certainly want to thank him for the great leadership he has given me in his position as the ranking member of the Transportation and Infrastructure Committee. I want to commend our great chairman, Chairman OBERSTAR, because all of us, Chairman OBERSTAR, Mr. MICA, myself, Chairman DEFAZIO of our subcommittee, we all would like to stop these extensions. Nobody wants a 3-month extension or any kind of extension. What we all want is to pass a major reauthorization bill.

I am in my 21st year in the Congress. I have been here for all of the major highway bills since I first was elected in 1988, and those bills have always passed with overwhelming margins and strong bipartisan support on both sides of the aisle, almost unanimous support.

□ 1630

Today, what you have, you have the Chamber of Commerce wanting a bill, you have the National Association of Manufacturers wanting a bill, you have the American Trucking Association wanting a bill, you have labor groups wanting a bill. I could give a whole long speech just naming all the different groups and people across this country that want a bill who say that we need it, especially with the economy in the situation it is in now.

So it is unfortunate that we have to talk about a 3-month extension or a 6-month extension. What we really need to be talking about is a strong, bipartisan highway reauthorization bill to help get this country moving once again and do all of the projects that have been getting backed up and are causing problems and delays all over this country.

Mr. OBERSTAR. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), Chair of the Subcommittee on Highways and Transit.

Mr. DEFAZIO. I thank the chairman.

The gentleman from Virginia can try and change the subject about some future possible increase in gas tax or user fees. That is not what is before us today.

Plain and simple, what is before us today is on October 1st, a very short time from now, will the States see a loss of $4.5 billion in funding for highway, bridge and transit projects across this country? Our economy is teetering, and they want to play politics

with a simple extension of existing policy under the existing gas tax, which has been the same since 1993. That is not too much to ask. But they want to play politics with that. They want to jeopardize it. They want to delay it.

Now, let's just go to the delay. If they are totally successful, $4.5 billion in spending goes away October 1. Hundreds of thousands of jobs are lost. Transportation projects across the country come to a halt; transit systems grind to a halt, because the Federal funds aren't there, even though we can finance all those things, without borrowing a penny, out of the existing gas tax. That would go away too.

Maybe that is the world they want to live in. I don't. Bridges falling down, transit systems that are unsafe to ride on, road surfaces that are unacceptable, growing congestion. That is not a vision for the future. But that apparently is their vision—the status quo or worse, because now they are talking about an 18-month extension.

If we do an 18-month extension, that will be 24 months or 30 months of the status quo, which is failing us. We aren't rebuilding the system; 160,000 bridges are weight limited, are functionally obsolete. People are sitting in congestion. Transit systems have $60 billion backlogs in outdated equipment. But that is okay with the Republicans, apparently. They want the status quo, because they are so afraid of talking about any sort of remedy of any type and any sort of investment.

Then, if they aren't successful in killing the whole program, if they just delay this temporary extension, on October 1 the States will lose $1 billion under the continuing resolution, $1 billion, all across America. There is 20 percent unemployment in the construction trades, and they are going to increase that number because they want to walk away from the $1 billion that would be there with the simple extension of this program for 3 months.

They can have the fight and the debate later when they want to play politics about the levels of investment in the bill and how we might get there. But that is 3 months from now or longer, depending upon what we can work out with the Senate.

But the point is, you are playing politics here. You want to have a vote on a gas tax that isn't before this body, that is not likely to be before this body at any time in the near future, at least for 3 months if this bill is passed.

Don't play politics with investment in our infrastructure. Don't play politics with the economy. Don't play politics with people's jobs. Don't bring America to a screeching halt on October 1 and walk away from your obligation to extend this program.

Mr. MICA. Might I inquire as to the amount of time on each side?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining and the gentleman from Minnesota has 7 minutes remaining.

Mr. MICA. I yield 3 minutes to the gentleman from Illinois (Mr. SCHOCK), one of the rising stars on the Transportation and Infrastructure Committee.

Mr. SCHOCK. Thank you, Ranking Member MICA, for yielding the time.

I rise today to connect three dots for my colleagues: Yesterday's vote, today's vote, and a vote that this body took on February 13.

Yesterday, I joined with the majority of this body in voting to extend unemployment assistance for an additional 13 weeks for American citizens. I cast this vote because unemployment in my State of Illinois is now over 10.4 percent, the highest it has been in over two decades.

The transportation industry in this country has been hit even harder. In August of this year, unemployment within that industry climbed up over 16.5 percent. There were over 1 million fewer construction industry jobs this August than the prior August.

Now, we took a vote on February 13 that was supposed to have alleviated this need. The American Recovery and Reinvestment Act, known as the stimulus bill, was supposed to create or save 3.5 million jobs and hold the U.S. unemployment rate below 8 percent.

Ladies and gentlemen, it is clear to this body and also to the American people that the stimulus bill has not done its job. Then again, the stimulus has not had a chance to make improvements in the construction industry and its unemployment. In fact, only $63 billion, or 7 percent of the stimulus, was dedicated to infrastructure. Interestingly, the rest of the stimulus is not being spent.

Without including the tax programs in the stimulus, only $98 billion worth of the stimulus dollars have been spent and an additional $140 billion is in the process of being spent, which means that $343 billion of the stimulus remains to be spent. Which brings me to today's vote. We vote today to delay consideration of the highway bill. Why? We take this vote because no one in this body wants to talk about how to fund the highway bill. Doing so is too politically risky.

The problem, ladies and gentlemen, is that we need to find about another $140 billion in revenue to compliment existing revenues in order to fund a $450 billion highway bill, a level that most agree is reasonable. No one wants to talk about the gas tax increase that would be needed to raise such revenue.

But I would submit to you this: We voted on a stimulus bill under the guise of investing in infrastructure. We voted on a stimulus bill under the guise of putting people back to work. And yet today we are about to vote on a postponement of one of the biggest job-creating bills that we have before this body.

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

Mr. MICA. I yield the gentleman another 30 seconds.

Mr. SCHOCK. I would submit that it would be much wiser to spend the remaining $343 billion, $140 billion of that on the shortfall in the Highway Trust Fund, and invest in America's infrastructure. There is nothing more expensive than deferred maintenance for this country, whether it is the bridge collapse in Minnesota, whether it is the bridge across the Illinois River in my hometown that has been downgraded from three to two lanes because of its instability.

We need to invest in America's infrastructure, and rather than push bills that fly in the face of the majority of Americans, a health care bill that has failed to receive the support of the majority of Americans, the majority of Americans support a highway bill. We need to vote on a full highway bill.

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds to point out to the gentleman from Illinois that we will in our next report next week, and I invite the gentleman to our committee hearing, the fourth in our series of oversight hearings, show 100,000 construction jobs.

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

Mr. OBERSTAR. I yield myself another 15 seconds.

By November, we will have a quarter of a million construction jobs. I keep track of it in a record that I have week by week. And, yes, if we had transferred the $140 billion from the rest of the stimulus, or if we had taken instead of a $300 billion tax cut and put it into the highway program, we would have a lot of people working.

I yield 3 minutes to the distinguished gentleman from Ohio (Mr. LATOURETTE), a graduate of the Committee on Transportation and Infrastructure.

Mr. LATOURETTE. I thank the chairman for yielding.

This is my 15th year in the Congress, and I am constantly amazed at how both parties are able to snatch defeat from the jaws of victory.

When the new administration came into office in January, I was excited as a Republican when he and our former colleague, the Secretary of Transportation, said we don't want to deal with infrastructure for 18 months. We are going to kick this thing down the road until after the next election.

I thought, my, what a wonderful opportunity for the Republican Party to regain its leadership role in transportation. And when I say ''historical,'' I talk about Abraham Lincoln and the Transcontinental Railway, about Dwight Eisenhower and the National Highway System. The chairman referenced President Ronald Reagan. George H.W. Bush signed the first comprehensive highway bill in 1991 called ISTEA.

We only ran into a problem during the reauthorization of what is now known as SAFETEA–LU, when, sadly, a Republican administration decided we only needed $256 billion out of a Highway Trust Fund that had more than that to solve all of the problems in this country. So, as a result, we argued, we wrangled, and we finally compromised, but the bill was 2 years late.

And when it was 2 years late, we didn't deliver the money to the States to do the projects, and people couldn't have jobs.

Now, for my good friend the new Member from Illinois, I just want to set the table. This debate today, there are only a couple of games in town. One is the President has said he doesn't want to deal with this for 18 months. That will cause a loss of jobs. Our friends on the other side of the Capitol, they don't want to deal with it for 18 months.

My friends who object now to this 3-month extension, what they are objecting to is not a 3-month extension. As the chairman correctly pointed out, we do this like changing our socks around here. This is not a big deal. But by passing the 3-month extension, you would give the only person in town who believes, and I got a bet on him, I got 10 bucks bet on the chairman, that he can get a highway bill done in 3 months. And if you don't like taxes, you argue against it later. You fight about it later.

But all this says is the only guy that is willing to do a full 6-year bill and will figure it out to put people back to work and do infrastructure in this country, JIM OBERSTAR, the chairman of the committee, we are not going to let you do that. We are going to take the 18-month extension from the Senate and we are going to be done.

I am telling you, it is just wrong. It is just wrong. The chairman needs to have the ability to put this forward. And the Republican Party, despite some members of our leadership, needs to stand up and say, you know what? Republicans, unlike what my friend from Oregon said, Republicans believe in infrastructure. We helped build this country. And to turn our backs on that now to try and score some cheap political point, as the gentleman said, is outlandish.

You need to vote for this thing. Get over it, and let's do the extension.

Mr. MICA. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

The gentleman from Minnesota mentioned or decried the lack of bipartisanship here now. The problem with the highway bill has never been a lack of bipartisanship. The problem has been a lack of fiscal responsibility.

When we did SAFETEA–LU 5 years ago, or 4 years ago, it passed by a margin, I think there were only eight dissenting votes here in the House and only three in the Senate. Yet it was a bill that was far too big for the Highway Trust Fund. We didn't have sufficient money there.

The other gentleman from Oregon mentioned that we were able to fund out of the Highway Trust Fund without borrowing any money. If that is the case, why have we transferred twice this year $8 billion in one tranche, $7 billion in another tranche, money that would backfill for the money we simply don't have in this legislation?

□ 1645

Let me point out another thing that is troubling here. In the bill there are extensions of certain projects and not of others. I'm glad that a lot of the projects, including most of the 6,300 earmarks that were in SAFETEA–LU, are now finished and completed, and we won't be extending those projects beyond. But there are exemptions here, projects that had a specific line item in the legislation:

Three-quarters of a million dollars for America's Byways Resource Center in Duluth, Minnesota.

More than $11 million for the magnetic levitation train system in Nevada.

These are projects that will continue to receive funding because they have a line item in the bill.

Now there is an uncanny alignment, I think anyone would see, between some of these projects and those who are working on this legislation. So you can say what you want about earmarks or whatever else, but this is an example, if nothing else, of the spoils system alive and well.

We shouldn't extend for 3 months what we ought to take up now. If somebody says we need to increase taxes, that's a debate we ought to have, but we shouldn't continue to spend money that we don't have in the Highway Trust Fund because we will simply have to transfer it later.

Mr. OBERSTAR. How much time remains on each side?

The SPEAKER pro tempore. The gentleman from Minnesota has 3½ minutes remaining. The gentleman from Florida has 4 minutes remaining.

Mr. OBERSTAR. I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Just to correct the gentleman, what I said is, we could continue the current levels in this bill over the next 3 months without borrowing any additional money. The funding is there. Yes, some money was transferred this summer to make up for past expenditures for emergencies and other things from the trust fund, but we would not be borrowing any money to extend this program for the next 3 months. It will be paid for, and it would put a heck of a lot of people to work. The bottom line is, do you vote ''yes'', extend this critical $4.5 billion investment next month in our transportation infrastructure, keeping our transit systems running? Or do you vote ''no'' and bring it to a screeching halt?

Mr. MICA. Mr. Speaker, I yield myself 3½ minutes.

First of all, unfortunately we do have ourselves in an awkward situation here. Let me separate some fact from fiction. Some statements have been made both by the Democratic side of the aisle and the Republican side of the aisle that I would like to address.

First, no one wants to kill a highway bill, and no one is intent on killing the measure that's before us today to extend for 3 months. What I came here to ask on behalf of my leadership was that we, in fact, get the opportunity for regular order, that there be an opportunity for a bill to come through rules. Sometimes you get one motion to recommit or one motion to be heard on changing the substance of legislation or influencing or stating your opinion on that legislation. That's all my leadership asked for was a 1-day delay. We're not going to delay the extension of the bill because the current bill extends through the 30th.

Now let me tell you, I've tried to be as bipartisan as I can in this process and as the Republican leader of the largest committee in Congress, working with Mr. OBERSTAR, Mr. DEFAZIO, Mr. DUNCAN, all the principals in this, to move forward because it is important for jobs. It is important for our economy. It is important for the infrastructure that we know is crumbling. It's important for the future of this country to have sound infrastructure. This extension, whether it's passed today or tomorrow, doesn't make a difference. What my leadership has asked is that they be given that one opportunity to make a presentation.

There's no attempt to take down the bill. There is a request to have it come through regular order. We all want jobs. Again, it's just that request. Now I have deferred to the other side of the aisle. The other side of the aisle in the House has been abandoned so many times, I feel like an orphan sometimes trying to help the chairman of the full committee. I stood with him when the message was delivered to us that they were going to abandon our work for a 6-year bill, a 72-month bill. I stood with him when the Secretary of Transportation came and gave us the bad news and said that that's not the way to go.

I stood with them when the other body, the United States Senate, said, No, we're going to delay this process and only go 18 months. Now I think I owe it to my leadership, on behalf of the minority—and we are the minority—to try to get them the opportunity to have their word on this legislation since it does have significant impact on the future of transportation, our infrastructure, the country and our economy. I think that's the least we could do from our side of the aisle as a responsible minority. So it's not an attempt to take it down. It's an attempt to state a position.

I reserve the balance of my time.

Mr. OBERSTAR. How much time remains?

The SPEAKER pro tempore. The gentleman from Florida has 30 seconds remaining, and the gentleman from Minnesota has 3 minutes.

Mr. OBERSTAR. I will reserve the balance of my time to close on our side.

MOTION TO ADJOURN

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 42, nays 355, not voting 35, as follows:

[Roll No. 730]

YEAS—42

Aderholt
Adler (NJ)
Akin
Alexander
Bartlett
Barton (TX)
Blackburn
Broun (GA)
Buyer
Campbell
Carter
Chaffetz
Clay
Foxx
Garrett (NJ)
Gohmert
Hastings (WA)
Heller
Hensarling
Inglis
Johnson (IL)
Johnson, Sam
King (IA)
Lamborn
Lewis (CA)
McCarthy (CA)
McHenry
Mica
Miller (MI)
Olson
Pastor (AZ)
Pitts
Posey
Price (GA)
Rehberg
Schwartz
Sensenbrenner
Shadegg
Simpson
Souder
Thornberry
Tiahrt

NAYS—355

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

NOT VOTING—35

Abercrombie
Bachus
Barrett (SC)
Bean
Bishop (UT)
Boehner
Capuano
Costa
Davis (IL)
Delahunt
Dingell
Doyle
Edwards (TX)
Etheridge
Frank (MA)
Giffords
Granger
Kennedy
Kilpatrick (MI)
Kirk
Lowey
Marchant
Marshall
McMorris Rodgers
Meeks (NY)
Moran (KS)
Ortiz
Roskam
Sessions
Slaughter
Smith (NJ)
Speier
Stark
Waters
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1715

Mr. MITCHELL, Ms. VELÁZQUEZ, Messrs. SCHRADER, BRIGHT, DUNCAN, GINGREY of Georgia, Ms. MARKEY of Colorado and Mr. ELLSWORTH changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 730, had I been present, I would have voted "nay."

SURFACE TRANSPORTATION EXTENSION ACT OF 2009

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Speaker, might I inquire, before I begin, as to the amount of time that I have remaining and the amount of time the gentleman from Minnesota has remaining.

The SPEAKER pro tempore. The gentleman from Florida has 30 seconds remaining and the gentleman from Minnesota has 3 minutes.

Mr. MICA. Mr. Speaker, again, the situation we find ourselves in, in just a few minutes here, will be to vote whether or not to proceed with a 3-month extension on the highway bill.

Mr. Speaker, as I said earlier, my side of the aisle and my leadership is asking not to kill a 3-month extension. We are very much in favor of a highway bill. What they are asking for is an opportunity to be heard, for this bill to go through regular order through the Rules Committee and have one opportunity, at least one opportunity, for the minority to be heard on this important piece of legislation.

I yield back the balance of my time.

Mr. OBERSTAR. I yield myself the balance of my time.

As a matter of historical record, it was I who suggested, when I heard from my distinguished Republican leader on the committee that the leaders of the Republican Conference had decided to oppose the suspension, that we would then, instead, ask for a rule to consider the bill. But on further consideration, I decided that there are so many Members on both sides who really wanted to vote on this bill that the time is now.

I just want to point out that in the consideration of the current law, surface transportation law, beginning in 2003, there were 12 extensions: five were considered under unanimous consent, with my support; seven bills were considered under suspension of the rules, all of which I cosponsored; four were agreed to by voice vote; three were passed by recorded vote. The first, ironically, was September 30, 2003, 6 years ago, for a 5-month extension. I supported that. It was a voice vote. We didn't ask for a bill to be brought up under a rule. We didn't ask for a recorded vote. We just, as a matter of comity and participation and in the best interests of the country and in the best interests of transportation, supported an extension for 5 months, and on through 12 of them, the last being the extension into September of 2004.

Why, now, all of a sudden, after our side had time and again supported extensions that, let me just go here, the last was July 30, 2005. I correct myself. I supported it. This is in the best public interest, I said, to give the Congress time, the House and Senate conference committees, to finish a bill.

Now, there are a number of organizations that support the short-term extension—the American Trucking Association, the American Automobile Association, the National Association of

Manufacturers, the U.S. Chamber of Commerce—urging the Congress to enact a multiyear surface transportation authorization bill as soon as possible. The Transportation Construction Coalition, 28 national construction trade associations and construction trade unions.

The proposed 3-month extension is far preferable to the 18 months. A whole host of groups say do the right thing. I ask this body to do the right thing today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3617, the "Surface Transportation Extension Act". I would like to thank my colleague Representative JAMES OBERSTAR for introducing this legislation, as well as the co-sponsors.

I stand in support of this important legislation because of the importance transportation has for my state of Texas, and my home city of Houston.

As a body we must be judicious in appropriating funds for transportation because it is of such vital interest to our Nation. Investments in our Nation's surface transportation infrastructure create millions of family-wage jobs and billions of dollars of economic activity. Each $1 billion of Federal funds creates 47,500 jobs and $6.1 billion in economic activity. In addition, this investment in transportation infrastructure will increase business productivity by reducing the costs of producing goods in virtually all industrial sectors of the economy. Increased productivity results in increased demand for labor, capital, and raw materials and generally leads to lower product prices and increased sales.

Because so much is literally riding on a transportation agreement for the 21st Century we must insist on a balanced surface transportation program that serves the mobility needs of our country in a manner consistent with key Democratic principles, including: economic growth, intermodalism, security, safety, continuity, equal opportunity, protecting our human and natural environment, rebuilding our transit and highway systems, encouraging alternative transportation, encouraging smart growth, encouraging advanced technology solutions, and protecting the rights of workers in transportation industries. While I am satisfied with this current extension I look forward to the day when we can pass a comprehensive and equitable transportation agreement that serves the 21st Century transportation needs of the American people.

Mr. BLUMENAUER. Mr. Speaker, while we understand the need to extend our transportation programs while the other body deals with health care and climate change legislation, we must stand firm about passing a new authorization of our transportation programs in the next 6 months.

Investing in America's infrastructure is the surest way to put Americans back to work. We can't afford to miss another construction cycle. Nor should we fall into a short term extension "trap". Even worse would be to punt until the next Congress the reauthorization of the Surface Transportation Act.

Throughout America, our infrastructure is falling apart. Communities large and small—urban and rural—are suffering from deteriorating roads and bridges, aging water and sewer pipes, and an inadequate electrical grid.

It is so bad that the American Society of Civil Engineers has given our nation's infrastructure an overall grade of "D". They say that we need $2.2 trillion to repair highway, transit and water projects after years of neglect.

If it were not for the economic recovery package, we would be spending less than at any time in recent history and far less than our international competitors on this critical component of our nation's strength.

Real highway spending per mile traveled has fallen by 50 percent since the Highway Trust Fund was established.

Total combined highway and transit spending as a share of gross domestic product has fallen by 25 percent during that period, to 1.5 percent of GDP today.

By not adjusting the tax rate for inflation, the gas tax has lost 33 percent of its purchasing power since 1993.

Over this time, we have failed to pursue the type of innovation necessary to ensure that our infrastructure meets the needs of future generations.

While America must and will spend more on infrastructure, it is critical to have the vision for what we are buying. More important, we must change the value proposition to get more from each dollar invested. The House has that vision and leadership. Let's take the next 6 months to write it into law.

Mr. OBERSTAR. Mr. Speaker, I rise to correct statements that were made by the gentleman from Arizona in the course of this debate, in which he gave inaccurate information about the magnetic levitation deployment program and the America's Byways Resource Center.

SAFETEA–LU established a program to fund the deployment of magnetic levitation transportation projects. SAFETEA–LU provided $45 million for the MAGLEV program in FY09, under the policy agreements made in the course of negotiations on that legislation.

This is an extension of a current law program, and is consistent with the approach taken throughout the Surface Transportation Extension Act. No Member requested the inclusion of this language.

The America's Byways Resource Center was originally authorized and funded under TEA–21. Byway leaders, local groups, volunteers, organizations and the State coordinators responsible for the planning and marketing involved with nationally designated byways depend on the center for the training, information and expertise paving the way to better byways.

The Federal Highway Administration leads and manages the National Scenic Byways Program as a community-based program and works in coordination with the center to ensure the continued commitment to the success of America's Byways.

Policy changes can and will be considered in the course of a long-term authorization, but are not appropriate in a short-term extension. H.R. 3617 extends the policies and agreements made under SAFETEA–LU, and continuation of these programs is consistent with this approach.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3617.

The question was taken.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 335, nays 85, not voting 12, as follows:

[Roll No. 731]

YEAS—335

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Calvert
Camp
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gohmert
Gonzalez
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross

Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wittman
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—85

Aderholt
Akin
Bachmann
Bachus
Bartlett
Blackburn
Blunt
Boehner
Boustany
Brady (TX)
Broun (GA)
Buchanan
Burgess
Buyer
Campbell
Cantor
Carter
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Davis (KY)
Dreier
Duncan
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Inglis
Issa
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latta
Lewis (CA)
Linder
Lucas
Lummis
Mack
McCarthy (CA)
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Myrick
Neugebauer
Olson
Paul
Pence
Pitts
Posey
Price (GA)
Radanovich
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ryan (WI)
Scalise
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Sullivan
Thornberry
Tiahrt
Tiberi
Wilson (SC)
Wolf

NOT VOTING—12

Barrett (SC)
Bishop (UT)
Capuano
Deal (GA)
Delahunt
Doyle
Granger
Marshall
Royce
Smith (NJ)
Speier
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1745

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

Mrs. MCMORRIS RODGERS, Messrs. COHEN, GUTHRIE, FLEMING, STEARNS, BURTON of Indiana, LUETKEMEYER, BOOZMAN, and BONNER changed their vote from ''nay to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn. * * *

The SPEAKER pro tempore. The motion is not debatable.

Does the gentleman have a motion?

Mr. KINGSTON. I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 50, noes 349, not voting 33, as follows:

[Roll No. 732]

AYES—50

Aderholt
Akin
Bartlett
Barton (TX)
Broun (GA)
Buyer
Campbell
Carter
Chaffetz
Clay
Coffman (CO)
Flake
Garrett (NJ)
Gingrey (GA)
Gohmert
Harper
Hastings (WA)
Heller
Hensarling
Himes
Inglis
Jackson-Lee (TX)
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
LaTourette
Lewis (CA)
Linder
Lummis
Lungren, Daniel E.
McHenry
Mica
Olson
Paul
Petri
Pitts
Price (GA)
Sensenbrenner
Sessions
Shadegg
Souder
Sullivan
Taylor
Thornberry
Tiahrt
Turner
Wolf
Young (AK)

NOES—349

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Latham
Latta
Lee (CA)
Lee (NY)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stearns
Stupak
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wu
Yarmuth
Young (FL)

NOT VOTING—33

Barrett (SC)
Bean
Bishop (UT)
Blackburn
Boehner
Boucher
Boyd
Capuano
Delahunt
Doyle
Granger
Grijalva
Holden
Larson (CT)
Lewis (GA)
McCaul
Meek (FL)
Miller, George
Moore (KS)
Murphy (NY)
Napolitano
Roskam
Roybal-Allard
Rush
Sarbanes
Sestak
Shimkus
Smith (NJ)
Speier
Stark
Thompson (MS)
Velázquez
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. BALDWIN) (during the vote). Members are advised 2 minutes remain in the vote.

□ 1806

Ms. CORRINE BROWN of Florida and Ms. HARMAN changed their vote from ''aye'' to ''no.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 732, Kingston Motion to Adjourn, had I been present, I would have voted "no."

Mr. MURPHY of New York. Madam Speaker, on rollcall No. 732, the Motion to Adjourn, had I been present, I would have voted "no."

MOTION TO GO TO CONFERENCE ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

Ms. WASSERMAN SCHULTZ. Madam Speaker, I move the previous question on the motion.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 240, noes 171, not voting 21, as follows:

[Roll No. 733]

AYES—240

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

NOES—171

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

NOT VOTING—21

Barrett (SC)
Bishop (UT)
Boehner
Boyd
Capuano
Delahunt
Doyle
Granger
Honda
Mack
McGovern
McNerney
Miller, George
Murphy, Tim
Richardson
Sestak
Skelton
Smith (NJ)
Speier
Stark
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1831

Ms. ROS-LEHTINEN changed her vote from "aye" to "no."

Messrs. HALL of New York and SCOTT of Virginia changed their vote from "no" to "aye."

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. ADERHOLT. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Aderholt moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2918 be instructed as follows:

1. To insist on the provisions contained in section 209 of the House bill.

2. To disagree to any proposition in violation of clause 9 of Rule XXII which:

(a) Includes any additional funding or language not committed to the conference;

(b)Includes matter not committed to the conference committee by either House;

(c) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.

3. To not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Alabama (Mr. ADERHOLT) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

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

I would like to focus attention upon a couple of important issues related to

both the bill itself and on the majority's last-minute attempts to use this bill as a vehicle for a month-long continuing resolution.

Madam Speaker, we all know the fiscal year expires on September 30, which is a week from today. Because the House and Senate have yet to complete our annual appropriations work, we must pass a continuing resolution—which, of course, we call a CR—to keep the government operating in the interim time. If we do not pass a CR, or a continuing resolution, our Nation will face a potentially devastating government-wide shutdown.

Now I think we all can agree that shutting down the government, even in the worst-case scenario, is not the preferred option. However, by attaching the CR to this Legislative Branch appropriation bill, the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process. This, Madam Speaker, is simply not the reasonable or responsible kind of governing that our constituents have sent us here to Washington to do.

In addition, the Leg Branch bill is the first of five appropriation bills by both the House and Senate to begin the conference committee work process. As the ranking member of the Leg Branch Subcommittee, I feel this bill is very important. But moving this bill forward, even above homeland security funding, is not the proper way to put a priority on meeting the critical needs facing the American people at this time.

I'm sure my Republican colleagues will have more to say on that issue as we move forward in the process. That being said, the motion that I bring forward today would prevent any extraneous provisions, including a CR, from being attached to the Legislative Branch appropriation bill and would require 48-hour viewing before a floor vote occurs.

Also, Madam Speaker, there is another issue that I do think needs to be dealt with as our subcommittee goes to conference. This is the issue of staff-led tours in the Capitol. Since the opening of the Capitol Visitor Center, many Members have expressed concern over the handling of how House staff-led tours are conducted at this time. To address this concern, we have included in the House-passed bill section 209, which prohibits the elimination or the restriction of staff-guided tours of the Capitol, except for security purposes, of course. The motion I'm offering today would instruct the House conferees to insist on this provision in conference. It is imperative that our staff be able to lead tours for our constituents and that our constituents are able to properly see this beautiful building, especially allowing it to be viewed from different standpoints. Different States have different things that they like to point out in the United States Capitol, and I think that it is certainly important that we continue to be able to do this.

Madam Speaker, I urge my colleagues to adopt this motion to instruct.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, while I support some of the content of the motion to instruct, essentially what much of it does is it ties the hands of the conference committee and really essentially would prevent us from being able to ensure that the government would continue to run.

There is precedent for adding unrelated matters in conference reports. The leadership on the other side of the aisle did so in 2006, and our tradition and our preference in the House is to make sure the conferees have as much flexibility as possible to ensure that the government can continue to function.

With that, I reserve the balance of my time.

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

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I want to fully support the comments of the gentlewoman from Florida. Some of the language in this motion is perfectly acceptable, but the most serious defect in the language is that it would simply tell the committee that it cannot do what the then-majority party did in September 2006.

In September 2006, the other party—then in the majority—attached the continuing resolution to the Department of Defense appropriation bill. Only two Republican Members of the House voted against that. Mr. ADERHOLT voted for that process at that time, so did Mr. LEWIS, so did Mr. BOEHNER, and so did Mr. CANTOR. So it would seem to me considerably ill-advised for this House to say that in order to keep the government open, we are not allowed to follow the very same procedure which was followed by the other side of the aisle and for which the gentleman voted.

I think that's enough said, and I thank the gentlewoman for the time.

Mr. ADERHOLT. Madam Speaker, I think what needs to be pointed out at this point is that as the minority here, we would like to see a clean CR passed. We were under the impression that there would be a clean CR that would be ready to be voted on tomorrow. There has been no effort by the majority to go ahead and bring this for a vote and to pass a clean CR. So that's what we would like to do. We would not like to see it attached to some other legislative vehicle but to simply pass a clean CR to make sure the government stays open. That's why I think we should do that, and we have this motion at the desk.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 30 seconds to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, let me say, there are only two instances in which this is not an absolutely straight, clean CR. We do make an exception for veterans. We fund them at a higher level than we would ordinarily fund them in the continuing resolution. Secondly, we do make an exception for the Census because 2010 is coming at us whether we agree on this House floor or not. Those are the only two legislative items that depart from the traditional CR.

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

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. OBEY. Virtually every judgment made in the contemplated CR is the judgment which is simply that of the authorizing committee of jurisdiction, and that's what CRs are supposed to do.

Mr. ADERHOLT. I think it should be noted, the last time this happened, we were funding our troops and not funding ourselves. The bottom line is that the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself such time as I may consume.

I think it's important to note that it is entirely appropriate to consider amending—at the point that we do—amending the CR to the Legislative Branch appropriations bill, which is essentially a government function. Our purpose in continuing to pursue that avenue would be to ensure that the government can continue to function.

In addition to that, because the legislative branch essentially has no significant differences of opinion, it really was the most appropriate vehicle and makes the most sense to utilize as a vehicle.

With that, I am prepared to yield back if the gentleman is.

□ 1845

Mr. ADERHOLT. In closing, let me say that I think it's very important, again, that we don't force Members to choose between voting for our own office budgets and voting for a government shutdown. Why are we choosing this particular vehicle for a CR? It is my understanding that the Homeland Security bill is also ready to go, and to attach it to choosing our own budgets to fund the Federal Government I think is a mistake. That's why we're concerned about the direction the majority is going on this. Therefore, we

have this motion that would restrict this from being added to it.

At this point, we would ask that a clean CR be moved forward and, therefore, it would not be attached to the Legislative Branch bill.

I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 213, not voting 28, as follows:

[Roll No. 734]

YEAS—191

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

NAYS—213

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

NOT VOTING—28

Barrett (SC)
Bean
Berman
Blunt
Boehner
Boyd
Capuano
Delahunt
Dicks
Doyle
Edwards (TX)
Granger
Johnson, E. B.
Kanjorski
McGovern
McKeon
Moore (WI)
Moran (VA)
Murtha
Pitts
Richardson
Sestak
Skelton
Smith (NJ)
Speier
Stark
Waxman
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1910

Messrs. SCOTT of Georgia, STUPAK, Ms. CHU, Ms. LORETTA SANCHEZ of California, Mr. SALAZAR, Ms. EDWARDS of Maryland, Messrs. McDERMOTT, FATTAH, LANGEVIN, SARBANES, Ms. CORRINE BROWN of Florida, Ms. PINGREE of Maine, Messrs. CLEAVER and CUMMINGS changed their vote from ''yea'' to ''nay.''

Ms. GIFFORDS, Messrs. GINGREY of Georgia, BURGESS, POSEY, Mrs. KIRKPATRICK of Arizona and Mr. McMAHON changed their vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Ms. WASSERMAN SCHULTZ, Mr. HONDA, Ms. MCCOLLUM, Messrs. RYAN of Ohio, RUPPERSBERGER, RODRIGUEZ, OBEY, ADERHOLT, LATOURETTE, COLE, and LEWIS of California.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–264) on the resolution (H. Res. 766) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

EASTERN EUROPEAN ALLY, POLAND

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

Mr. QUIGLEY. Madam Speaker, last week marked the 70th anniversary of the attack on Poland, helping to launch the Second World War.

Last week was also marked by an announcement that the administration plans to scrap a planned missile defense system in Poland and the Czech Republic and refocus its missile defense program on protecting against short-range Iranian missiles.

This realignment of priorities reflects the new threats we face. However, as we shift our focus, we must not forget the vital role played by our European ally, Poland. Poland has always stood by the United States with support dating back to the Revolutionary War where Polish heroes like Casimir Pulaski fought to help America achieve independence.

Poland unilaterally repealed the visa requirement for United States citizens traveling to Poland. Indeed, Poland has always stood by us. Though I would like to say we have returned that favor, unfortunately, we have not.

Madam Speaker, it's time to extend and ultimately make permanent the visa waiver program. Our friends in Poland have proven their steadfast dedication to the cause of freedom and friendship with the United States. We must do the same.

SUPPORT AND SYMPATHY FOR THE PEOPLE OF GEORGIA

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

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to express my support and sympathy for the people of Georgia, including so many of my constituents who have been affected by the devastating floods across the Southeast. From flooded basements to homes, businesses and schools that are completely under water, the damage is acute, an estimated $250 million.

Mr. Speaker, most tragically the flooding in Georgia has claimed nine lives, including two in the counties that I represent, little 2-year-old Preston Slade Crawford from Carroll County and 15-year-old Nick Osley from Chattooga County. My thoughts and prayers are with their families at this incredibly difficult time.

I do want to take a moment to commend the first responders and the State officials who have been working around the clock since the flooding began. We owe a tremendous debt of gratitude for their efforts.

I will continue to work with Governor Perdue and with the State and local officials to ensure that they are getting the resources they need to help recover from these floods. My thoughts and prayers remain with all of those affected by the floods as we look forward to recovery.

□ 1915

HAS AMERICA FLINCHED?

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

Mr. POE of Texas. Mr. Speaker, the tiny tyrant from Iran, President Ahmadinejad, is speaking at the United Nations today, continuing to spread his hate against Israel and the United States. He's taunting the world with his nuclear program—by intimidation. He wants a nuclear bomb. And recent leaked reports say he's got all the elements to build a nuclear weapon.

The administration has abandoned the American missile defense shield based in Poland that was to protect us from Iranian missiles. Just a few days ago, one popular Polish newspaper had the front page headline that said, ''Betrayed! The United States has sold us to the Russians and stabbed us in the back.'' We have left our allies vulnerable—like Poland—who stand with us fighting terrorism in Afghanistan.

The little fella in the desert has challenged the United States of America. He's called us out, and we backed off. We have succumbed to the Desert Rat's demands.

Truman, Kennedy, Reagan. None of these historical giants ever backed down from a gunslinger's threats. They knew that it was their responsibility to protect this Nation. To stand with our allies. When they were called out by tyrants, they stood their ground and did not flinch.

Has America lost its nerve? We shall see.

And that's just the way it is.

SPECIAL ORDERS

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

FOOTING THE BILL FOR AN AMERICAN EDUCATION

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

Mr. POE of Texas. I want to discuss an issue that is important to border counties along the Texas-Mexico border. One of those particular areas is in Del Rio, Texas. It's a border town that borders Mexico. Every day, students from Mexico cross from Mexico into the United States to go to American schools. Some of those individuals have visas to go to private schools. But the vast majority of them, it appears, do not have any type of visas to go to American schools. And they come in and go to our public schools.

On the first day of school this year, the superintendent of the San Felipe Del Rio School District had counted the people that came across into the United States and told those individuals, through other people, that they had to have visas or they could not go to public schools or private schools.

550 students crossed into the United States, and only 150 of them had visas, presumably, to go to private schools. The rest of those went to public schools.

Now this is not an issue of citizenship, because the Supreme Court has stated—and I think incorrectly so—that if a person is in the United States, they can go to the public schools in this country, regardless of whether they're a citizen or not.

This is an issue of living in the district, the school district where these kids go to school. Under Texas law, you must live in the district to be allowed to go to public school. Now this applies to everybody, citizens and noncitizens.

For example, if somebody is from Oklahoma, they can't go to a public school in Texas because they don't live in the district. The same is true of foreign students, whether they are legal or illegal.

And so the reason for this is because in Texas most of the money that goes to support public schools comes from property taxes. That's where people who live in that school district, they pay the money for people to go to the school.

It's an increasing problem along the Texas-Mexico border because more and more schools are being built, and the reason they are being built is there are people who live in other districts and many of them in foreign countries that cross the border every day, go to public school in the United States, do not live in the district, and, of course, they don't help pay for those schools that are being built to serve them.

Well, I was down on the Texas-Mexico border not too long ago. I stood on the bridge between El Paso and Mexico. One morning, hundreds of kids came across the border. I'm standing on the international border, turning around and looking at the kids coming into the United States.

These are a bunch of high school students going to our public schools. Down here are a bunch of elementary going to our schools. And some of them are going to private schools as well.

What happens is the cost for supporting people who don't live in these districts, many of them foreign nationals, many of them illegally in the United States, goes to the people who live in those districts. And it seems to me that it's only fair that people should not be going to public schools in the United States if they don't live in the districts that have to support their education, free to them but not free to the other people who live in those districts, through property taxes.

So I commend those border counties, those small school districts, those areas of the State of Texas that are poor to begin with for having to continually raise property taxes—taxes that have to be paid by legal immigrants, paid by American citizens—to pay for the education of people that don't even live in the United States.

I think the time has come for us to enforce the border, enforce the rule of law in the United States, and to prevent people who, every day—not at their expense—cross the border, go to the schools in the United States, to public school, don't live here, don't pay for that education, but expect and make somebody else pay for that.

That's just not right. And I commend those school districts that are trying to get a grasp on the cost of education for people who live in those small rural areas and those counties along the border of the United States and Mexico, because those people who live in those areas foot the bill for the expense of public education.

And that's just the way it is.

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

UNITED STATES-ISRAELI BOND

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

Mr. PETERS. Mr. Speaker, I rise this evening to talk about the important and special relationship that the United States shares with the Jewish State of Israel and how this relationship is of growing importance to the security and prosperity of both of our countries.

Recently, I traveled to Israel with 28 of my Democratic colleagues. I know many of my Republican colleagues also visited Israel this past summer, and this is important because it underscores the fact that the strong bond between the United States and Israel knows neither party nor ideology.

I first traveled to Israel in 2000 when I served in the Michigan State senate, along with senate colleagues. 2000 was the peak of peace negotiations, and what struck me most about the differences between today and that trip nearly a decade ago is how the hope of everyday Israelis for a peaceful future has been replaced by a constant fear of security. Instead of anticipating a soon-to-be-signed peace accord, Israelis are anxious over not whether, but when, the next rocket attack will come from either Hamas or Hezbollah.

When we visited the southern city of S'derot, we saw an armor-shielded playground built to protect the city's children from Qassam rocket attacks. As a parent, it was difficult seeing young, innocent children having to play on swings and slides encased in a facility constructed with thick reinforced concrete, knowing that this is the only safe place for children to play because of the constant threat of rocket attacks. Children, who should be carefree at play, instead suffer from post-traumatic stress.

Israel faces so many threats. It faces the threats of terrorism attacks from within its borders and rocket bombings from just beyond its borders. It faces Iran's nuclear ambitions and the growing ambivalence from many in the world community towards Israel's right to exist.

Israel is wrongly assailed for defending its own borders and citizens, as we saw last week in the flawed Goldstone Report, which unfairly criticizes Israel despite its strong efforts to protect all civilians. Israel faces criticism from even attempting to deter the growing Iranian threat.

Israel is a lonely democracy in a sea of tyranny; a shining example in a dangerous corner of the world of how freedom and democracy, pluralism, and economic ingenuity can lead to a high standard of living for all. Despite its hardships, Israelis are reliant and, because of this, their country prospers.

Israel has made its desert bloom and its high-tech sector has made its economy blossom. Israel is advancing towards independence from the fossil fuels that fund our enemies. I'm pleased that auto technology experts from Michigan are traveling to Israel next month on a trade mission to exchange ideas and to take advantage of the economic creativity and ingenuity both of our nations have to offer.

Jews in Israel, the United States, and around the world celebrated the Jewish New Year and soon will observe the solemn fast of Yom Kippur. While these should be holidays of happiness and deep reflection, in Israel they are, sadly, reminders of the need for eternal vigilance.

Ever since the Yom Kippur War in 1973, Israelis and Jews around the world have learned that they cannot take Israel's security for granted, not even for a day—not even on the holiest day of the year.

Eleven minutes after David Ben Gurion declared Israel's independence in 1948, President Harry Truman recognized the Jewish state, and the special relationship between the United States and Israel began. On that day, the United States was the first Nation to stand with Israel, as we must continue to be today.

Our nations' alliance is one routed in the common values of democracy, respect for the rule of law, economic growth, and pluralism. The mutual need for this relationship has only become greater throughout the years. After returning from Israel and seeing the threats Israelis face every day, I know we must do everything possible to make sure our friendship with Israel is maintained and strengthened.

Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

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

MORE GOVERNMENT WON'T HELP

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

Mr. PAUL. Mr. Speaker, our government has been mismanaging medical care for more than 45 years. For every problem it has created, it has responded by exponentially expanding the role of government.

Here are some points I'd like to have my colleagues consider. Number one, no one has a right to medical care. If one assumes such a right, it endorses the notion that some individuals have a right to someone else's life and property. This totally contradicts the principles of liberty.

Number two, if medical care is provided by government, this can only be achieved by an authoritarian government unconcerned about the rights of the individual.

Number three, economic fallacies accepted for more than 100 years in the United States have deceived policymakers into believing that quality care can only be achieved by government force, taxation, regulations, and bowing to a system of special interests that creates a system of corporatism.

Number four, more dollars into any monopoly run by government never increases quality, but it always results in higher costs and prices.

Number five, government does have an important role to play in facilitating the delivery of all goods and services in an ethical and efficient manner.

Number six, first, government should do no harm. It should get out of the way and repeal all of the laws that have contributed to the mess we have.

Number seven, the costs are obviously too high, but in solving this problem one cannot ignore the debasement of the currency as a major factor.

Number eight, bureaucrats and other third parties must never be allowed to interfere in the doctor-patient relationship.

□ 1930

Number 9, the Tax Code, including the ERISA laws, must be changed to give everyone equal treatment by allowing a 100 percent tax credit for all medical expenses.

Laws dealing with bad outcomes and prohibiting doctors from entering into voluntary agreements with their patients must be repealed. Tort laws play a significant role in pushing costs higher, prompting unnecessary treatment and excessive testing. Patients deserve the compensation; the attorneys do not.

Number 10, insurance sales should be legalized nationally across State lines to increase competition among the insurance companies.

Number 11, long-term insurance policies should be available to young people similar to term life insurances that offer fixed prices for long periods of time.

Number 12, the principle of insurance should be remembered. Its purpose in a free market is to measure risk, not to be used synonymously with social welfare programs. Any program that provides for first-dollar payment is no longer insurance. This would be similar to giving coverage for gasoline and repair bills to those who buy car insurance or providing food insurance for people who go to the grocery store. Obviously, that would not work.

Number 13, the cozy relationship between organized medicine and government must be reversed.

Early on medical insurance was promoted by the medical community in order to boost reimbursements to doctors and hospitals. That partnership has morphed into the government/insurance industry still being promoted by the current administration.

Number 14, threatening individuals with huge fines by forcing them to buy insurance is a boon to the insurance companies.

Number 15, there must be more competition for individuals entering into

the medical field. Licensing strictly limits the number of individuals who can provide patient care. A lot of problems were created in the 20th century as a consequence of the Flexner Report in 1910, which was financed by the Carnegie Foundation and strongly supported by the AMA. Many medical schools were closed, and the number of doctors was drastically reduced. The motivation was to close down medical schools that catered to women, minorities, and especially homeopathy. We continue to suffer from these changes, which were designed to protect physicians' income and promote allopathic medicine over the natural cures and prevention of homeopathic medicine.

Number 16, we must remove any obstacle for people seeking holistic and nutritional alternatives to current medical care. We must remove the threat of further regulations pushed by the drug companies now working worldwide to limit these alternatives.

True competition in the delivery of medical care is what is needed, not more government meddling.

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

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

THE INNOVATION ECONOMY OF THE FUTURE

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

Mr. TONKO. Mr. Speaker, on Monday I had the distinguished honor of hosting President Barack Obama to New York's 21st Congressional District that I represent when he paid a visit to Hudson Valley Community College in the city of Troy.

I want to extend my sincerest thanks to the President for recognizing that New York's Capital Region has become a leader in advanced technologies, has the ingredients to lead in the clean energy sector, and, most of all, for delivering a message that was full of inspiration and full of hope for a better future.

Why did the President come to New York's Capital Region to deliver an address on developing an innovation economy? Because we are transforming a rusty manufacturing center that had fallen on hard times into a center for advanced technologies that will soon rival the Silicon Valley and Boston. That is being done with a combination of public and private investment in close partnership with many universities and community colleges throughout the area.

The President touched on a few points that I have been talking about for years: an innovation economy built around three dynamics: upgraded human capital, infrastructure investments, and financial tools. We must retrain our workers to develop the energy and innovation economy of the future and leverage public funds with private investments to do so. If we are successful, this will lead to jobs such as wind engineers, advanced photovoltaic mechanics, fuel cell electricians, geothermal plumbers, technically trained teachers, clean room technicians, and many more.

In Albany we have built a nanotechnology research center and college that have earned a worldwide reputation, which is already a precursor to products in a wide range of economic sectors, from health care to low-emission engines. In Schenectady, General Electric Global Research Center and Wind Energy Institute are leading an army of smaller companies and entrepreneurs in alternative energy development. GE also just committed to building an advanced battery plant in Schenectady that will add 350 jobs and create a new energy storage system for locomotives that will save millions of dollars on fuel and dramatically reduce air pollution. And just to the north of my district, in my colleague Congressman SCOTT MURPHY's district, Global Foundries is constructing the most advanced chip fabrication plant in the world.

Smart investments in research and development are leading to innovations that are creating new jobs that will lead to future growth, and that's a vision I share with President Obama for our entire Nation. We are engaged in a clean energy race, much like the space race of the 1960s. The nation that wins that race to develop clean, affordable, renewable energy and emerging technologies will achieve economic security and a broad base of jobs for generations to come that are higher-salaried jobs.

And that brings us to Hudson Valley Community College, where programs have been created to train the area's workforce in semiconductor manufacturing, photovoltaic, geothermal, and wind energy. Community colleges like Hudson Valley Community College and the others in my district, Fulton-Montgomery Community College and Schenectady Community College, that will become the vital link between the innovations that will drive our new economy and the great-paying jobs that will lead to economic security for workers now and into the future. Community colleges will be where we train and retrain workers for the jobs of the future. The White House Council of Economic Advisers said in a recent report that in the near future, a degree from a community college will be in higher demand than 4-year degrees.

But this effort doesn't start with college. We need to educate today's children for the jobs that will be there when they become adults. The Capital Region is ripe to offer a regional approach to technological training, starting from grade school all the way up. In fact, in the Capital Region of New York State, we have established a Tech Valley High School; and Hudson Valley Community College, working with the New York State Energy Research and Development Authority, is building a resource for training and educating the future semiconductor manufacturing workforce. We must use the tools at our disposal in our region to instill a sense of excitement and passion toward learning, especially in the disciplines of science, of technology, of engineering, and, yes, of mathematics.

In Congress we are already laying the groundwork for our innovation economy, first through the Recovery Act, then through legislation such as the American Clean Energy and Security Act. Just last week we passed in this House the Student Aid and Fiscal Responsibility Act, which will make college affordable for millions more Americans and help build a world-class community college system.

Our future economy depends on our ability to educate and innovate. The challenges to lessen our dependence on foreign fossil fuels is an opportunity to create new industries, new jobs, and new economic security for all Americans, a vision that I share with our President and many of my colleagues.

Our President's vision of an innovation economy is ripe in the 21st Congressional District.

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HEALTH CARE

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

Mr. AKIN. I thank the Speaker and my colleagues for this opportunity to once again take a look at the area of health care, something that has been capturing the attention of Americans and legislators for lo these many weeks, and to take a look at some of the controversy that's developed between one statement and then a different statement and the two don't seem to agree. So what is the real story? And we're going to take a look at a number of those areas today. Various statements that have been made on health care, what the record seems to support, what Congressional Research has to say, people who are reasonably scholarly, take a look at the facts and say, well, what really is going on.

I think the first thing, and I think this is something that has caught the attention of Americans, is a concern over the cost of health care. If you bear with me just a minute, I'm going to try to get some charts up here to help illustrate it.

Through experience, just history and common sense tells us when the government is trying to do something, there are some side effects. Sometimes it's excessively expensive. Sometimes there is bureaucracy and rationing, inefficient allocation of resources, and degraded quality.

If you take a look at various government Departments, you think of things like the Post Office Department, something that's not noted for its efficiency, or the IRS, not noted for its compassion particularly, and the excessive expenses that seem to come up.

We established a Department called the Department of Energy. It was originally established to try to make sure that we were not dependent on foreign energy and foreign oil. That Department has grown tremendously, and we have become increasingly dependent on foreign oil.

So when we talk about the government, particularly the government injecting itself into a lot of areas, one of the concerns becomes particularly the cost.

Now, we were reassured on this point by President Obama when he spoke here in this Chamber not so many weeks ago, and this is part of his speech:

''Most of this plan can be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse.''

Of course, what he's talking about, one of the major places where he's going to get money is from Medicare, which is kind of an interesting thing because in the past it was Republicans who were accused of raiding Medicare. Here President Obama is saying that this can be paid for by finding savings within the existing health care system and part of the piece of that is going after Medicare.

So the question is, Is this something that's going to cost us a lot of money and what is the record of this administration and the government in general in terms of spending?

Here we have, from the beginning of this year, the spending pattern of the President and the Democrat leadership. And he complained at the beginning of his speech on health care that he had inherited a trillion dollar deficit, and, in fact, it was $240 billion. And yet here he has in a matter of 6 months or so burned up $3.6 trillion. So this statement that most of this plan can be paid for by finding savings within the existing system that's currently full of waste, and then he goes on to say ''Here's what you need to know: First, I will not sign a plan that adds one dime to our deficits.'' He's not going to add one dime to our deficits either now or in the future, period. Well, $3.6 trillion in debt is a lot of dimes. I don't know how many dimes. They'd probably stack up from here to the Moon for all I know.

I'm joined today by some distinguished colleagues and particularly a doctor and a gentleman who has had experience in medicine for a good number of years and somebody who has studied up on this entire system.

Congressman FLEMING, if you would join us, if you would like to make a comment.

I would like you to, first of all, take a look at this question. Is this proposal of the President something that really is not a big deal financially, or is this something that could become extremely expensive to the Federal deficit?

Mr. FLEMING. Well, I thank the gentleman, Mr. AKIN, for the question.

Of course, I, among all of our Republican colleagues and our Democrat colleagues, was here to hear the President make these statements, and it's very interesting when he said not one dime would be spent, and yet I don't know of anyone in America who agrees with that. Even the CBO, who is led by someone who was actually appointed by him, says that even with all of the razzle dazzle and the sleight of hand and pulling rabbits out of the hat, still there's $256 billion that's not covered, and that's after the $500 billion that's being gutted from Medicare, as you adroitly pointed out.

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Mr. AKIN. Say that again. How much was gutted from Medicare?

Mr. FLEMING. Well, it is a two-step situation. About $350 billion.

Mr. AKIN. That is more than the deficit he inherited from the Bush administration. He is going to take that much out of Medicare?

Mr. FLEMING. That is the first step. The second step is nearly another $200 billion that comes out of Medicare Advantage. So the total comes to something well over $500 billion, half a trillion dollars.

Mr. AKIN. $500 billion taken out of Medicare. That is a pretty gutsy move, it seems like to me, to be taking $500 billion out of Medicare. And he is calling that, what his statement was: Most of the plan would be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse.

I guess he is looking at the waste and abuse would be $500 billion out of Medicare; is that correct?

Mr. FLEMING. Well, $350 billion would be from the so-called fraud, waste and abuse. The other $150 or so billion, almost $200 billion, would be to directly tear down, dismantle, if you will Medicare Advantage.

Mr. AKIN. I have heard politicians going along on this line, and it sounds like to me that there is a line item, or there are three line items, waste, fraud and abuse, and you can just cut the numbers out of those lines. Is that how it works?

Mr. FLEMING. It seems to me that it is easy to do on paper, but this program is over 40 years old. And every politician that has come along has promised to do away with fraud, waste and abuse. Not one has been able to do it, and our President nor our colleagues on the other side of the aisle have even hinted how that would be accomplished.

Mr. AKIN. That is interesting; $500 billion out of Medicare alone. That is a significant number.

We are joined by Congresswoman FOXX who has dazzled us down here in

the last few years. I think of her as the grandmother of the legislators. It is a delight to have you here.

Ms. FOXX. Thank you very much, Congressman AKIN, for leading this hour tonight and for all of the leadership that you have given, particularly this session, on bringing to the attention of the American public some of the things that need to be brought to their attention.

I think you are certainly on the right track in talking about the fact that it is impossible to do what the President and Speaker PELOSI have been saying about expanding health care coverage, government-run health care coverage, to other people without it costing another dime.

It reminds me of Congressman MILLER saying last week, on another issue that I think you want to talk about in a little bit, on the government taking over the student loan program.

Mr. AKIN. I appreciate your bringing that up, but I would like to get there in just a minute.

Ms. FOXX. He said on the floor that we would go from the government having 22 percent of student loans, only 22 percent, to having all of them, and it wouldn't cost the government a dime. My point is these people keep promising programs and expanding programs and nothing is going to cost anything.

Mr. AKIN. Reclaiming my time, I would like to ask my friends here, and here is the specific statement made by the President. And I think it is helpful, you take the specific statements and you take a look at them and say: Does it make sense or does it not? Here is the statement, and what is a rational analysis of this?

''Here is what you need to know. First, I will not sign a plan that adds one dime to our deficits, either now or in the future.''

We have heard that we are not going to add a dime to the deficits, and in just 6 months we have scored $3.6 trillion from all of these different programs. You have the Wall Street bailout and the economic stimulus, the SCHIP, the appropriations bill, and this cap-and-tax, which is the biggest tax increase in the history of our country, and for him to say it is not going to add a dime to our deficit.

He also promised during the campaign that nobody making less than $250,000 would pay any taxes, and yet this cap-and-tax that we did means that as soon as you flip a light switch, you are starting to pay taxes. Now tell me, do people who flip light switches, do they all make over $250,000? There is a question of credibility when you hear a statement as broad and as general as that.

Here is another one: ''Most of this plan can be paid for by finding savings within the existing health care system, a system which is full of waste and abuse.''

Every year we are putting a patch on Medicare because the doctors are getting paid so little that they are getting to the point that when somebody walks into their office and says, I'm on Medicare, they say, Sorry, I can't afford to take any more Medicare.

So as a doctor, if you keep getting paid less and less for Medicare people, there is going to come a point where the people who have Medicare, they have government insurance, but they don't have government health care because a doctor won't accept the wage.

So I guess when we hear this, I don't know if this passes the sniff test.

Ms. FOXX. If the gentleman would yield, I think another point that needs to be made is that the President has said on many occasions that when he took office he inherited a $1 trillion deficit.

Mr. AKIN. That isn't true, is it?

Ms. FOXX. I wanted to see if you would help me with my memory on that. My memory is that when President Bush left office and President Obama came in, that the deficit was $259 billion, too big a deficit, but only $259 billion, compared to the $1 trillion which occurred almost immediately because of the stimulus package. The stimulus package created the $1 trillion deficit; is that your memory?

Mr. AKIN. It isn't just my memory. There is an expression that everybody is entitled to their opinion, but there is only one set of facts. And the facts are that it was in the range of $250 billion or so, and many of us who are conservatives would say that was too much. But still, it is not in the range of a trillion, or $3.6 trillion, which we are burning with all of these programs.

Here is another chart that I think people are vaguely aware of. President Bush, before, went where you are not supposed to go politically and said to the American public, Medicare and Social Security are broken. And maybe people beat him up for that, but in general Americans realize Social Security and Medicare, these programs are broken, partly because they weren't designed right to begin with and partly because of the demographic shift and all of those of us who are baby boomers and all of that. But here is a chart on the expansion of Medicare and Social Security.

My question is, if we can't manage Medicare and Social Security, and those costs are going up to this point where you have this dotted line. You have Medicare, Medicaid, and Social Security added together absorb the entire budget. There is no money for the arts, no money for public radio, and no money for defense or anything else, just those three programs. It totally gobbles up about the maximum you can get, because if you raise taxes more, you get less in because you kill the economy. So is it reasonable when you have the experience of Medicare and Medicaid expanding the way they are, the solution to this is obviously the government being more involved? Somehow, that doesn't pass the sniff test.

I yield to Dr. FLEMING.

Mr. FLEMING. A point you raised, Mr. AKIN, is a very important one that is often left out of the debate, and that is that Medicare and Medicaid are paying such low rates, far below cost in many cases, that it is only the private insurance market that is making up the difference, that keeps doctors solvent and keeps their offices open. If you look at the increase in private insurance premiums and the fact, and the President points this out frequently, the rate of increases is higher than inflation, well, what is causing that is the government-run health care that we already have which is being subsidized by the private market.

Mr. AKIN. Reclaiming my time, therefore, following your line of reasoning, if you keep taxing the privates more and more, they are going to get smaller. And when that gets smaller, your base of collecting those tax revenues gets smaller, and you have more and more people who are subsidized who are absorbing the resource, and pretty soon you are in a death spiral. Is that your point?

Mr. FLEMING. Exactly. People say how will this ever lead—what you really have is a competing public plan against private plans, and how will this lead to rationing and long lines? The bottom line is, when you artificially suppress the income to the providers, doctors and hospitals and DME companies and so forth, what you end up with is really an artificial market which then is being collapsed in the private sector into a public sector market, and there is no way that is going to control costs, short of long lines.

Mr. AKIN. Speaking directly on that point, and I appreciate your going there because that is something that I thought was very interesting. In the context of our health care debate, something that happened here last week on the floor, and people should be paying big attention to this, and it seems like it is an unrelated subject but it is not at all, and that is the student loan situation. We are fortunate to have Congresswoman FOXX who was literally involved in the middle of that situation.

I would like to explain the history of the student loan program and how that connects to this concept, because one of the huge debates here, aside from the cost of the thing, is the question of whether there should be a government insurance plan included. The Democrats are about 50/50 divided on that point. The Republicans are not at all divided. We think no, absolutely not. It is a deal breaker. We do not want the government getting into the insurance business.

So why would we be concerned? Well, because where that is going to lead. Let's go over and take a look at what happens in student loans and how that then relates to health care.

I yield to the gentlewoman from North Carolina.

Ms. FOXX. I will give you a very brief synopsis of it. I handled the rule

on the floor last week, so I was familiar with the bill. The Democrats have been trying to do this for a long time.

We have had in the Federal Government two ways for students to be able to borrow money to go to college. One was called the Direct Loan Program. They would go directly to the Department of Education and borrow money, pay it back over a period of time.

The second was something called the FFEL, and I can't remember exactly what those letters stand for, but students could borrow money from banks but the Federal Government would guarantee those loans. Back in the sixties when the Direct Loan Program was begun, right after it started, actually, it ran out of money and ran into all kinds of problems. Congress had to bail it out. That was long before my time, but it has constantly had problems.

Mr. AKIN. Reclaiming my time, was that the government Direct Loan Program always had problems?

Ms. FOXX. Yes.

Mr. AKIN. The deal is the government makes a loan to some student, you're going to go to college. The kid goes to college, doesn't repay the loan, and the government and the taxpayer has to then pick up the tab?

Ms. FOXX. That's right, put more money into it. So what happened was only about 22 percent of the people getting loans were getting them from the Direct Loan Program. Actually, that is a higher percentage than it had been over the years. The other 78 percent were getting their money from banks, and then the money was guaranteed by the Federal Government. What Chairman MILLER's bill did was say we are eliminating the private sector.

Mr. AKIN. Here is the interesting thing, though. If you went for a direct loan from the Federal Government, you got a lower interest rate on your loan, so you would think, shoot, everybody is going to go for that kind of loan, and, in fact 20 percent did, and the other 70-some did not. They paid more money in interest. Why? Because the loan was administered through the private sector. And the private sector was so much easier to deal with, they were willing to pay more in interest just not to have to deal with the Federal Government on it.

So what we did last week, then, was to basically eliminate, and there were some people that weren't federally insured at all and they were just totally private. So 20 percent of the market was just private. You had not quite 20 percent that was just straight Federal Government, and then you had in between the sector of private money with a guarantee from the Federal Government. So we have taken that huge sector in the middle and gotten rid of that so now the government runs 80 percent or so of the student loans; is that right?

Ms. FOXX. It will work that way if the Senate passes that bill, despite the fact that we kept saying over and over and over again, Department of Education has no business becoming a bank, and that's basically what they are doing.

Mr. AKIN. So the first thing we are seeing is once more the Federal Government is getting their fingers into everything, and in this case, they are basically taking over student loans. But they started with the idea that we are just going to help the students get a lower interest rate. That was the toe in the door, the nose of the camel under the tent, to the point where now 60, 70, if this bill were to pass the Senate, where you have the government now in the student loan business.

Now, let's fast forward. How does that parallel our concern on health care? Well, our concern is you put a public option in and the government starts with that. It seems like just a little thing.

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Then pretty soon you say, well, every insurance policy in the country has to be the same as the government's, which is what the legislation says. And pretty soon, guess what? You have one provider, the Federal Government, and the government has now taken over all of the health care.

I yield to my good friend, the Congressman from Georgia, who has a distinguished record here in the House but also is a medical doctor, which we don't hold against him. I would just be delighted to recognize my good friend, Dr. GINGREY.

Mr. GINGREY of Georgia. I thank the gentleman for yielding, Mr. Speaker. I hope my patients don't hold it against me as well.

But actually I just wanted for you to yield me time so I could ask our good friend from North Carolina, Ms. FOXX, a question in regard to this. You are right, she is a Member of our side of the aisle on the Rules Committee, does a great job of handling rules for us, and apparently does all of the education bills that come on the Floor.

There was some discussion, Representative FOXX, about how many jobs, in this time of losing jobs—they keep saying 14,000 people a day lose their health insurance; we know why, because they are losing their jobs—but in this particular instance, as far as that private sector, can you give us a number on that?

Ms. FOXX. We have an estimate that between 30,000 and 40,000 jobs in the private sector will be lost as a result of that education bill, and that, again, makes the statement that Mr. MILLER from California made so astounding, because it is like the statement that President Obama has made about the health care bill. Mr. MILLER said this will not cost the citizens of this country one single dime.

Mr. AKIN. Wait a minute. Reclaiming my time, you are starting to blow my circuits. You are saying that a Congressman on this floor, the head of the Education Committee now, says that this government loan program is not going to cost us a dime?

Ms. FOXX. The complete takeover is not going to cost a dime.

Mr. AKIN. In other words, the Federal Government is going to go in and take over all of these student loans, and it is not going to cost a dime. You know what you would have to prove to prove that true? You would have to say that every single loan is going to be made good. That is what you would have to say almost to make that happen. I mean, that is beyond credible.

Ms. FOXX. It also is beyond credible when we know that there are 30,000 to 40,000 people in the private sector servicing the existing loans. It is incomprehensible to me.

Mr. AKIN. 30,000 or 40,000—that is jobs lost?

Ms. FOXX. Jobs lost, and that they believe that people in the Department of Education are going to absorb the program into the Department without adding any personnel. Now, that is beyond belief for anybody in this country I believe, to think that you add responsibilities to people who work in the Federal Government and they are not going to ask for additional personnel.

Mr. AKIN. You know, there is kind of an overused phrase around here, ''people of faith.'' I mean, I think we are talking of people of faith that could make statements like that with a straight face almost.

I would like to just shift a little bit to my good friend from Georgia, and he in a way to me is a hero because he has done something which I think is a tremendous educational tool for the people of the United States.

On this House floor we are denied many, many times any kind of amendment that we can offer because it might be embarrassing to have to vote on something. But in committee, we still have the freedom to be able to offer amendments. And a third point of some considerable contention on health care is the question of rationing.

Is it going to end up that the government is going to, instead of an insurance agent getting between you and your doctor, which we don't like, even worse a bureaucrat telling the doctor and the patient, Sorry, you can't go there. Give him some aspirin and send him home. That is something that has been a concern.

So my good friend the doctor from Georgia offered an amendment in committee on this very point, and I don't think this has received nearly enough attention, Dr. GINGREY. But I want to review the simple sentence that you put in, because I think this really busts wide open this entire question about whether we are going to have rationing of health care.

''Nothing in this section shall be construed to allow any Federal employee or political appointee,'' that is, a bureaucrat, ''to dictate how a medical provider practices medicine.''

My understanding of what you are saying, doctor, is that that doctor-patient relationship, which we all consider to be the backbone of good medical care, is sacrosanct, and we are not going to put bureaucrats in charge of doctor-patient and medical decision-making.

Was that your point? And tell me about your amendment.

Mr. GINGREY of Georgia. Well, Mr. Speaker, I thank the gentleman from Missouri for yielding, and that essentially is the amendment that we proposed. There were a number of others. But on that particular one, early on, back on July 30 I believe is when we were marking up into the wee hours of the night, and the big concern was with when you look at the chart, this massive bureaucracy that was created between the patient here and the provider, there were all these government bureaucrats who had the authority under this bill, H.R. 3200.

Mr. AKIN. Was that that fantastic colored flowchart that we saw that had all the boxes and arrows all over?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman is right. I was able to hold that up when we were marking up the bill in Energy and Commerce, and, of course, C–SPAN cameras were there and showed the morass of bureaucrats on this in a chart depiction. But I think people got it, Mr. Speaker. They could see.

Mr. AKIN. So isn't that your point? You don't want bureaucrats getting in the way of medical decisions. Is that what you are trying to get at here?

Mr. GINGREY of Georgia. Absolutely.

Mr. AKIN. And how did it go? Tell me about the votes. Your amendment passed without any question, right? Everybody agrees to that doctor-patient relationship, right? There wasn't anybody that voted against your amendment?

Mr. GINGREY of Georgia. Well, what I am going to say, Mr. Speaker, the gentleman asked that question. I have answered that. If you asked every doctor and if you asked every patient, the answer would be, We don't want some government bureaucrat coming in this exam room telling either one of us what to do. This is a sacred relationship, really.

Mr. AKIN. I agree. It is a sacred relationship. How did the committee vote?

Mr. GINGREY of Georgia. They voted it down, Mr. Speaker. The gentleman asked a specific question. They voted a lot of great amendments down.

Mr. AKIN. What I have got here in my notes, it says the Democrats, 32 voted against it, one voted for it. Republicans, 23 voted for it, none of them voted against it. So it is a straight party-line vote, with the exception of one?

Mr. GINGREY of Georgia. Mr. Speaker, there was maybe one or two exceptions in the vote. They have 36 members on the Energy and Commerce Committee. I say ''they,'' Mr. Speaker. The majority party. They were assigned to that committee by the Speaker of the House, Ms. PELOSI. And we have 23 Republicans. So it is 36–23.

Mr. AKIN. So your amendment failed then?

Mr. GINGREY of Georgia. Absolutely it did, as did all the other amendments. You might say, Mr. Speaker, that the deck is pretty well stacked against us.

Mr. AKIN. Okay. But when it failed, what does that say to us if you are worried about bureaucrats making health care decisions? Does that give you any sense of comfort?

Mr. GINGREY of Georgia. Mr. Speaker, the question, does that give you any sense of comfort that bureaucrats won't come between the doctor and his or her patient, it gives you total discomfort, is the answer to that question. Otherwise, we would have had almost a preponderance of members, both Republicans and Democrats, voting in favor of that amendment. Surely some, more than one or two, felt that way, but they didn't vote that way.

Mr. AKIN. I really appreciate, doctor, your offering this amendment, because I think this, if there is ever any indication of where this health care is going and why the American public is concerned about it, this would be one of those things. Because we are talking about promises on the one hand that you can keep what you have and your doctor-patient relationship is good and don't worry about that; 100 million people in America have their own insurance and their own doctors and providers and they feel like they are getting pretty good health care. And yet here, this amendment says that.

We are joined by a fantastic Congresswoman, Congresswoman LUMMIS. I would be happy if you want to jump in here.

Mrs. LUMMIS. I do, and I thank the gentleman from Missouri for allowing me to. I was sitting in my office in the Longworth Building listening to this discussion, and my fellow freshman colleague, the physician from Louisiana, was talking earlier about Medicare and the effects of $350 billion of waste, fraud and abuse coming out of Medicare to magically fund a big portion of the proposed health care bill that Ms. PELOSI and her colleagues have prepared for us.

Mr. AKIN. Let's talk a little bit. What part of Medicare did that come out of? Did you happen to notice that? I mean, is there any line item that says waste, fraud and abuse in Medicare that you can just take money out of? How do we do that?

Mrs. LUMMIS. You know, there certainly isn't. And the most amazing thing to me about listening to that discussion is, when I was home for the August work period, I met with the physicians and administrators at Wyoming Medical Center in Casper, Wyoming. They told me that they are currently reimbursed at 37 cents on the dollar for their actual out-of-pocket costs of treating a Medicare patient.

Mr. AKIN. Let me stop. That is an incredible number. In other words, we have a doctor like Dr. GINGREY, Dr. FLEMING, and they accept a patient on Medicare. It costs them $1 to provide some type of medical care. They are getting reimbursed how much? $1.50?

Mrs. LUMMIS. No.

Mr. AKIN. $1?

Mrs. LUMMIS. No.

Mr. AKIN. How much?

Mrs. LUMMIS. Thirty-seven cents.

Mr. AKIN. Thirty-seven cents out of a dollar. So they are losing money on a Medicare patient.

Mrs. LUMMIS. They are losing roughly two-thirds of every dollar that they spend.

Mr. AKIN. So we are going to cut $500 billion out of Medicare and expect doctors to continue to do that? I don't understand how that is supposed to work.

Mrs. LUMMIS. It is a stunning departure from rational thinking.

Mr. AKIN. I think that is a great phrase, ''a stunning departure from rational thinking.'' You know, I think we are seeing a little more of that than we need down here. You are such a nice person. That is a nice way to say being stupid, isn't it? In Missouri, we are not very good at explaining things. I wish I was as politically correct as you are.

I see my good friend, Congressman KING from Iowa, over here, and he is having way too much fun. I think we have to let STEVE have a chance at chatting with us for a minute.

Congressman KING, somebody who is known for calling things plain and straight talk, I appreciate your midwestern perspective. Please join us.

Mr. KING of Iowa. All those compliments some might argue are a stunning departure from rational thinking, Mr. AKIN, and I am glad I came over here just to hear that exchange between you and CYNTHIA LUMMIS tonight.

I am sitting here thinking this: That there is a great, huge philosophical divide going on in this Congress, and the people on the left side of the philosophical spectrum and the left side of the aisle seem to believe somehow they can generate all of this government, all of this government oversight, and take on a huge operation of the job that is being done now, a lot by the private sector, punish the health insurance companies, replace them with a Federal health insurance company, and somehow the incentive that is there today that has allowed some profit for doctors to get back their huge investment in their education and their training and their internships and nursing and all of the expenses it takes to have a front-loaded education, somehow there is going to be an incentive there to have more doctors and more nurses, when we know it is going to be less.

They cut the funding to Medicare by half a trillion dollars and argue that it is waste, fraud and abuse, and somehow the President makes the argument that, let's see, he can find this savings

that is there because of waste, fraud and abuse, but the quid pro quo is we don't get to save the wasted money unless we take on the socialized medicine part of his package.

Mr. AKIN. Isn't that amazing? We have two medical doctors here, Dr. FLEMING and Dr. GINGREY, and we have been really leaning on our medical doctors. I guess the question I have is, I have been here 9 years, and over this period we passed some bill, I don't know how many years ago, that says we are going to keep ratcheting down how much money we are spending on Medicare, and it obviously isn't working, if you take a look Medicare growth and costs. And every year we do the Medicare patch so the doctors aren't going to go bankrupt all the time, or at least so they will keep taking Medicare patients.

So it seems to me when we do the patch, we are putting more money into Medicare, and now we are talking about taking $500 billion out of it. This thing somehow, Dr. GINGREY, do you want to address that for a minute, or Congresswoman FOXX?

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Mr. GINGREY of Georgia. Mr. Speaker, I will be glad to take some time from the gentleman from Missouri, and then I will be glad to yield back to him so he can let our family practitioner, the gentleman from Louisiana, Dr. FLEMING, also speak on this issue.

But yes, this sustainable growth rate formula—and it's very complicated. I've had six courses of calculus at Georgia Tech, and I still can't quite figure out how they come up with these numbers—is flawed, and everybody knows it's flawed and needs to be done away with. You can't fix something so badly flawed. For the last, I would say, 5, 6 years when they calculated that formula, the doctors end up taking a cut in something that already is underpaying them. It doesn't cover their basic expenses. It's calculated far differently from the way hospitals are reimbursed.

Mr. AKIN. Every year we're patching that, though, aren't we?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman is right in his comment, that every year we're patching it. And that's no way to run a bank. That's no way to do business. You patch it, and yet then the next year you take the cut for that year plus the patch that you removed. So you essentially have 5 percent for the patch and 5 percent for the current year. In fact, on January 1, 2010, the doctors, if we don't do something about it, will take a 20 percent cut.

Mr. AKIN. How many years can you practice medicine—let's say our salaries were cut 20 percent every year. How long would we be doing what we're doing? I mean, that's a tough deal. So we're cutting this. We keep adding money to it to prevent that cut from taking place, and now we're going to take $500 billion out of Medicare and everything is going to work fine?

Dr. FLEMING, what do you think about that?

Mr. FLEMING. Well, I will just briefly comment, because I know we have got other speakers here who are anxious to get on the record tonight.

The whole concept behind SGR, sustained growth rate, is that the government in its infinite wisdom said, Well, out in the future someplace, we're going to spend no more than this many dollars, and the doctors are going to have to get together amongst themselves—the hundreds of thousands of them—and decide how they're going to do that. Of course the obvious thing occurred. How in the world are doctors and hospitals going to be able to do that? Anybody under part B.

Mr. AKIN. Is this a conference call? You're going to have a conference call?

Mr. FLEMING. As far as I know, I was never invited to a conference call. I have never received an e-mail about it. I just went along, practicing everyday, like my colleagues do. All of a sudden we are told, we're spending above the SGR rate. It goes back to exactly what our debate is today. We can pick and choose a number out there in the future that's going to be a goal, and we are going to practice and spend less than that amount. But that does not affect the day-to-day behavior inside the exam room, which is, again, why our bill H.R. 3400 is so important because it gets to the behavior and the decision-making between the doctor and the patient. That is where the money is saved. Not in some conceptual decision made out in the future that we're going to spend only this many billions of dollars next year or the coming years.

And that's why the SGR is an abysmal failure. Of course we all know that it's really a joke. We do a patch every year, but it never would work, and it never will work.

Mr. AKIN. I appreciate your response as a medical professional on that, and the fact that it's going to be awfully hard if year after year we're putting more money into Medicare to try and prop it up. As Dr. GINGREY has said, that's no way to run a ship. And that's true. But we're constantly putting more money in it, and all of a sudden we're being told by the President that he is going to take $500 billion out of it because it's waste, fraud and abuse; he is going to put it into this program, and there is not going to be a nickel of deficit involved in that.

Another claim that the President made—and I have been sticking a little bit on the theme of, there's a lot of debate over what's true. This guy says this, somebody else says that, and America is arguing about this stuff. What our objective is is to try to add some kernel of truth to one of these things.

Here's another statement. First, if you're among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid or the VA, nothing in this plan will require you or your employer to change the coverage of the doctor you have. Now we've heard this over and over from the President. We've heard it from different Democrat Congressmen claiming this, and yet this isn't really true, from what we're seeing, as we take a good, closer look at it.

The first thing that strikes me is, if you are among the hundreds of millions of Americans who already have health insurance—in other words, you have 100 million Americans who already have health insurance, and you like it, you like your doctor-patient relationship, and you are saying, Hey, just leave me alone, what's the objective? Well, the objective is to find some other number of people who don't have health insurance. So how many is that? We have an expert on that here in Congressman KING. But let's just be very liberal. Let's say the President, who said originally it was 46 million, now he is going to take it down to 30 and probably if you looked at it closer, it's less than that. But let's say even if there were 30 that didn't have health insurance, and you have hundreds that have, why are you going to scrap the hundreds right off the bat in order to deal with the 30?

Mr. KING of Iowa. If the gentleman will yield, and I thank the gentleman from Missouri.

There have been two flawed premises that have been under the foundation of this health care debate from the beginning. One is that we spend too much money on health care. That has not been adjusted for a number of reasons. The other is we have too many that are uninsured. The number that's the most consistent is 47 million uninsured. But when you break the number down, you start subtracting from that 47 million, those that are here illegally—which the President has decided now, he's changed his mind and now he doesn't want to fund those—those that are here legally are under the 5-year bar; those that make over $75,000 a year and presumably could pay their own premiums; those that qualify for an employer plan; and those that qualify for a government plan, like Medicaid, but don't bother to sign up. Once you take 47 million and you subtract from that universe, that list that I have given, you end up with 12.1 million who are Americans without affordable options.

Mr. AKIN. Reclaiming my time, my first point, when you read this, if you have hundreds of millions who already have health insurance, you're going to tamper with all of this to deal with 12 million?

Mr. KING of Iowa. To deal with less than 4 percent, which is 12.1 million.

Mr. AKIN. So less than 4 percent. We're going to redo the whole system to deal with 4 percent. Even on the surface, it doesn't seem intuitively obvious to the casual observer that that's the way that you might deal with this thing.

Congresswoman FOXX.

Ms. FOXX. I thank the gentleman for yielding.

I wanted to speak to what you started out talking about tonight, along with this comment. What are we to believe on all of these issues? There are lots of numbers being thrown around, lots of comments being made. First of all, let me give a statistic that I know of. Eighty-nine percent of those people that you talk about are happy with their health insurance.

Mr. AKIN. So you are saying of Americans in general, 89 percent are saying, We're pretty comfortable with what we've got.

Ms. FOXX. Right. The ones who have health care coverage.

But the point I wanted to make tonight is something that has just been coming out in the last day or two about what's happening in terms of informing the American public about what——

Mr. AKIN. This is the area that's kind of sacred to Americans, the idea of free speech, that you can have your opinion, you can disagree with a family member or a neighbor. But we can have this debate and this discussion, and we're not going to hide information.

Is that what you are getting at?

Ms. FOXX. That's right.

There is an organization called Humana which provides health insurance, primarily the Medicare Advantage Program, to seniors all over this country.

Mr. AKIN. So we've got Humana. It's a health insurance company provider, and it's particularly working with Medicare money and packaging that money into more of like a private medical plan type thing?

Ms. FOXX. Correct. The Medicare Advantage Program.

The Humana organization sent a letter out to the people who participate in that program, saying, We want you to be aware of what's happening in this health care debate. We'd like you to send back a card so we can send you information about what's happening. We do want you to know that the current bill under consideration—they don't name H.R. 3200, but we assume that is the bill they were talking about—will be cutting funding for this program. Well, that is absolutely true. Anyone who reads that bill will see that it's true.

Mr. AKIN. So specifically, the bill that's being proposed by NANCY PELOSI—and indirectly by the President—is going to cut Medicare. Specifically in Medicare, it's going to cut Medicare Advantage, and Humana works with that. I just want to make sure we get this down.

Ms. FOXX. Sure.

And this is a program that seniors like very much. Well, where the rub comes in is suddenly the organization, the Centers for Medicare & Medicaid Services, doesn't like the fact that Humana is exercising its free speech options and educating the people that are being covered by its program and writes to them and says, You cannot do this anymore. You can't write letters to the people participating in your program. It says, ''We are instructing you to immediately discontinue all such mailings to beneficiaries and to remove any related materials directed to Medicare enrollees from your Web sites.''

Mr. AKIN. Wait, wait, wait. Stop again. I feel like I have just blasted off and gone to some other country or some other planet.

Ms. FOXX. You're living in 1984.

Mr. AKIN. You are saying that we have a private company who is insuring people. They write a letter to the people that are buying their product and say to them, essentially, you're being targeted by NANCY PELOSI's health care bill. So they are a constituency, they are a group of Americans who have a right to have an opinion. Obviously they're somewhat predisposed to like it because they wouldn't be in the program if they didn't like it, and they're being told, Your program is going to be cancelled. The program you like in Medicare is going to be canceled. So they're warning their people that are buying their product, Look out. You're about to lose something. If you like it, you're going to have to say something about it.

And now the government is threatening Humana for communicating?

Ms. FOXX. That is absolutely true.

Mr. AKIN. I don't know if we have even got a First Amendment anymore.

Ms. FOXX. Mr. Speaker, I would like to enter into the record of this discussion tonight the letter from Humana to its enrollees, the letter from CMS, and the CMS press release that was sent out related to that.

Mr. AKIN. I appreciate your sharing that. I guess I appreciate it. I think it's a little bit chilling. I mean, the President said something about calling us out. That sounds like something my principal did to me all the time when I was, you know, talking or chewing gum or something.

Going to Dr. GINGREY, have you heard about this situation? This is kind of a little spooky—that you can't send people a letter in America?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman asked me the question if I had heard about that. And absolutely I have heard about it. It's amazing, isn't it, that what we hear from the leadership in the majority party and from 1600 Pennsylvania Avenue is that everybody that is questioning H.R. 3200, or the bill that came out of the Health Committee in the Senate and has great concerns about whether illegal immigrants are going to be covered, whether the general taxpayer, whether they are pro-life or pro-choice, is going to have to pay for subsidies that low-income people get through the exchange if they choose a plan, either a government plan or a private plan, that offers abortion services. It's in the bill. I mean, it's clear language. And yet we're just getting all wee-wee'd up, according to certain sources, because we don't understand. It's like the only people that are telling the truth are the White House and the Democratic majority party. Everybody else is lying. It's absolutely insulting.

Mr. Speaker, that's why the people in the town hall meetings were so wee-wee'd up. They're tired of being insulted by these people that have all the power, all the power in the White House and both Chambers of Congress.

Mr. AKIN. Wait a minute. I am still coming back to this deal where you are a business and you are writing a letter to the people that you're providing a product to, and the government tells you you can't send a letter to them and you have to take it off your Web site? Is this 1984? I mean, what is this, George Orwell or something? I find the whole pattern here to be upsetting. I really do.

My friend from Iowa, are you running away on us here? I was just about to recognize you, gentleman. Did you want to jump in on this?

Mr. KING of Iowa. I appreciate the gentleman yielding. A number of things jump out in my mind, and that is, yes, this subject matter gets me all animated. I don't know quite how to pick that up with Midwestern vernacular. I wanted to point out the President's vernacular. We have to be very careful and listen very closely to this President because he is a master of casting ambiguities that couch things in terms where he is not confined by the definition of the language.

For example, right there, ''Nothing in this plan will require you or your employer to change the coverage of the doctor you have.'' Remember for months he said, ''If you like your plan, you get to keep it.'' And John Shadegg said, ''If you like your plan, get ready to lose it. That's the reality of it.''

Now the President, in his address before Congress—which I will point out was I believe September 9, 2009—the President changed the language to read what's down there, ''Nothing in this plan will require you or your employer to change the coverage or the doctor you have,'' except you may not be able to access coverage or the doctor you had because the plan might bring about a change in premiums, it might disqualify the policies, it might disqualify the very health insurance company. And so nothing in the plan might require you to change, but you may not have the option to keep the one you have because they have eliminated the existing policies.

□ 2030

Mr. AKIN. Yes, Gentlemen, this was the President's claim.

So we hear this one claim on one side. Now, what is the balancing counterclaim? Well, here is one. This is a poor guy from MIT who wishes he hadn't said it because he was attacked for making this statement:

With or without reform, that won't be true. This is about this statement.

He says, That won't be true. His point is that the government is not going to force you to give up what you have, but that's not to say other circumstances will not make that happen.

So, in other words, he can say you can keep what you've got; but in fact what happens is, just like in the funding for higher education, the government comes in and changes everything, and you don't have access to it anymore.

Please, the gentleman from Iowa.

Mr. KING of Iowa. Again, listen carefully to the words the President says. Here is a little bit of a different subject.

After the blowup on that night of September 8, which was the joint session of Congress, regarding the issue about funding illegals through this, the President then came back, and he said, ''I want to be clear: If someone is here illegally, they won't be covered under this plan.''

In other words, he is going to oppose any language that's ambiguous that might allow for illegals to be covered under H.R. 3200 or under another health care plan.

However, just a few days later, the President went before an open borders organization, which I recall to be La Raza, and he said, Well, we need to move forward on legalizing the people who are here illegally.

So we have this language that says, if someone is here illegally, he won't be covered under this plan; but if you legalize everybody who is here, this language here becomes moot. So listen carefully to the ambiguities that the President threads into his language, and you might find out well after the fact that it's a little late to raise the issue.

Mr. GINGREY of Georgia. If the gentleman would yield for just a second on that point.

Mr. AKIN. I yield.

Mr. GINGREY of Georgia. The gentleman from Missouri, thank you.

Mr. Speaker, I want to respond to my good friend from Iowa because he's absolutely right. The President did make the comment of, hey, you know, this problem will go away. All we have to do is grant amnesty to 12 million illegals, and then we won't have this problem, and they'll all be eligible for government subsidies under the government plan or under the exchange or whatever.

He did say, Mr. Speaker, emphatically that there should be a provision in H.R. 3200—if that happened to be the bill, and I hope it won't be. He said that he agreed that there ought to be an absolute provision that specifically states that before people are eligible for any of these government subsidies they have to have proof of their legality, not citizenship, but proof that they're in this country legally. That proof, he said, speaks for itself. I'm paraphrasing what the President said, but he was pretty emphatic.

I yield.

Mr. AKIN. I would just like to jump to the record here. This is the August 8 speech:

There are those who claim that our reform effort will insure illegal immigrants. This, too, is false.

He is saying people are saying things that are false. That's pretty close to calling them something else. They're saying things that are false.

The reforms I am proposing would not apply to those who are here illegally.

This is a statement that he made. Is it true or is it not? Well, one of the ways that you can check it out is to take a look at the bill. Another way that you can do it is to hire a group of legal scholars who works for Congress, called the Congressional Research Service. They're not Republicans. They're not Democrats. They looked into this statement. What did they find in this?

Under 3200—this is PELOSI's health care bill—the health insurance exchange would begin operation in 2013, and it would offer private plans alongside a public option. Then he goes on: 3200 does not contain any restrictions on noncitizens, whether legally or illegally present or in the United States temporarily or permanently, participating in the exchange.

In other words, in spite of the fact that the bill says this shouldn't apply—and there is actually language that says it shouldn't apply to illegals—in practice, when you turn the bill on, there's no screening mechanism.

Mr. GINGREY of Georgia. If the gentleman would yield, don't take that poster down just yet.

If you'll notice, Mr. Speaker, on that poster, it is dated August 25, 2009. In the Energy and Commerce Committee, H.R. 3200 passed committee on July 30, 2009. So this is an opinion rendered by CRS almost a month after that bill passed committee.

Mr. FLEMING. If the gentleman would yield.

Mr. AKIN. I yield to Dr. FLEMING.

Mr. FLEMING. There were also attempts by my friends, Dr. GINGREY and others, to actually say, well, okay, if this is fuzzy language and if we're going to debate this and say it's ambiguous and if some say it does cover illegals and some say it doesn't, let's just settle it by putting an amendment into the bill that will settle that for good.

Mr. AKIN. Reclaiming my time, if the objective is that we're not going to cover illegals, if that's the objective, you are saying let's make it clear to everybody. We'll put a simple sentence or couple of sentences in the bill, and we'll make it clear that we're not going to cover illegals, and that's offered as an amendment.

Mr. FLEMING. Yes.

Mr. AKIN. How did that go as an amendment? Did it pass? I assume it passed.

Mr. FLEMING. My understanding is the amendment failed according to party line.

Mr. AKIN. A party-line vote again?

Mr. FLEMING. Yes.

Mr. AKIN. So we have the President saying we're not going to be covering illegal immigrants. In fact, the bill from a completely unbiased source says there is nothing in it to protect against that, and the amendment to specifically prohibit it was defeated on a party-line vote. So that's why there's some tension on this subject, isn't there?

Mr. FLEMING. Yes.

Mr. AKIN. One person is saying something, and it isn't all necessarily so.

Mr. GINGREY of Georgia. If the gentleman would yield for a clarification.

Mr. AKIN. I yield.

Mr. GINGREY of Georgia. On that very point that Dr. FLEMING made, Mr. Speaker, in regard to the amendment:

Back in July, during that 2 or 3 days of markup, that amendment was offered by my colleague from Georgia, the ranking member with 17 years' experience on the Health Subcommittee of Energy and Commerce. He offered that very same amendment, and it was rejected on party line.

Mr. AKIN. Reclaiming my time, I appreciate, Doctors, your help. We have just a couple of minutes before I have to close, and I would like to correct one other thing. It's an assumption that has been kind of hidden in this debate over the months, which is that American health care is really cruddy and terrible and that it has to be totally torn down and rebuilt.

Now, this summer, while we were debating this, my dear father, who is 88 years old, went to a heart doctor. His original heart doctor had been diagnosed with cancer, and he retired. He goes to a new heart doctor.

The heart doctor says, What has the doctor done for your heart?

Dad says, Well, I'm getting these medicines.

He said, But what did you do? Well, come in, he says, for a stress test.

He went in for the stress test. Within a couple of days, he had scheduled an angioplasty. My father was put under anesthetic. They went in and looked around with their little camera. He came back out. They hadn't done anything. They called us in the office. I was with my dad on Monday. He's 88 years old.

The doctor says, You need open heart surgery.

He says, What are the numbers?

The numbers are these, he said. There's a 10 percent chance for a major complication in open heart surgery. If you don't get it, there's a 50 percent chance you're going to have a major heart attack.

So I'm sitting there with my dad and my mom in the office. The doctor says, When can we schedule surgery?

He said, Tuesday or Thursday.

That is tomorrow or two days. So we scheduled surgery. My dad had a seven-way heart bypass. He was home from the hospital on Saturday. The whole

process took about 2 weeks, 2½ weeks, and he's doing fine. That's the miracle of American medicine.

Let me explain one thing, which is, if you're some sheikh in Bahrain with unlimited money, where do you want to go to get your health care? To the good, old USA.

I say to you doctors, Hats off for the great health care that you provide. Yes, there are some things that we can do to improve it, but it doesn't mean we have to burn the entire barn down.

Mr. FLEMING. Will the gentleman yield?

Mr. AKIN. I yield my last minute or so.

Mr. FLEMING. Some might say that that's anecdotal, but let me point this out: for all cancers, 66.3 percent of American men and 63.9 percent of American women survive. In Europe, it's 47.3 and 55.8. So we're not talking about just a single story like you gave, which, I think, is representative. What we're talking about across the board are statistically significant differences in cancer survival rates in the U.S. versus Canada versus Europe.

Mr. AKIN. Let's do that statistic one more time, and we'll probably have to close up with that.

In the U.S., your survival rate is 60-something percent overall.

Mr. FLEMING. For all cancers it's 66.3 for men and 63.9 for women.

Mr. AKIN. Okay. This is over 5 years?

Mr. FLEMING. Yes, versus Europe, which is 47.3 percent.

Mr. AKIN. So, if you've got cancer, you'll want to be in the good, old USA then.

Mr. FLEMING. Absolutely.

Mr. AKIN. Yes.

I very much appreciate your all joining us tonight. I thank my colleagues and the American public for continuing this discussion on health care.

God bless you all. Thank you.

DEAR ____: With the media reporting daily on Congress' and President Obama's efforts to enact meaningful health reforms this year, many Humana Medicare Advantage (MA) members are contacting us with questions. Members just like you want to know what these reforms might mean for their Medicare health plan and how they can get involved to help protect Medicare Advantage.

We are working diligently to ensure that our nation's leaders understand how proposed reforms might affect you. At the same time, we have created the Partner program to keep you informed about proposed Medicare changes and help you get involved so your voice is heard in Washington. Your opinions matter to us, to others on Medicare, arid to your elected officials. There are two things you can do now to help show Congress the importance of Medicare Advantage:

Opt into the Partner program. Becoming a Partner is easy. Just complete the accompanying, postage-paid form and follow the instructions to fold and mail it back. As a Humana Partner, you will join more than 50,000 Humana Medicare Advantage members who are receiving information about this issue and learning how to get involved to protect your Medicare health plan coverage.

Let your Members of Congress know why Medicare Advantage is important to you. Congress is considering significant cuts to Medicare Advantage now, and your Members of Congress will want to know why this program is valuable to you because these cuts could mean higher costs and benefit reductions to many on Medicare Advantage.

We've made it easy for you to have your voice heard. Just call (877) 698–9228 (toll-free) or visit www.humanapartners.com for additional information about this issue and how you can offer helpful input to your elected officials.

Leading health reform proposals being considered in Washington, D.C., this summer include billions in Medicare Advantage funding cuts, as well as spending reductions to original Medicare and Medicaid. While these programs need to be made more efficient, if the proposed funding cut levels become law, millions of seniors and disabled individuals could lose many of the important benefits and services that make Medicare Advantage health plans so valuable.

On behalf of Humana's 28,000 employees, I would like to thank you for being a Humana member. We look forward to partnering with you to ensure the Medicare Advantage program remains strong, so you can have peace of mind about your health coverage—now and in the future!

Regards,

PHILIP PAINTER, M.D.,
Chief Medical Officer,
Humana Medicare.

DEPARTMENT OF HEALTH & HUMAN SERVICES, CENTERS FOR MEDICARE & MEDICAID SERVICES, CENTER FOR DRUG AND HEALTH PLAN CHOICE, BALTIMORE, MD.

MEMORANDUM

Date: September 21, 2009.

To: All Medicare Advantage Organizations, Medicare Advantage-Prescription Drug Organizations, Cost Based Organizations and Demonstration Plans.

From: Teresa DeCaro, RN, M.S./s/, Acting Director, Medicare Drug and Health Plan Contract Administration Group.

Subject: Misleading and Confusing Plan Communications to Enrollees.

CMS has recently learned that some Medicare Advantage (MA) organizations have contacted enrollees alleging that current health care reform legislation affecting Medicare could hurt seniors and disabled individuals who could lose important benefits and services as a result of the legislation. The communications make several other claims about the legislation and how it will be detrimental to enrollees, ultimately urging enrollees to contact their congressional representatives to protest the proposals referenced in the letter.

Our priority is ensuring that accurate and clear information about the MA program is available to our beneficiaries. Thus, we are concerned about the recent mailings as they claim to convey legitimate Medicare program information about an individual's specific benefits or other plan information but instead offer misleading and/or confusing opinion and conjecture by the plan about the effect of health care reform legislation on the MA program and other information unrelated to a beneficiary's specific benefits. Further, we believe that such communications are potentially contrary to federal regulations and guidance for the MA and Part D programs and other federal law, including HIPAA. As we continue our research into this issue, we are instructing you to immediately discontinue all such mailings to beneficiaries and to remove any related materials directed to Medicare enrollees from your websites. If you have any questions about whether plan communications comply with the MA program requirements and guidance and federal law, we urge you to contact your Regional Office account manager.

Please be advised that we take this matter very seriously and, based upon the findings of our investigation, will pursue compliance and enforcement actions.

DEPARTMENT OF HEALTH & HUMAN SERVICES, CENTERS FOR MEDICARE & MEDICAID SERVICES, OFFICE OF MEDIA AFFAIRS, WASHINGTON, DC.

MEDICARE ISSUES NEW GUIDANCE TO INSURANCE COMPANIES ON MEDICARE MAILINGS

Medicare today called on Medicare-contracted health insurance and prescription drug plans to suspend potentially misleading mailings to beneficiaries about health care and insurance reform. The Centers for Medicare & Medicaid Services (CMS) recently asked Humana, Inc. to end similar mailings. Humana has agreed to do so.

''We are concerned that the materials Humana sent to our beneficiaries may violate Medicare rules by appearing to contain Medicare Advantage and prescription drug benefit information, which must be submitted to CMS for review'' said Jonathan Blum, acting director of CMS' Center for Drug and Health Plan Choices. ''We also are asking that no other plan sponsors are mailing similar materials while we investigate whether a potential violation has occurred.''

Humana is one of a number of private health plans that contracts with CMS to offer health care services and drug coverage to Medicare beneficiaries as part of the Medicare Advantage and Part D programs. CMS learned that Humana had been contacting enrollees in one or more of its plans and, in mailings that CMS obtained, made claims that current health care reform legislation affecting Medicare could hurt Medicare beneficiaries. The message from Humana urges enrollees to contact their congressional representatives to protest the actions referenced in the letter.

''We are concerned that, among other things, the information in the letter is misleading and confusing to beneficiaries, who may believe that it represents official communication about the Medicare Advantage program,'' said Blum.

Specifically, CMS is investigating whether Humana inappropriately used the lists of Medicare enrollees for unauthorized purposes.

Based on the findings of the investigation, CMS will pursue appropriate compliance and enforcement actions.

THE 30-SOMETHING HOUR

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

Mr. MURPHY of Connecticut. I thank the Speaker for granting us this time on the House floor this evening.

I hope to be joined very shortly by a few other of my colleagues who are also from the 30-something Working Group. As our colleagues know, this group comes down to this floor on a regular basis to talk about the issues that matter, not just to our constituents or to the American people but, in particular, to young families out there.

We are also to be joined this evening by a few other Members who care deeply about this Congress' commitment to

health care reform. This is the defining subject of this moment in Congress. It is the defining moment for our constituents when we're back home, and rightly so.

Mr. Speaker and my colleagues, when I was home for August, I went out there and talked to the people I represent in every forum possible. I spent early mornings in the dew of village greens. I did town halls in the evenings. I set up a card table outside supermarkets, and talked to health care professionals, nurses, doctors, and patients.

Listen, we certainly saw in Connecticut the disagreement over the solution just as we saw it all over this country, but we had an agreement that something had to be done. The current system is unsustainable. Now, there is not that kind of agreement here in Washington. I hear too many of my colleagues on the other side of the aisle and groups that are affiliated with that party talking about the system being okay as is and talking about the lack of need for any real reform.

Well, in Connecticut, at the very least, we understand the need for reform. We saw it plainly earlier this year when the State's major insurer, which covers over 50 percent of the individuals in Connecticut, proposed a 30 percent increase on individuals and small businesses. Now, thanks to government, thanks to the State of Connecticut's regulatory system, it looks like we're going to be able to push that increase down to 20 percent. Think of that. Think of the impact of a 20 percent 1-year increase in health insurance premiums for individuals in Connecticut who are struggling to get by.

The fact is that most people in my State and across the Nation who don't have health care insurance today and who are purchasing on the individual market, frankly, are struggling to get by. These are folks who are either running their own businesses, who are self-employed or who work for an employer who doesn't provide health care benefits. Those folks cannot take a 20 percent increase. Neither can the small businesses that are being charged those premiums as well.

Study after study shows us that small businesses bear the brunt of the costs in our health care system. On average, a small business is paying 18 percent more in health care premiums than are large businesses. It's simple economics. I didn't get past econ 101 in college, but I learned enough to know if you're a small business that's purchasing anything, staples, paper or health care, on behalf of only 5 or 10 or 20 employees, you're just not going to get the same deal as a company that's purchasing it on behalf of 100 or 1,000 or 10,000 employees. So it's the small businesses in today's marketplace which are getting hurt the most just as individuals are getting hurt the most.

So, in Connecticut, I think we're representative of most folks and of most businesses across the Nation. They know that this current system just doesn't work for people. We're not talking about tinkering around the edges. We're talking about comprehensive, bottom-up reform to make this market work again for families, for individuals and for businesses.

In Connecticut, we have seen over the last 10 years an increase of 120 percent in the premiums that small businesses have been paying. During that same time, wages for their employees have only gone up about 30 percent. Now, that's not a coincidence. The fact is that the costs of our health care system are sometimes invisible to employees and to workers because they result in a lack of wage increases. They result in a contraction of pay for those Employees.

□ 2045

When a business is making a little bit extra money in 1 year, too much of that additional income is going simply to pay those 10 or 20 percent increases in health care premiums. The result is that the workers of those businesses get a zero percent pay increase or get a 1 percent or a 2 percent pay increase. All the extra money the companies are making is going to health care. That's not sustainable either.

On the other end, we have got to ask what we are getting for all of this money. It would be one thing if we were paying in for the most expensive health care system in the world—and it's the most expensive health care system in the world, not by 5, 10, 20 percent, by 100 percent. We are paying twice as much for health care in this country as any other industrialized nation in this world.

For one thing, if we were getting the added quality, maybe, maybe my friends on the Republican side of the aisle who are so defensive of our current health care system, who are so complimentary of the current health care arrangement in this country, maybe they would have a little bit better defense if all of this money that they are so proud that we are spending on health care today got us better results. But the fact is it doesn't.

Yes, if you have access to the best health care centers in this country, to the best hospitals and the best doctors, you can absolutely, absolutely get better care. You can absolutely get the best health care in the world. I don't deny for a second that there are people from all over this world that are coming to those top centers of care in this country. But the fact is not enough people have access to those centers of excellence. There are too many people who can't get into the best of our health care system.

It means, when a group like the World Health Organization surveys the quality of health care in the United States and all of our economic competitors across the globe, we turn out to be in the middle of the pack. Any health care indicator you look at, life expectancy, hospitalization rates, infant mortality, infection rates, we rank 10, 15, 20. For all of the money that we are spending in this country, we should be at the top of the list regarding outcomes. Our health care system should be the best in the world.

This debate around health care reform has to encompass all of those problems. This debate has to start with cost, about how we get at making sure that never again the people in my district see a 20 percent or 30 percent increase in health care costs in one given year.

This debate has to get to a point where businesses can make extra money in one particular year and pass that extra income along to their employees rather than to insurance companies. This debate has to address the quality gap between those who have access to the best of our system and those that can't get there. We should be at the top of those lists that the World Health Organization puts out, not the middle or the bottom.

That's why Band-Aids aren't going to work. In the Energy and Commerce Committee, my Republican friends today unveiled maybe what is one of their first detailed proposals for an alternate to the effort that the President and this Congress are putting forth. It was nothing but a series of Band-Aid fixes on our current system, slight tweaks to the system of private insurance that has gotten us into the problem that we are in today.

Republicans had control of this House for 12 years. During those 12 years, that's the strategy that they employed. Empower the private market, tweak and change the current private health care system here and there.

The jury is in on that approach. The evidence is set. During that time that our Republican friends controlled this House, insurance premiums skyrocketed. The number of people without insurance increased. Our health care system got more broken.

It is time to reset the competitive playing field. It is time to dramatically alter the rules by which insurance companies play. That's what we are talking about here today. No more incremental changes to our health care system that have proven to be ineffective, but serious reform that protects what we like about our health care system but fixes what is broken.

I hope that that's the debate that we will have here in this Chamber and in committees throughout this Congress. That's what we need. That's what the businesses in my district need. That's what the constituents in my district need.

Let's have a real debate. Let's have a debate on the facts, not based on innuendo, not based on distortions, not base on outright fabrications in this bill.

I listened to our Republican colleagues who had the previous hour talk about this issue regarding the access that illegal immigrants will have to the new health care system that we hope to build here. They talked about

an amendment in the Energy and Commerce Committee, which I sit on, that would, in their mind, restrict the access to the health insurance exchange or to the subsidies in the bill for the lower-income people so that it wouldn't accrue to illegal aliens.

They failed to mention that we passed that amendment. The Space amendment passed. Check it out, thomas.gov online, passed by the House Energy and Commerce Committee, which states in as plain English as you can make it—and I get it, a lot of the amendments in the bills that we passed here are pretty hard to understand, whether you are watching Congress or in Congress. But this thing was about as clean as you could make it, that nothing in this bill shall allow people who are in this country illegally to access subsidies, to access government programs like Medicare or Medicaid.

The existing law which requires verification of citizenship remains the same. Not a lot of talk.

Mr. KING of Iowa. Would the gentleman yield?

Mr. MURPHY of Connecticut. I yield for a moment, certainly.

Mr. KING of Iowa. I thank the gentleman.

I think we are talking about a different amendment. The amendment with the general language that says nothing in this bill, I believe was written into the bill, may have been an amendment that was adopted. But the amendment that Mr. GINGREY referred to was the Deal amendment, which would have required proof of citizenship. It failed by a vote of 29–28, not exactly a party-line vote.

Mr. MURPHY of Connecticut. Reclaiming my time, I thank the gentleman.

My point being that you don't hear a lot of discussion about the amendment that did pass, the amendment that is attached to that bill today, which states very clearly what the law is and which, I think, is one of the things that leads the President, when he appears before groups out in the public or before this Chamber, to state that the law is very clear on that issue.

I wish that we had a more honest discussion about the entirety of the debate in the Energy and Commerce Committee, which included the passage of a very clear and very restrictive amendment on that case.

This is, I think, one example of many in which we have got to start matching the facts of this proposal and this debate to the rhetoric that's out there today. I think if we can do that, I think if we can get by the political jibs and jabs of this debate, there is real substance here.

I will just close on this, Representative BOUSTANY, in response to the President's speech several weeks ago, talked about the fact that there is and can be agreement on a lot more than there is disagreement over. I think that many of us who went home for the break found out amongst our constituents that folks out there were arguing around the margins of this bill.

But on the guts of it, whether or not we have an obligation in some form or fashion to try to help people who don't have insurance today get insurance, whether or not we have an obligation to start holding insurance companies accountable for their actions, whether or not we have a responsibility to try to stimulate a competitive health care market that is in the majority of States today not competitive, I think there is agreement on a lot of that.

If we can start talking about what's really in the bill, talking about the amendments that passed, not just the amendments that didn't pass, start talking about what the words in the bill say rather than what the words of political pundits on the evening cable news shows say, I think that we can find some agreement here.

I am glad that our leadership, Mr. ALTMIRE here, in the House, has reengaged the minority side. I am hopeful that the President is absolutely sincere in his intention to bring Republicans to the table. You see in the Senate Democrats and Republicans talking to each other about how they can forge a compromise here between the two sides.

There are absolutely going to be disagreements. Maybe in the end we can all come together on something. But if we listen to our constituents, if we listen to how very broken the health care system is in their eyes, small businesses, individuals and family, I think our mandate is not to put a Band-Aid on the current system, but to make major reforms that correct years of health care neglect from this body and this government.

I would be glad to yield to my friend.

Mr. ALTMIRE. I thank the gentleman from Connecticut, and I greatly appreciate the opportunity to participate tonight. We could certainly stand here and discuss the merits of the bill, and we will, the bill that has come before Congress already and the bills that we are trying to mold together and what we expect the end result to be. We can have a discussion on the need for health care reform in this country and the merits of the system that we have, what we can do better. We are going to have that discussion. But I did want to come down to agree with the gentleman.

I watched some of the previous hour and Members who I consider to be friends and I work with. I certainly don't question intent, but we did hear a lot of rhetoric that does not in any way match up with the facts of the issues that we are discussing.

I did not vote for the bill. I am not here to defend the bill. But when I hear Members come to the floor and talk about things that are not in the bill as though they are, and then hear them reference portions of the bill and greatly take out of context what they are talking about in that bill, I don't think that's a legitimate discussion on health care reform in this country.

I am someone who wants to pass a health care reform bill. I want to find a way to make it work. I thought the House bill that was before us could have been better. I am hopeful that we are going to make it better. But I don't want to engage in a discussion and talk about how somehow we are in the process of putting together a bill that's going to lead to illegal immigrants getting health care or death panels or some of the other things that we heard over the course of the recess. That's rhetoric that is misplaced.

I think, as the gentleman said, we do have the best health care system anywhere in the world if you have access to it. Our medical innovation, our technology, our research capability far exceeds anything available anywhere else in the world. That's true. And we want to preserve what works in our current system. There is no question about that. But there are things we can do better.

I don't know how many people there are on the other side that think we shouldn't do any reform. I would expect not many, but we should be able to agree on the fact that in large segments of society, people who have insurance, they have access to the best health care system in the world. That's not to say that we can't do better.

I want to engage in a dialogue of how we can improve upon the bill that was put forward. What can we do to achieve consensus, because in America that's where we end up. We start with an idea and we build to a consensus and we get something done. That's how legislation is passed.

It offends me when I hear rhetoric put forth that is just not consistent with the facts of what's in the legislation. And, again, I am not here to defend that bill, but I understand that some of the things that we heard are just not legitimate concerns.

We talk about what's the need for reform. I had an August where I went around and I talked to Rotary clubs and physician groups and hospital boards and went to all the fairs and had town hall meetings, everything that other Members of this House did. And one of the things that stuck out in my mind, I had, in a Rotary Club I was speaking at, a small business owner come up to me and handed me his statements from his previous 4 years, his rate increases, annual statement from the insurance company. The lowest increase he had over an annual period for 4 years was a 28 percent increase. That was the lowest in the 4 years.

He said to me, and he clearly was upset about it, that he was going to be unable to offer health care to his employees because he couldn't sustain this increase, 4 straight years of at least a 28 percent increase. He had to drop coverage. These are the things that we can't allow to happen in this country.

When you have the best health care system in the world, you want everyone to have access to it. We want our

small businesses to be able to offer coverage.

If you are a small business owner who can't offer health care to your employees, it's not because you are a bad person. It's not because you don't want to. It's because you can't.

□ 2100

You can't afford to do it. So we need to bring the costs down for small businesses. Every family in America has had a similar discussion around the dinner table to talk about the increased cost of health care, the impact that's having on their family. Some of them have to make very difficult decisions on what they can afford and what they can't to keep health care. But everyone understands that costs are going up at an unsustainable rate.

We all know the impact it has on government budgets, whether that be the Federal budget—but every State in America has experienced the State budget crisis that Pennsylvania has certainly experienced. And municipal budgets, with their health care costs. So it has an impact on governments at all levels. This is what we need to address when we talk about health care reform.

Mr. MURPHY of Connecticut. I thank the gentleman. I spoke a little bit about the costs that we don't see. As my friend from Pennsylvania knows as a former hospital administrator, the folks who don't have insurance today cost us money. We have a universal health care system in this country. You just don't get it until you're so sick that you show up to the emergency room.

Often, the care that you get in that emergency room when you become so sick or so ill that that's your only resort is the most expensive care that you could get. It's crisis care.

And so for folks out there that have insurance—and that's the vast majority of the people in my district and throughout this country—you're paying for the health care of those that don't have it today, and you're likely paying a lot more through taxes to your government that go to hospitals to pay for the uninsured, towards increased rates that you're paying in private insurance, that the private insurers pay hospitals to pay for the uninsured. You're paying more to pay for that crisis care than you would if we just got some preventative care for those folks.

Mr. ALTMIRE. If I could make a point before you leave that issue. This reminds me of a couple of things that I heard when I've been back in the district. One of them was a gentleman who clearly was uncomfortable with the health care reform bill as he understood it and told me all the reasons why we shouldn't do it.

The point he made was, Look, people who don't have health care, they get insurance and they get high-quality care. And he talked about his 15-year old nephew who had gone to the Children's Hospital of Pittsburgh with a hip injury of some sort, and he didn't have any insurance. His family didn't have insurance. And he got the treatment. And it was great quality, the best he could get. He's fine now. Everything is great.

I said, Well, you said he didn't have any insurance. How did he pay for it? The gentleman said, Well, Children's Hospital paid for it. I said, No, that's not the way it works. You and I paid for it. That's how it works. And he said, What do you mean? And I'll explain what I mean.

But there was a similar story of a woman who came up to me at a meeting, and she was very upset—was not a fan of the President, or me—and told me all the reasons that she thinks we as a Congress are doing a bad job. And she was really getting herself worked up. And she said, And don't you dare take my money to give it to those people who don't have health care, because I've worked hard to get where I am. And I've earned everything that my family has. And we have insurance. And we deserve it. And if those people don't have it, well, that's too bad for them. That's not my problem.

The point of both those stories and what I said to both these people was, It is your problem. Because we can have a discussion about whether it's a moral imperative to offer coverage to people who don't have it. Is it our obligation as a country to make sure that whatever number of uninsured we can agree on, if it's 47 million or 31 million or 1, should we, as a country, have an obligation to cover those people?

That's an interesting philosophical argument, but I'll tell you what the moral imperative is. The moral imperative is that we, who are insured, the people that I was talking to, we're already paying for them. The moral imperative is we're subsidizing them right now. And the people who don't have insurance get their treatment and their health services in the most inefficient, most costly setting—the emergency room—which leads to increased rates for us.

The woman who I told you about who said that she didn't want to pay for other people's health care had an interesting story when I started to explain to her that she was already paying. She said, Oh, it's interesting that you mention that because, she said, she just had surgery done at a hospital in February and the insurance company denied part of her claim, and she had to pay $18,000 out-of-pocket, and because she was paying for it, she read that bill very closely and she noticed everything cost a lot more than it should have.

So she called the hospital, she told me, and she said, Why does an aspirin cost $10? Why does everything on this bill cost five times more than it should? And the hospital said to her, Well that's because we have so many people who come through here who can't pay at all, we have to shift those costs to make up for the difference with the people who can pay. And she got it. And so did the gentleman who talked about the Children's Hospital.

The point of those stories is that's why we're going to pass a reasonable, rational bill that's going to improve the health care system in this country when all is said and done, because everyone in America, even those who have great concerns about this administration and this bill and those who are never going to support the administration or this Congress for political reasons, they have had a situation in their lives that has demonstrated for them why we can do better or how we can do better.

The woman I'm talking about with her $18,000 bill—but everyone has had something happen. They had to wait 9 months for an appointment with the dermatologist. They had a bad quality experience with a nursing home for their grandparents. They're that small business owner who just had his fourth straight year of 28 percent increase in his rates. Everyone has had something happen.

We've all had to spend time on the phone, maybe upwards of an hour, haggling with an insurance claims adjustor who has just denied our claim or is arguing with us about that.

So when you hear these stories, and you hear about how we shouldn't pay for people who don't have insurance and that that's not our problem, it is our problem. We're already paying for them. What we're trying to do by reforming the system is making sure everyone has coverage that wants it in a rational way so that we're not going to subsidize them in the least efficient, most costly setting, as we do today.

Mr. MURPHY of Connecticut. Mr. ALTMIRE, this is a remarkable debate in the sense that many players even within the health care system that potentially have something to lose off of health care reform, that 15 years ago, during the Clinton health care reform debate, were fighting from the outside with torches and pitchforks to make sure that health care reform didn't happen, are part of the debate this time around. That you have the drug companies and the insurance companies and the doctors coming to the table—not everybody being holly-jolly about what's in this bill or what's in other proposals—but everyone at this point, after 15 years since the last major debate over health care, of almost complete neglect of the ills within our system, everybody realizes that there's need for reform.

Certainly our constituents do. But even those institutional players, some of which have gotten pretty fat off the existing system, know that this thing is broken and know that we have to fix it.

I think that they also see some real wisdom in the approach that we are building here. I've listened to Republicans and critics of health care give me story after story of how bad the Canadian system is, and the anecdotes

they've heard about people waiting in lines in England and France. I listened to all those stories. And I heard them at my town halls from people.

My response is: No one here is talking about importing some system from Canada or England or Europe or any other country. We're talking about developing a uniquely American solution to what is, unfortunately, a very uniquely American problem. That means basing our solution on the marketplace, basing our solution in the world of private employer-based insurance that we have today.

Now there are absolutely people out there in this Chamber and in this country who want to see a Medicare-for-all system. There are others that say we should completely divorce health care from the place of employment. But for many of us those are changes that are a little bit too radical for our constituents.

So what I think we have to work on—and, again, a point in which I think we can get more agreement than you might otherwise think there could be on this issue of health care—is in making this market actually work.

In half of the States in this Nation, Mr. ALTMIRE, as you know, there's one insurer that controls more than half of the market. In 70 percent of the States there are two insurers that control almost three-quarters of the market. There's not a lot of choice out there for most people today.

Maybe the greatest contribution that we can make is to take this ingenious thing that we created in this country, the most vibrant capital marketplace in the world, and make it work for health care.

Now it's never going to work perfectly for health care because it's a strange system in which the people paying for health care are often not the people that are choosing the health care. So the health care marketplace is never going to work like buying a car or a gallon of gasoline. We can make it work a lot better than it does now.

And so the reforms that the President has proposed to establish health care exchanges, these regional health care marketplaces where insurance companies would really have to compete against each other for the business of individuals and small businesses, the reforms in this bill to make sure that insurance companies can't try to push out of their portfolios people that are sick or people that have certain expensive diseases, those are all engaged in the process of trying to make our health care marketplace work better.

And so we talked about the distortions surrounding the benefits in this bill to illegal immigrants. I say the same thing about those who come down to this floor or go out in public and talk about this proposal or any of the like proposals that we're debating as a government takeover. The CBO has been pretty clear on what the 10-year results of the bill that passed the Energy and Commerce Committee would mean.

Mr. ALTMIRE, as we've talked about, there are a lot of people, including yourself, who want to see some changes to the proposal that's out there from Energy and Commerce. So I don't want to present that as the bill that's going to come to this floor for a vote. But let's take it as a foundational point of argument.

The Congressional Budget Office—again, the nonpartisan sort of analyst arm of this Congress—says that if you pass the bill out of Energy and Commerce, in 10 years more people would be on private insurance than are on it today. That private insurers in this country would have more business—not the same, not less—because we would reinvigorate that private marketplace and get more people into private insurance by helping them with tax credits both through business tax credits and individual tax credits to buy insurance.

That's a concept that I want to support, using the marketplace that is broken right now as the way that we fix health care going forward. I think that that's one of the points that we can get some agreement on going forward, Mr. ALTMIRE.

Mr. ALTMIRE. The gentleman said a couple of things that I wanted to comment on. I will get to the public option momentarily. But I agree with the way the gentleman characterized the discussion about Canada and Great Britain, the two countries that we most often hear the horror stories from.

Look, I don't live in Canada. I don't live in Great Britain. I don't know what it's like to live under those systems. But I do know this. I have a master's degree in health care administration. I've spent a career in health care policy.

I can tell you it is interesting to study what other countries do—not just Canada and Great Britain, but other countries around the world—and everyone has a different system. That's a nice political science or health policy discussion to have. But, as the gentleman talked about, that has nothing to do with what we're doing in this bill.

This bill doesn't in any way bring to America what Canada does, certainly. It's not even close. There's no comparison to be made. It doesn't do anything close to what Great Britain does, which is even more to the left of Canada.

And so we can watch the TV and hear the horror stories. And they're interesting to listen to, but it has no place in this discussion because it has nothing to do with the proposals that we're voting on.

With regard to the public option—and I'm going to use another example from when I was back in the district. I continued to hear people say, You know what? The government is inefficient, it's bloated, it can't do anything right. They would say, You can't name one program that the government has ever run that's worth anything. Everything it touches is bad. And if you have them touch a public option, it's going to cost too much, it's going to be inferior care.

And I would say, Look, the public option is going to be self-sustaining. We do need to work out the details of what exactly it's going to look like, but it's going to be self-sustaining, with no taxpayer subsidies. It's going to compete on a level playing field with the insurance companies. It'll have to meet all the same regulatory requirements that they meet.

And there is some disagreement on this. I would like to see it have negotiated rates like the insurers. There are other opinions on that. But the point is it's going to be a fair fight. And it'll have to meet all the same requirements as the private insurers.

If you believe that the government can't do anything right, that they're going to mess up everything that they touch, and it's going to be inferior quality at a higher cost—and, under the terms of the bill no one is forced into the public option; it's voluntary—then what are you afraid of if you believe the private market can do everything better?

I'm not afraid of that competition. I think the private market can't compete and win. I think there are some families and businesses that would choose the option and feel that's a better deal for them—not because it has an unfair advantage, but if it's a level playing field and you don't think government can do anything right for those that have that belief, then why are you afraid of the competition?

□ 2115

Mr. MURPHY of Connecticut. Reclaiming my time, we have example after example of where the private sector and the public sector compete pretty well side by side, and most of the examples involve public sector entities that are heavily subsidized, and they still compete side by side with private entities.

Public colleges haven't run private colleges out of business despite the fact that they are heavily subsidized by the government. Public hospitals haven't run private hospitals out of business despite the fact that they are often subsidized. The same thing for even smaller, more mundane examples. Public golf courses and private golf courses, public pools and private pools. There is example after example of where public entities can coexist side by side with private entities, and they actually compete with each other.

I think this is such an important point, and I go back to the CBO estimate here, Mr. ALTMIRE. Assuming that you create that level playing field, which you and I both want, with an insurance exchange that includes a public option, the CBO tells us that not only will you have more people in private insurance when all is said and done but the number of people in the public option will be about 10, 12 million people, 2, 3, maybe 4 percent of the

overall health care consumers out there. A significant number but by no means a government takeover, as some people would have us believe. This is an option for people that can compete.

For me, I look at government health care and I think, well, you know, if it's good enough for our soldiers, if it's good enough for our veterans, if it's good enough for our Federal employees, if it's good enough for Members of Congress, if it's good enough for State employees, if it's good enough for every individual in this country over 65, then I think that my constituents should have the choice of whether it's good enough for them. I don't want to make that choice for them. I don't want to be like a European country that says your only choice is public insurance.

But I also don't like the arrangement we've got today where our law as set by the Federal Government tells my constituents that your only choice is private insurance. I give my constituents credit. I mean, I think that they'll be able to make the best choice for them. And I think if we do that, then we will get to where I think a lot of us want to get to, which is to really stimulate and reinvigorate that market, Mr. ALTMIRE.

Mr. ALTMIRE. I agree with the gentleman on those points.

I would say also let's look at the totality of what we're talking about with reform. When we talk about making reforms in the private insurance market that I think everybody agrees with, this is what you're going to get from health care reform: no more preexisting condition exclusions. No more caps for people with chronic diseases, annual caps or lifetime caps, out-of-pocket costs. Insurance companies won't be able to deny you coverage or drop your coverage because you get sick or injured. These are all practices that we know exist. They won't be available after this bill passes.

The help for small businesses who can't afford health care to be able to help them, hopefully through tax credits or some other way, to afford coverage for their employees; to do the reforms in the system to incentivize quality of care, not quantity of care. We've talked about this many times on the floor where the current system is a fee-for-service system. The number of times you show up in the doctor's office, the number of tests they run and procedures they order, that's the amount of money that they make. So they have a financial incentive for you to be sick. The more often you're there, the more things you have wrong with you, the more money they're going to make. Well, that's a perverse incentive.

We want to change the reimbursement system to incentivize quality to keep you healthy and keep you out of the system before you get sick. And that's why we're going to incentivize prevention and wellness, to make those services that senior citizens especially can access the Medicare system at no cost so that you can have the diabetes screenings and the mammograms and the flu shots and things that are prevention at no cost. They're going to prevent people from getting sick in the first place.

So these are things that I think we all agree on when we talk about reform.

Mr. MURPHY of Connecticut. Reclaiming my time, on this point of reforming the way that Medicare works to start paying for outcomes, start paying for systems and doctors and providers and hospitals that get results rather than just paying for volume, it is incredibly discouraging to me to watch Members of this body that proclaim to be fiscal conservatives come down here and eviscerate the efforts of the President and of the Democratic side of the aisle to try to rein in the cost of Medicare.

I hear sort of arguments out of two different sides. Opponents of reform talk about the fact that the government can't run anything, that they can't run Medicare; but then they also at the same time attack the fact that this bill for the first time in a long time tries to rein in the cost of Medicare, actually tries to fix the abuses out there.

Yes, in this bill there are reductions in the cost of Medicare. Nobody should apologize for the fact that we are going to rein in the abuse and waste and sometimes fraud in the Medicare system. It just doesn't make any sense, Mr. ALTMIRE, that there are health systems with the same medical populations and one is spending $16,000 per year on every Medicare beneficiary and the other community is spending $8,000 per Medicare beneficiary. And when you actually look at it, there's no difference in the outcomes that they get. Why are we rewarding systems of health care that just add volume upon volume of care and get no added benefit out of it?

Now, I'm not saying that the way that you fix that is easy. I'm not saying that there is some silver bullet that comes in here and all of a sudden finds a way to reward value over volume. But I'm saying that for those out there that have come down to this floor and have gone out in public and railed against the cuts in Medicare in this bill, they've got to pay attention to the reality.

The reality is the benefits stay the same for beneficiaries. In fact, they get better. As you said, we're not going to require seniors to pay for the costs of checkups and preventative health care anymore. We're going to eliminate the doughnut hole over time. We're going to start paying their physicians more to take care of Medicare patients rather than what the Republican majority insisted on, which was an annual 4 percent cut.

Are we going to say to health care systems and hospitals and providers who are just ordering tests and procedures for the sake of reimbursement and volume and not for quality that they shouldn't get paid as much as they do now? Absolutely. But that's our obligation as stewards of the taxpayer dollars, as people that care, like our constituents do, about preserving the life of Medicare.

So I hope that we can join together in this conversation. I hope that my friends out there that claim to be fiscal conservatives don't spend the next 2 to 3 months out there railing against every single 10-year reduction in Medicare spending in this bill because, again, if we want to come together, there is nothing more appropriate to come together on than spending our taxpayer dollars wisely on existing government programs like Medicare. I want Medicare to be around when I turn 65, and if we don't tackle the excessive costs in some parts of our Medicare system right now, it's not going to be, Mr. ALTMIRE.

Mr. ALTMIRE. And on that point, Medicare, as we all know, is scheduled to go bankrupt within 7 years. It's already, as a trust fund, paying out more than it's taking in. It has for the last few years. It's going to be completely insolvent in the year 2016. That's because of rising health care costs which are, unlike Social Security, which is going to be solvent through the year 2040, and because of demographics, it takes a downturn thereafter, but health care costs are unpredictable.

Retirement costs are very predictable. You can generally figure out how long a population is going to live in the aggregate, what kind of money they're going to make, what their salary progression is, and what their retirement benefits look like. That's easily predictable.

Health care benefits aren't. You don't know how much technology is going to change, how much prescription drugs are going to cost, how much high-technology treatments are going to cost, and what the future holds with regard to new innovations and technologies down the road. So for that reason, it's impossible to predict Medicare costs in the same way. The first baby boomer becomes eligible for Medicare in the year 2011. That's a big part of it too demographically.

So what we're trying to say is what can we do to preserve and protect Medicare for the long term? That's the whole point of health care reform, to bring down those costs, to make Medicare solvent, to make the reforms necessary so that it can last into the future and be there certainly for all the current beneficiaries, the baby boomers, for the gentleman and myself, and for our grandchildren. That's why we have to reform the Medicare system, the payment system, and that's why we need to reform our health care system.

But we spend as a Nation $2½ trillion a year. This year, 2009, we're going to spend $2½ trillion as a Nation for 1 year on health care. So what are we talking about?

Now, we used to in this House score things over a 3-year period; and then people, I think rightly, said that doesn't give you an estimate of sort of the long-term impact of the legislation; let's do it over 5 years. So for a while, several years, we scored all the bills over a 5-year period. Now in the interest of transparency and to give the public an idea of the full long-term costs, we actually score legislation that comes to this floor over a 10-year period.

And what's the cost of this bill going to be? The President of the United States stood right behind where the gentleman stands about a month ago and told us that it's going to cost somewhere in the neighborhood of $900 billion over 10 years, which is going to be fully paid for. It's not going to add to the deficit. We'll talk about that. But $900 billion over 10 years. So on average, that's $90 billion per year in a system where we're spending $2½ trillion this year, and it's going to go up exponentially every year for the next 10 years.

Is there anyone out there who doesn't think we can find inefficiencies in the system and waste that we can squeeze out to the tune of $90 billion a year in a $2½ trillion system, that we can't make it more efficient and save enough money to make the reforms that we're talking about?

I just think that the American people, when they think about these numbers, need to remember that we're talking about reforms that are going to increase quality, that are going to increase benefits for people, but that we are talking about in the aggregate a relatively small portion of the health care system as a whole when you talk about this stuff.

Mr. MURPHY of Connecticut. Mr. ALTMIRE, you've been a great leader on this question, which is to say, listen, to fix the problems with our health care system, we're going to need to spend a little bit of money up front, with tax credits to individuals or to small businesses to help them afford insurance, money to plug the doughnut hole to pay for preventative care for our seniors, expansion of Medicaid programs to cover some more people. We have got to look to savings first. And that is a point you've made to dozens of Members on this floor. To say, listen, exactly as you put it, and you're much more eloquent on this subject than I am, we can squeeze savings out of this system.

And as you enunciate, it's important to remember that that 10-year cost of this bill, whether in the end it's $900 billion or $700 billion or $600 billion, that's the gross cost, not the net cost. That can be paid for in whole or in large part by the savings that we're talking about here to the current government health care expenditures.

Now, listen, for those people that say I don't want the government involved in health care, guess what? It's too late. Fifty-five percent, somewhere in that neighborhood, of health care dollars in this country are spent by the government. Medicare, Medicaid, the veterans system, et cetera. We have not just the obligation but the opportunity to modernize those programs, glean real savings out of them, and turn it back around to people who are left out right now.

And for those opponents of reform who go around demagoging the Medicare reductions in this bill and say we cannot touch Medicare, those Democrats had better not make any changes to Medicare, well, Mr. ALTMIRE, as you pointed out, Medicare's going to go bankrupt. So if you don't control Medicare costs, if you're one of the people on this House floor or out there on the stump saying that Congress, whatever they pass on health care reform, can't touch Medicare, then you have only one other option in order to preserve Medicare for your kids and your grandkids, and that's to increase taxes. That's to increase the amount of money that comes out of everybody's paycheck to pay for Medicare.

□ 2130

So I can certainly understand a disagreement about where we need to rein in costs on Medicare and where we shouldn't, but I hear a lot of commotion out there by people who say we should not touch it. I agree we should keep benefits where they are and improve them, but we do need to find efficiencies in the system.

Turning to another subject, Mr. ALTMIRE, you and I both have young children. I know in the 12 months that I have had the joy of being a parent, there is not a day, not a week that goes by that I don't think about the cost of what we are doing to my son.

As someone who, frankly, voted for the stimulus bill, what I thought was a necessary means to get this economy back up and running and to stabilize what had been up to that point a free fall, I approach this health care bill with the same bottom line that the President does: We need to pass a bill that finds a way to get coverage to more people and reins in the cost of care. And to the extent that requires spending some money at the outset in order to get a better system in the long run, it has to be done in a deficit-neutral way. ''Deficit-neutral'' is kind of an inside Washington term, but the bottom line is this, we can't borrow any money to pass health care reform.

I think that is a growing commitment on behalf of both sides of the aisle here. It is certainly a bottom line for the President. And again, I think a central tenet of health care reform has to be do what you push for, squeeze the savings out of the system as much as we can in order to pay for what we need to do, and then make a rock-solid commitment that we won't borrow a cent in order to pay for it.

Mr. ALTMIRE. I agree with the gentleman. I have said that I will not support a bill that adds one penny to the deficit. Even more important than that, the President of the United States said that from the podium behind you. He will not sign a bill that adds one penny to the deficit.

I heard time and again over the course of being back in the district concerns about the spending that is taking place in Washington and the increase in the debt and the annual deficits over the past 9 years. I have young children, as the gentleman said. I completely agree, we have to do this in a way that is not going to add one penny to the deficit or the national debt.

One of the Senate bills which has been finalized and is being marked up this week, in fact, saves money over 10 years. I don't know if that is going to be the finished product. Certainly it is not word for word, but it is possible to do health care where we might actually bring a bill to the floor that, at minimum, is not going to add to the debt but might even reduce the debt over a 10-year period, or reduce the deficit on an annual basis.

That is something that I think the American people should consider when they talk about the need for health care reform, but also the need to bring down our long-term deficit. We can't ever address our long-term deficit without doing health care reform. It is too big a part of our economy to ignore.

Mr. MURPHY of Connecticut. Estimates are, within the next 30 years, health care costs will consume 50 percent of gross domestic product in this country. Think of that. One out of every two dollars spent in this country by the government or private sector will be spent on health care. Today, it is creeping up on 20 percent, but in 30 years things will be out of control.

You are exactly right, there is no way to talk about deficit and debt reduction without talking about health care reform. We have examples of how we have been able to do that just in the last week.

Last week we passed an education reform bill that modernized our student loan program, got $87 billion worth of savings, and applied a significant portion of those savings not to new student loan programs but to deficit reduction. Frankly, that should probably be a model for everything that we do here. If we can glean savings out of government programs, we need to apply all or part of that to paying down the debt.

We are at the close of our hour, so if you have any closing comments, Mr. ALTMIRE. I appreciate you joining us down here for this hour.

I am optimistic by nature. We both focused on the points of agreement we think we can get here. I do make a point to call out my Republican friends when I think they have tried to lead folks out there astray on a particular point on the bill, but it is because I want to have an honest debate in the end. I think if we are all talking about the facts, we can get to a point of

agreement, because our constituents out there want us to get there because the problems in our health care system dictate that we create a real solution that isn't incremental and isn't small and around the edges, but attacks the foundation and the gut and the root of our problems.

So I look forward to coming back down to the House floor and continuing to push forward this case for reform.

HEALTH CARE REFORM

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

Mr. KING of Iowa. Thank you, Mr. Speaker, and I thank the gentleman for yielding to me earlier in the hour. I think an open dialogue is a good thing, and I hope the gentlemen will be here to hear the rebuttals that I am about to provide to the statements that they made in the previous hour, starting with the bill that passed out of the Energy and Commerce Committee and other committees, H.R. 3200, which is the foundational bill to the health care act, the national health care act that Democrats are seeking to pass.

And regardless of the statement that there is general language in the bill that says nothing in this bill funds illegals, the fact remains that the amendment that was offered by the gentleman from Georgia (Mr. DEAL), which was language that is tried and true, that existed in the Medicaid legislation that we have used for at least a decade that requires proof of citizenship, that amendment was voted down in Energy and Commerce 29–28, resulting in an open-door policy where there are no restrictions to keep the bill from providing access to benefits to illegals or to people who are here legally but are barred under the 5-year bar.

In fact, the standard that exists was a standard that required proof of citizenship. Democrats first took that apart when they passed an expansion of SCHIP, the State Children's Health Insurance Program. They took that from a 200 percent of poverty, and the first time it passed the House it went to 400 percent of poverty. Mr. DEAL offered the same amendment in that bill to put in language that existed in law before it was struck out by the expansion of SCHIP, and it was voted down on almost a party-line effort.

We know if there are not provisions which require proof of citizenship, then there aren't provisions that are going to prohibit illegals from getting benefits under the bill. The Congressional Budget Office knows that. They scored that language in SCHIP as costing $8.9 billion to fund health insurance for illegals and to provide Medicaid to illegals because it removed the citizenship standard. Removing the citizenship standard, according to the Congressional Budget Office, on H.R. 3200, the health care bill, would provide for access to those benefits under the bill for as many 5.6 million illegals. And that's the score that came out from the Congressional Budget Office.

Another nonpartisan organization is the Congressional Research Services, and they also concluded there weren't restrictions in H.R. 3200, the health care bill, so that would result in those benefits going to illegals who would apply. And we know how fast the grapevine works and how effectively people can game the system, and no one should be in a position of responsibility in this Congress if they can't understand that equation, especially if they are on the committee.

And it is not just STEVE KING making this statement. It is the Congressional Budget Office on at least two different occasions, rendering a judgment on that specific language of the Deal amendment, and it is Congressional Research Services. And by the way, it goes on down the line and a number of other entities, including the President, who finally had to address it and say we are going to have to write something in the bill to protect us so it doesn't fund illegals. And it also includes the Senate, which took the position that they would address the language.

So why do you have to fix it if it doesn't fund illegals the way it is? And I believe that the President stood here and called a group of Members of Congress who were exactly right on their facts, I believe he accused them of not being honest. And directly, he said, We will call you out.

Well, I'm saying this: The President got it wrong. Maybe he has it right now, but these gentlemen have it wrong, and they need to go back and check their facts. The amendment was voted down 29–28. The Deal amendment required proof of citizenship. When you remove the proof of citizenship requirement, the Congressional Budget Office and the Congressional Research Services and every nonpartisan, objective evaluation comes to the same conclusion: We will be funding illegals if we don't have the language in there. That is the only language that is going to be satisfactory. And by the way, I don't think Senator BAUCUS has it in his bill yet, although he has pledged to do so, and we will watch that language very carefully as it unfolds over in the Senate.

So yes, illegals would get health care under this system unless we write the language in that sets the standard so that they don't.

The statement that was made by the gentleman, Mr. ALTMIRE, with the public option there would be no subsidies. The facts of the health care bill don't support that. First of all, it is going to take capital to set up the public option as a national health insurance company. If you set up a national health insurance company, it is impossible to do so without putting capital in, without injecting some billions of dollars to jump-start a national health insurance program that would compete directly with the 1,300 private health insurance companies that we have.

That is not what you call a no-subsidy situation. That is called a subsidy situation. Putting capital in to compete against the private sector is subsidy.

What do we suppose will happen if we put $10 billion into the front end of this national health insurance program and we find out that it becomes insolvent? Do we then let it collapse or does this Congress at a later date decide we are going to have to put some billions of dollars in there to keep the national health care plan up?

Under these majorities, under this Pelosi Congress, I guarantee you they will borrow money from the Chinese, if necessary, in order to subsidize a national health care plan. It isn't going to go any other way. They have worked for 30 or 40 years to try to establish a national health care, and they are not going to allow it to go under because it falls a little short on some kind of promise that there won't be subsidies. Yes, there will be subsidies, and any rational person who understands history will know that.

The argument that a national health care plan will compete on a level playing field, a level playing field with referees that will be chosen by the government, not by the private sector, and I will make a point.

This, Mr. Speaker, is the formerly embargoed flowchart that actually depicts the language that exists in H.R. 3200, the national health care plan. We call it the Organizational Chart of the House Democrats' Health Plan. This is the government plan. This is the government option configuration. This creates at least 31 new agencies.

Now, down here at the bottom, I just direct your attention to these two purple circles at the bottom. This is where the crux of the matter is. The gentleman, Mr. ALTMIRE, made the statement that the public option, there wouldn't be any subsidies and they would compete on a level playing field. Well, here is how this field is regulated, and it will not be a level playing field.

Oh, by the way, anything that is a white box is existing programs or agencies. There is Medicare, SCHIP, Medicaid. But the existing private insurers in this little box here, Mr. Speaker, once the bill is passed, these private insurers, this is 1,300 health insurance companies in this little box. That is how many private insurers we have. Those traditional health insurance plans, the policies, there are approximately 100,000 different varieties of policy combinations available across the United States. These policies would have to qualify to become qualified health benefits plans. Now, if there is going to be a qualification set up, I think it is not possible to presume that all 1,300 companies and all 100,000 policies will be qualified under this bill.

□ 2145

This bill doesn't define what will be required necessarily in the health insurance policies. It gives that authority to the Health Choices Administration. The Health Choices Administration commissioner would run that shop with his commission, and they would make the decisions then on what would be the standards for the health insurance companies—these providers here—what would be the standards for the 100,000 health insurance plans which would qualify to go into this purple circle here called qualified health benefits plans.

So for all of this, the rules will be set by the Health Choices Administration commissioner. The new Health Choices czar will write all of those rules. If he has to write the rules, you don't get to call it a level playing field because the rules will be written so the Federal Government can compete. That's the difference in the approach here, the idea that it is a level playing field. It's not. My question was, why are you afraid of the competition? Well, I'm not afraid of the competition. I think we have competition in our health insurance companies. I think that they're afraid of the competition or else they would support the proposal that almost every Republican supports, and that is, allow Americans to buy health insurance across State lines. That expands the competition dramatically, Mr. Speaker.

So there is a fear of competition. There is a fear of letting the free market provide that competition and giving people the portability that they need. There is a real fear also of addressing lawsuit abuse. Lawsuit abuse is the medical malpractice component of these costs that the industry places between 5.5 and 16 percent of the overall health care costs. The number that comes from the person whom I trust the most is 8.5 percent. If you multiply that 8.5 percent across the costs of providing health care in America, over the space of time, it's $203 billion or $2 trillion for the sake of the budget window of 10 years that we deal with. That $2 trillion would pay for everything they wanted to do, but every one of them will stand in the way and block the lawsuit abuse that could actually fund their socialized medicine because the trial lawyers are telling them that they can't address it.

So there are a lot of things that we would like to do. We would like to provide portability, and we would like to fix the lawsuit abuse problem, and we would like to be able to buy health insurance across State lines, provide full deductibility for everybody who pays a health insurance premium, provide transparency in the billing so we can actually have some real competition out there and allow people to expand the HSAs so that HSAs can transform themselves, under good management and good health, into retirement plans, pension plans when one reaches Medicare eligibility age. Those are some of the things on health care.

Mr. Speaker, I feel compelled to rebut some of the statements that were made in the previous hour. And as much as I get along with the gentlemen that were making their presentation, I clearly disagree with a lot of their conclusions. But they have their talking points down pretty well, given what comes out of the DCCC.

I came here tonight, though, to talk about the missile defense shield and the issue with Eastern Europe. I believe the President of the United States has bargained away a very, very important shield that was essential to the negotiations that were going on with Iran. And in their persistent and relentless effort to develop a nuclear capability, not only a nuclear weapon but a means to deliver it, and if they can develop that means to deliver it along with a nuclear weapon, they have said that they want to annihilate Israel, and they eventually want to annihilate the United States. This would put them very closely within the umbrella of being able to strike many places in Europe as well. In the chess game that is going on, in the poker game that's going on, and in the Monopoly game that's going on in the United States, it is something that is very high test. It's very high risk.

We have with us tonight one of the real leaders in this issue who understands the physics, the technology, the politics, the global approach to this, Putin's involvement in this chess game, of him seeking to reconstruct the vestiges of the former Soviet Union, the dynamics of the psychology of the mullahs in Iran, the necessity for the Israelis to defend themselves, and the necessity and the constitutional responsibility for Americans to do the same. I am happy to yield as much time as he may consume to the gentleman from Arizona, Mr. TRENT FRANKS. Thank you for coming down, Mr. FRANKS.

Mr. FRANKS of Arizona. Thank you, Mr. KING.

Mr. Speaker, I just want to express my gratitude to STEVE KING. The gentleman from Iowa is not only a precious friend, but I truly believe that he is a friend of freedom and a friend of America. All of the things that he has laid out related to the health care reform plan put forward by the majority I completely embrace. There are so many things that are important to discuss in the country today. I mean, one of the things that can be said for the Barack Obama administration is that they're moving fast in a host of different areas. I happen to disagree with the vast majority of those areas, and it makes it very difficult sometimes to pick the priority to speak to.

But let me just say, the priority that I would like to speak to tonight, with the permission of the gentleman from Iowa—and maybe we can speak to it as we go here—is this whole issue of missile defense. Mr. Speaker, last week the Obama administration did something that could go down in history as a crossroads in European-American relations. I am afraid that this and future American generations may be gravely affected by his decision. The administration decided to abandon U.S. plans for a ground-based U.S. missile defense site in Europe, and I believe the President fundamentally disgraced this Nation by breaking his word to our loyal and courageous allies in the Czech Republic and in Poland. Mr. Speaker, for many reasons, America has become the greatest nation in the history of the world because our word has meant something. The announcement to abandon the protective missile defense shield in Europe has fundamentally altered that paradigm.

After the decision was announced, the newspaper headlines in Poland and the Czech Republic stated the situation in the very starkest of terms. One Polish newspaper had the headline, ''Betrayed!''—betrayed, wow, that's heavy stuff, Mr. Speaker—''The USA has sold us to the Russians and stabbed us in the back.'' The Czech Republic, the daily Lidowe Noviny commented, ''Obama gave in to the Kremlin.''

Mr. Speaker, President Obama's decision to abandon our faithful allies and, instead, to placate Russian belligerence came on the 70th anniversary to the exact day of the Soviet Union's invasion of Poland after two of humanity's most notorious monsters named Stalin and Hitler insidiously agreed to divide the Nation of Poland between themselves. Our allies deserve better than that, Mr. Speaker. After they stood bravely in the face of Russian aggression and paid a profound political price to stand by us, they had a right to expect America to keep her word and to stand by them.

Mr. Speaker, ironically, Mr. Obama's terribly flawed decision for abandoning the European missile defense site has everything to do with primarily Russia. Russia has always hated the missile defense plan because they don't want an American presence in their former empire, knowing that this would diminish Russia's influence in the entire region, even though the European site would not threaten in any way Russia's military capability. There is no way that 10 ground-based interceptors can have any real effect on the Russian Federation nuclear strike, if they chose. Russia's leaders know that if an American radar is placed in the Czech Republic and American missile interceptors are placed in Poland, those two sovereign countries would be stepping further away from the shackles of Russian oppression in the East and joining with America in the West in the cause for democratic independence and human freedom.

But Russian belligerence notwithstanding, reports surfaced in March of this year, indicating President Obama had covertly offered Russians a promise that the United States would cease moving forward with the deployment of the ground-based missile defense site in Europe if Moscow—now this is unbelievable to me, Mr. Speaker—if Moscow

would commit to helping to discourage Iran's nuclear programs. Now let us just recall for a moment, Mr. Speaker, that it was Russia that actually delivered nuclear fuel to Iran, and Russia was paid $800 million by Iran for its work on the Bushehr nuclear reactor, which will help Iran make their own nuclear fuel for weapons. Russia has been strongly suspected of aiding Iran's already advancing missile program itself.

Moreover, just this week, Mr. Speaker, Venezuela's Hugo Chavez announced that they were purchasing more than $2 billion worth of arms from Russia, including rocket technology, and Mr. Chavez has already declared that Venezuela will get started on a nuclear program with Iran's help.

Mr. Speaker, asking Russia to choke off Iran's nuclear program while ceding our only defense against Iranian long-range ballistic missiles is as illogical as a police officer offering his bullet-proof vest to a gang of violent criminals in exchange for verbal assurances that they won't use their guns. Our allies, potential allies, rogue nations and terrorist groups all over the world were watching President Obama's capitulation. President Obama swore he would restore America's relationships in the world, relationships the liberal Democrats accuse the Bush administration of destroying. But instead of restoring America's relationships, he has diminished our credibility across the world and possibly beyond repair.

Most importantly, Mr. Speaker, the American people deserve to be told the truth about what we actually lost when the President abandoned the European missile defense site in Poland and the Czech Republic. Today the nation of Iran is defying the Western world in its determined pursuit of nuclear weapons, which would allow Iran and its proxies to hold the entire peace-loving world under nuclear threat. The most devastating aspect of the President's decision—of course aside from forfeiting our ability to intercept long-range ballistic missiles aimed at the American homeland—is that it removed a strong disincentive for Iran to continue with its nuclear weapons program, and that was one of the critical purposes of the European missile defense site from the very beginning, Mr. Speaker. It was meant to create a strategic disincentive for Iran to develop a nuclear long-range missile capability. Iran would have had to face the fact that they were pursuing a long-range missile technology for which we already had a defense.

In other words, it would have been like trying to spread a virus when we had already been inoculated against it. Instead, Mr. Speaker, we have forfeited that strategic advantage, and we have gained nothing in return. As timelines exist now—and this is such an important point—as timelines exist now, any alternative to the system the President abandoned will come too late to be a significant factor in preventing the nation of Iran from developing a nuclear missile capability that will threaten the peace of the entire free world and its children.

Mr. Speaker, if Iran does achieve a nuclear capability, it will officially launch a nuclear arms race in the Middle East. It will allow a corrupt regime—whose leader hates America, whose leader hates Israel and the Western world, and who considers Armageddon to be a good thing—to be able to hold the United States and our allies at risk from a ballistic missile carrying a nuclear warhead, much like the Soviet Union did during the Cold War.

As former U.N. Ambassador John Bolton has stated, ''There is no harm in deploying our missile defenses before ICBMs can reach America. But there is incalculable risk if Iran is ready before we are.'' Unfortunately, Mr. Speaker, Iran may be ready far sooner than the Obama administration seems ready to admit. Recent reports state that Iran may reach a nuclear weapons capability within as little as 1 year, and The New York Times recently stated that Iran now possesses at least 7,200 centrifuges capable of producing weapons-grade enriched uranium and that they have already produced enough low enriched uranium to make at least one nuclear warhead.

Mr. Speaker, I sometimes have the hardest time just stating the facts as they are without sounding like an alarmist. But I truly believe this. And I will go on record to say that I hope that the listeners and anyone—including you, Mr. Speaker—are really paying attention. This needs to be said. If the Obama administration continues down this road of appeasement and denial, the nation of Iran will gain a nuclear capability, and they will pass that technology and those weapons on to the most dangerous terrorists in the world. And this generation and so many to come, Mr. Speaker, will face the horrifying reality of nuclear jihad.

Those of us who have been blessed to walk in the sunlight of freedom in this generation will relegate our freedom to walk in the minefield of nuclear terrorism in the next generation. Mr. Speaker, the preeminent responsibility of the President of the United States and even of this Congress is to protect the national security of the United States. I believe that President Barack Obama's abandonment of the ballistic missile defense site in Europe fundamentally betrays that responsibility.

□ 2200

I am stunned that he does not seem to understand that, and I am sincerely in fear that our children and our children's children may pay a tragic price for that betrayal.

I thank the gentleman for the time, and I will be glad to enter into any kind of colloquy or discussions. Thank you, sir.

Mr. KING of Iowa. I thank the gentleman from Arizona, and I look forward to the colloquy that we will have, and I know I've asked the gentleman from Missouri to add a broad view to this.

I just would recap the presentation that we've listened to here, which is precisely worded and is, I think, precisely accurate. It researches some conclusions that I don't think anyone who has followed this in a logical fashion can avoid:

As I understand this, we have been setting up the nuclear shield in Poland and in Czechoslovakia. It takes about 5 years to get it set up. The anticipation was that the Iranians wouldn't be ready for about 5 years. At about the time the President capitulated on this, we had a report that was leaked that maybe Iran could be ready a lot sooner, in maybe as soon as a year.

So I'll just direct your attention to The Wall Street Journal, to Mark Helprin's article. He has a unique way of observing what, I think, the gentleman from Arizona has articulated so well.

Helprin writes: What we have here is an inadvertent homage to Lewis Carroll. We're going to cancel a defense that takes 5 years to mount because the threat will not materialize for 5 years, and we will not deploy land-based interceptors in Europe because our new plan is to deploy land-based interceptors in Europe later.

Does the gentleman from Arizona care to comment on the accuracy of that statement?

Mr. FRANKS of Arizona. Well, I believe that Mr. Helprin is exactly correct. These things don't happen overnight. It takes a certain timeline in order to build both an offensive capability and a defensive capability. We were on track to have our defensive capability in place by around 2012, which would have probably been before Iran could have actually launched a full-blown intercontinental ballistic missile against the homeland of the United States.

As it stands now, the ostensible alternative that the President is offering will not even be in place until 2018 or until 2020, at which time the Iranians will be fully capable and will just be ignoring us at that point.

It just gives us no real opportunity to use the European missile defense site as a factor to help play in the calculus or to prevent Iran from gaining that nuclear capability. Once they do it, it's just hard to put the toothpaste back in the tube.

Mr. KING of Iowa. In the gentleman's opinion, does this capitulation on the part of President Obama make it more or less likely that the Israelis will be compelled to strike at the capabilities of Iran?

Mr. FRANKS of Arizona. Well, let me just say this first with the gentleman's permission: I believe, if the free world places Israel in the untenable position of having to defend itself, which it will have to do if no one else has the courage to stand up to Iran, Israel will have no choice. It has no room for error.

Ahmadinejad has said that they want to wipe Israel off the map. One warhead could virtually destroy Israel. We can put eight Israels in the size of my State of Arizona. They're only a one-bomb nation. They cannot abide an Iranian lunatic like Ahmadinejad, who has his finger on the nuclear button with a Shahab-3 that can reach Israel in about 12 to 14 minutes. They cannot possibly abide that.

We in the free world know that. If we stand by and force Israel to respond like we've done in times past, whether it be with Syria or with the nuclear power plant in Iraq sometime ago, the Orissa plant, if we put them in that position, then we really fail the whole world because that will enflame the passions of the entire Arab world; and it will, I think, set us on a path of great contention.

Mr. KING of Iowa. Reclaiming my time, as I look at this and at the strategic location of Israel and at the 12 to 14 minutes that it takes for a missile to get from Iran to Israel and at the 12 to 14 months for Iran to have the capabilities to do so, the odds of being able to slow Iran's development down of nuclear weapons because of any diplomatic maneuverings that might come with regard to sanctions—economic sanctions, negotiations, blockades, threats of anything—have diminished dramatically because the club has been laid down by President Obama; the shield has been laid down by President Obama, and it sends the message to Iran:

Accelerate your efforts on the 17 to 200 centrifuges that you have.

So, from my view, it puts Israel in a position where they may have no choice. If they wait 12 to 14 months to make their decision, the decision may be coming too late at that period of time.

Mr. FRANKS of Arizona. Tragically, Mr. KING, the Israelis will have almost no choice. This will be a defensive action on their part because they've already been told by the Iranian leaders that they intend to wipe Israel off the map. This would give them the capacity to do just that.

I just think it's a tragedy, beyond my ability to articulate, that we don't have the understanding of what we're really facing here. I think Mr. Obama is simply naive as to the danger and as to the mindset of jihad and as to how serious they really are.

You know, they played rope-a-dope with us in North Korea for many, many years; and now we know that they plan and continue to plan to come to a full-scale nuclear weapons capability. The same thing exists with Iran.

Unfortunately, I believe only two things will stop Iran from gaining a nuclear capability: either military intervention or the conviction in Iranian leaders' minds that nuclear intervention will occur if they don't stop their march towards a nuclear weapons capability. I'm afraid that Israel understands that. If we don't respond or if some coalition of the Western World doesn't respond, then Israel will be left with no choice.

Mr. KING of Iowa. A third alternative, I might suggest, would be if the people in Iran could successfully rise up, could take that country over and could move towards peace.

I know the gentleman from Missouri has got an opinion on this subject matter. I would be very happy to yield so much time as TODD AKIN will consume in laying out the parameters of the view of this as he sees it.

Mr. AKIN, thank you for coming to the floor tonight.

Mr. AKIN. I thank my very good friend from the State next-door to the State of Missouri. I thank him for his common sense.

I also thank my good friend from Arizona, a fellow member of the Armed Services Committee. He is both a statesman and is very good from an engineering point of view with the details of what is going on.

I'd like to just try and say similar things but in a little bit more of a net fashion because he was so scholarly about it.

Basically, what happened was the Obama administration made a decision, which was announced Friday, that they're abandoning missile defense in Eastern Europe. Those locations are chosen because of physics and geometry to protect Western Europe and the United States from a possible launch from Iran.

Now, when you talk about missiles, it isn't too complicated. You've got little ones, medium-sized ones and great big ones. The way you stop great big ones, which we call intercontinental ballistic missiles—and they have three stages, and they go very high and very fast—is with other big, fast missiles called ground-based.

The proposal was to put defensive locations in a couple of Eastern European states, the Czech Republic, among others, and to provide ourselves with a defense. The most fundamental purpose of a civil government is to protect their citizens, particularly to protect millions of citizens in the face of somebody who says, We're going to get you. They're building weapons that can only be used for that purpose. Nuclear bombs are not used to power a power plant. They're used to blow people up.

So we have an administration which has stepped away from the fundamental purpose of any government to protect its citizens. So this is a regular head-scratcher of a decision. Not only that, but we betrayed the people who politically put their necks on the line with their constituents and with their citizens, making a controversial decision in Europe to be able to be part of this missile defense.

This was Ronald Reagan's dream, and I don't see how anybody could have trouble with the idea of trying to protect oneself against somebody who is trying to ''nuke ya.'' I mean, to me, that just defies common sense.

So what is going on here is we've seen the Obama administration stepping away from the requirement to defend ourselves. President Bush did the heavy lifting. He went into Europe, talked to the Russians, and told them, You've got 6 months, and we're going to develop missile defense. Everybody said you can't do it. The Democrats said, It's too expensive and you can't do it. We developed the technology, and we did it.

Not only did we hit a missile with a missile, but we have demonstrated it time after time after time. At incredibly high speeds, we hit a spot on a missile with a missile. We can do that. We have the technical ability to do it and, yet, no will to follow through.

□ 2210

I don't understand that. What frightens me particularly, gentleman, is this decision is not made in a vacuum. It is a pattern that we are seeing on the Armed Services Committee and things, some of these things that from a security point of view we can hardly talk about.

But this is not one decision by itself. We are also seeing a very strong weakening of resolve in dealing with what's going on in Afghanistan. Our troops on the ground are sending us signals, hey, guys, we are going to have to go out and get it. This isn't going to be easy. This is one of these, like Iraq, it's going to be one of these insurgent-like conflicts. It is going to take some time and effort and enough people to get it. We are seeing a waffling on the part of the administration in the face of the challenges facing us in Afghanistan.

On a third point, which I would perhaps get in an argument with my very good friend from Arizona, that there is something even more upsetting to me, and that is the fact that Americans offensive capability has been based for many decades on the idea of a triad; that is big missiles that we launch from the land, big missiles that we launch from submarines. The third leg of the triad is a bomber, a bomber that can go over some potential enemy's territory with impunity and bomb them. With that offensive capability, we can live in peace, because we have no intent of wanting to drop missiles or bombs on anybody.

But what has happened is this administration is walking away from one leg of the triad. I know my dear friend on Armed Services knows what I am talking about. I have to be careful about what I can say and not.

But this is the bomber leg. Our bombers are currently old, some of them 50 years old. It is important that we do the planning now to develop the technology and the aircraft to maintain that leg. That also is being cut by the Obama administration, and that's something that has not received hardly any public attention. But this is a big deal, as big a deal as cutting missile defense.

So this is a pattern, a pattern of not funding national defense, not

prioritizing the protection of our citizenry, and I am very uncomfortable with it.

I would like toss those thoughts out for a little discussion.

Mr. KING of Iowa. As I listen to the descriptions that have been delivered here in ways by the three of us tonight, it takes me back to a memory that I believe 1984 was the year, if I remember correctly, that Jeane Kirkpatrick stepped down as the Ambassador to the United Nations. It wasn't a very big article. It was a little thing, about page 3 or 4, and it was in the Des Moines Register. I read that, and it stuck with me all that time.

I should go back and get it verbatim, but I am very close. She said we are in the middle of the cold war. If you remember, it was the height of the cold war at that time and Reagan's first term.

She said, what is going on in this cold war, this great clash of the two titan superpowers, is the equivalent of playing chess and monopoly on the same board. The only question is—remember the arms race? The only question is will the United States of America bankrupt the Soviet Union before they checkmate us militarily? Do we bankrupt the Soviet Union economically before the Soviet Union checkmates us militarily?

We know what happened as it unfolded. On November 9, 1989, 20 years coming up here in a month and a half will be the celebration of 20 years of the Berlin Wall come crashing down. That wasn't just the symbol of the Iron Curtain, that was the Iron Curtain. The Soviet Union's economy couldn't sustain this.

Well, Putin has said that's the greatest disaster of his time. Now we have watched him out on this chessboard seeking to checkmate the free world. It's very early in Putin's game, however, while he understands the monopoly game a little better, having actually built some wealth at least temporarily with the high energy prices that he has. We have watched Putin maneuver around the globe.

I would point out that the Russians went in and essentially made an offer in Kyrgyzstan that they couldn't refuse. They are in Kyrgyzstan. They cancelled the lease that we had on our airstrips that were there, which shut off our ability to be able to freight military supplies into Afghanistan. The Russians did that.

Then they had the temerity to turn to us and say, oh, never fear. We will be happy to haul that freight in for you for a price, and you can always trust us to do that in a reliable fashion. With a straight face, go in and interfere in our relations with Kyrgyzstan and make them a better offer than we are making, then turn around and say now that we have this under control, we will make sure that we will freight this equipment in, and you can trust your military operations are going to continue. That's one piece of the chessboard.

Another piece of the chessboard that Putin is playing is a little over a year ago he went in and invaded Georgia. He shut down the oil that went through Georgia. If I remember right, it's 1.2 billion barrels of oil a day that goes through Georgia on a pipeline. There is a train that hauls crude oil through Georgia. They have got natural gas pipelines that go through Georgia. The nation of Georgia is, if you are a chess player, it is the square on the chessboard that if you will notice, in a highly contested game, it almost invariably comes down to where you have a whole series of pieces that are focused on one square.

Someone will put some pressure on a square on the board, and the other—the opponent will have to put a competing piece to cover that, and then you back it up with another, another, another. That square becomes the whole game that is going to be fought out in that single square.

Georgia is the square. It's the square that energy has to go through from the energy that's on the east side of the Caspian Sea to get through Georgia to get over to the Black Sea where it can go on out and then into the shipping lanes in the rest of the world and go on around Europe and everywhere else. Natural gas and lots of it, oil, and a good supply of it, and Putin went in and controlled it. Now he has backed off a little bit, but he has said he can do whatever he wants to shut that oil off.

What do we hear from the Germans, for example? They say, well, of course a nuclear powered Iran is preferable to a military strike to take it out, as if that was an unquestionable fact. In reality, they haven't done the calculation what Mr. FRANKS calls nuclear jihad.

Additionally, the Russians shut off the fuel going through, the gas going through to Germany a year ago. It was a year ago January that happened. The Germans said, well, don't worry about that, that's only about 30 percent of our overall gas supply so it really doesn't put that much of a crimp in us. And, by the way, we have created some alternatives. We are going to build another pipeline that comes through in the north. From where? Russia, to make themselves more dependent on it.

As I watch Putin make these moves around the world and bring the resources into Iran that Mr. FRANKS has talked about, and we are naive enough, myopically naive enough to accept or even consider that there is a rational argument that somehow the President capitulated on missiles in Eastern Europe and he got a quid pro quo of some kind for it. I would pose this question beyond rhetorical: Is there anything in either one of your gentlemen's imagination that would be worth pulling the missiles out of Eastern Europe and capitulating and betraying the Poles and the Czechs and the rest of the region when they say that we have sold them out and stabbed them in the back, sold them out to the Russians and stabbed them in the back? How could a President get a trade, a quid pro quo? What could it possibly be?

I had one of the defenders of the White House say to me, well, it would be because surely the President got something for it. Maybe he got a promise that Putin would help negotiate with Iran to slow down their nuclear development capability.

Really. It's been expanded.

Mr. AKIN. You know, that's kind of interesting, because the missile technology that Iran has gotten came from the Soviet Union. So if the Soviet Union were really serious about reducing Iran's capability, at least in the area of delivering large missiles, then they are certainly approaching it from a rather unique point of view of selling missile technology to Iran. I don't think your proposition seems to make sense.

If the President got something for giving up missile defense in Europe, it wouldn't make sense that he got something from the very country that had been giving Iran the missile-building capability.

I don't know anything that he got for that. I am not sure that maybe he didn't just do it just to be a nice guy or something. I don't see anything that he got that would be valuable enough risking our population to the population of Western Europe. So you have really caught me. I really don't know the answer to your question.

I hope the gentleman from Arizona knows what the President got.

Mr. KING of Iowa. I am looking for some imaginary response. What could the quid pro quo be? What would be worth giving up a shield, a shield against the nuclear capability of Iran, and diplomatically, economically, tactically, strategically? Does the gentleman from Arizona have any ideas?

Mr. FRANKS of Arizona. Well, I guess my first postulation here was that Iran, having a nuclear capability, changed everything, because it potentially worked on this coincidence of jihad and nuclear proliferation, where it empowered Iran to give nuclear weapons to terrorists. It's so hard for me to see a world like that, that I guess that's my central focus.

□ 2220

The only thing that I can put forward at all is that the President was somehow assured by Russia that that wouldn't happen if we work with Russia. But the problem is that Russia has sold us their influence about half a dozen times now—and we've gotten nothing for it.

And, secondarily, the most critical component in a nuclear program is not missile technology. Missile technology is beginning to proliferate the world over. I mean it is astonishing how much missile capability even smaller countries are beginning to have now. That mule is out of the barn, as they say.

But the fissile material or the material for making nuclear weapons is really the crux here. And Russia has delivered nuclear fuel to Iran already. So how do we somehow take their word for this situation? It's always amazing to me.

I think that Mr. Obama, in all deference to the President, is somehow ignoring the lessons of history. Where we see malevolent individuals or countries push forward to try to push back the forces of freedom, and someone blinks, as Mr. Halpern put it. Someone blinks.

There was a time when Gorbachev stared in the eyes of Ronald Reagan. And Gorbachev had to blink because Ronald Reagan didn't. He transcended hundreds of millions because Reagan had the courage to stand strong, even above the din of the liberal media in his own country.

There was a time when one of the other Russian premiers tried to stare down President John Kennedy. John Kennedy stood strong and wouldn't back up. Where would we be had that not happened?

In just recent days, Mr. Putin stared President Obama in the eye—and Mr. Obama blinked. And it has historic and grave consequences, I believe, for the free world, and especially for America and our future generations. And I am just very concerned as we go forward now that this President is going to somehow say, Well, Iran probably can have a peaceful nuclear program.

Well, let me just say to you, by the way, that Iran has so much natural gas that it would be scales of 10 cheaper for them just to produce their electricity with natural gas than to build a nuclear power plant to produce electricity. So that's a completely ridiculous notion.

But here's what I'm afraid of. I'm afraid this President is either going to naively or somehow, in the hope that he, in his broadmindedness, will convince jihad to change their mind, which they have had for hundreds of years, to change theirs—and it's just not going to happen that way.

I fear that he is going to allow Iran to go forward with a so-called peaceful nuclear program that will allow them in a very short period of time to become a nuclear weapons power in the world and translate that to not only proliferation to other rogue states, but to terrorists and, again, take us into that Samarian night when our children may have to face nuclear terrorism.

I just feel like if we let this happen now, that we're making a terrible mistake, and future generations will pay that price.

Mr. KING of Iowa. Reclaiming my time, I just contemplate sometimes the naivete that can take place when you look around the globe. I remember going up to Canada and picking up some of their history books and reading the things in history from a Canadian perspective versus an American perspective. That's the first time I realized that everybody doesn't understand history the same in the world. You understand it from your own perspective.

I took a legal trip down to Cuba and traveled there with a professor of Cuban history for several days, and he began to tell me about the Spanish-Cuban-American War of 1898. I never thought Cuba had anything to do with it. I thought it was the Spanish-American War. So there's a couple little snapshots.

I take you back to late February of this year, sitting in Moscow with former Prime Minister Gorbachev, who gave a lecture to me and a number of Members of Congress that he could still be ruling Russia and the Soviet Union and could have held the entire USSR together if he'd chosen to do so.

But he identified the German will for unity, and so he decided to go forward with glasnost and perestroika and open up the borders and bring about what was—let me say the ''devolution'' of the Soviet empire willingly. What a breathtaking view of history. He said the United States had nothing to do with it. And I'm sitting there listening to that.

He also wanted to know if there were any Republicans in the room, so he identified me right away. He accused me of going hunting with Dick Cheney.

In any case, the philosophy that the United States had nothing to do with ending the Cold War, that that clash of titans wasn't resolved in that economic and military tactical arena that Jeane Kirkpatrick talked about, but only because of the good will of Mikhail Gorbachev recognizing the desire for German unity, when you see that and you look at the European philosophy that dialogue is progress.

They came to this Capitol in September of 2003, the ambassadors to the United States from France, Germany, and Great Britain, to plead with us—wasn't quite a plea—to argue to us and try to sell us on the idea that we should open up dialogue with Iran to talk them out of a nuclear capability. At that point I said, What are you willing to do? They said, We want dialogue to open.

Okay, then what? Are you willing to go to the United Nations for resolutions, are you willing to do sanctions, are you willing do blockades? Are you willing to lay the ''or what'' line out there that says if you cross this line, then we will by force resolve this issue? And if that happens, where are you going to be on that day and with what? And they just backed away from that like they had seen a ghost. Their entire mission was, dialogue was progress.

Now if we've got a viewpoint, a European viewpoint that dialogue is progress and you can always talk away your differences, that's a philosophy that doesn't fit the American viewpoint. We don't go to the Neville Chamberlain School of Diplomacy, as perhaps Obama did.

Then you have to also put into that the mindset of Putin, the Russians, Gorbachev, the mullahs in Iran, the Islamic approach, the nuclear jihad approach. We can't measure this on the part of just simply the good will of the United States controls missiles in Iran. And I'm afraid the President has come to that conclusion—that his good will will control missiles in Iran.

The gentleman from Missouri.

Mr. AKIN. Well, I'm inclined to, as you start reminiscing that we don't learn from history, one of the things that I remember hearing about is when I was first elected to Congress in 2001, I was on the Armed Services Committee and we made the votes to fund the building of missile defense. But there was also a guy by the name of Rumsfeld who was Secretary of Defense. He came in and spoke to us on some pretty clear kinds of lines of reasoning.

He stated, If you're Secretary of Defense, there's kind of three situations. There's the things that you know about that you should worry. And those are things that are of concern to us. But the things that are particularly of concern are the things we don't know about, that we should worry. And then he gave an example of that.

One of the examples was, we had a treaty with the Soviet Union. And the treaty said that nobody is going to build biological weapons. And what had come out was in fact that the Soviet Union had all kinds of missiles pointed at America with biological weapons in those missiles, including smallpox. And so we didn't have a clue because we took their good will that they certainly wouldn't violate a treaty.

It seems to me that a more American way of thinking is if you're worried about somebody shooting a nuclear missile at you, maybe we just ought to have the capability of shooting it down before it even gets over our ground. That seems to be an awful lot more dependable mindset than trusting people who have systematically lied to us in the past.

This was a terrible decision by our administration. It can be viewed in no other light. It can only be viewed as stepping away from the responsibility of defending American citizens and Western European citizens and creating a less stable world.

This is not a decision that the American people should let stand. This is something that must be reversed. It requires action on the part of people who are patriots and people who love this country, who love life and freedom itself.

Mr. KING of Iowa. Reclaiming from the gentleman from Missouri, I refer to a statement made by John Bolton, before I yield to the gentleman from Arizona. John Bolton, a former ambassador to the United Nations and a solid, very brilliant, tactical-thinking man, diplomatically tactical-thinking man.

He said that the President's decision not to deploy antiballistic missile defense is unambiguously wrong. It reflects a concession to Russian belligerence and an embarrassing abandonment of two of America's strongest allies and an appalling lack of understanding of the present and future risk posed by Iran.

□ 2230

''Worse, this unforced retreat of American hard power clearly signals what may well be a long American recession globally.''

That is a chilling analysis.

I yield to the gentleman from Arizona.

Mr. FRANKS of Arizona. Thank you, Mr. KING, for yielding.

I guess you said it best a moment ago when you just talked about history. Someone a long time ago said that those who don't learn from the mistakes of the past are doomed to repeat them. Someone said that the only thing we learn from history is that we don't learn from history.

But Dostoevsky said it this way: he said, He who controls the present controls the past and he who controls the past controls the future. And I think he capsulized what the liberal intelligencia have done today. They have tried to rewrite history in order to try to shape the future.

And it concerns me greatly because if you look just in a cursory glance at history, especially since the nuclear age came upon us, when we had a great enemy in the Soviet Union, they had thousands of warheads aimed at us with nuclear missiles; we had thousands aimed at them. There was almost a fearful tension there because they knew if they launched against us that we could launch against them while the missiles that they'd launched were still in the area and we would destroy each other. So we called this ''mutually assured destruction,'' and there was a kind of a grim peace that was achieved because we put our security in their sanity and they did the same for us.

But some things have changed in history since then. First of all, terrorism has come upon us, and, second of all, nuclear proliferation has begun to make a march across the world. And now we live in a generation that sees terrorism or this jihad coming together with nuclear proliferation. And when you put those two things together, all of the historical precedents seem to fade because now you face an enemy with an ultimate capacity, whether it be just a nuclear warhead in one of our cities or launching a missile at us or even launching an EMP attack, that we haven't talked about tonight, but I hope that Members really try to learn about that. We face a situation where an enemy that has no regard for its own life, that they will be willing to kill their own children in order to kill ours, are eventually, if we continue down this path, going to find their way to the nuclear button. And if they do and terrorists the world over gain this technology, it will change our concept of freedom forever.

I am convinced that there's nothing that Osama bin Laden and al Qaeda would like to do more than put a nuclear weapon about a hundred yards off the steps of this building and decapitate this country. And you say, well, that's an impossible scenario. It's an unthinkable scenario, but I assure you it's not impossible.

And to somehow blink and take away our capability to devalue nuclear programs in the world, as missile defense does, or to stop an incoming missile when we have to, to somehow blink in that situation is to hasten a day like that. I hope that somehow we regain our sanity in time and realize how serious the equation really is.

I appreciate so much the gentleman yielding to me tonight.

Mr. KING of Iowa. I appreciate the gentleman's coming to the floor and the background and the effort that he has put into this thing for all of these years and having emerged as one of a small handful of leaders on nuclear technology and the missile defense shield, as Mr. AKIN has as well.

I want to reiterate a statement that you made: we put our security in their sanity. That being the Russian's sanity, not the mullahs' sanity because the mullahs have a different level of rationale if you would like to call it rational at all.

Mr. Speaker, I will include in the RECORD the two articles that I addressed in my statement.

[From the Washington Times, Sept. 22, 2009]

ERRING ON THE SIDE OF INCAUTION

(By John R. Bolton)

President Obama's decision not to deploy anti-ballistic missile defense assets in Poland and the Czech Republic is unambiguously wrong. It reflects an unrequited concession to Russian belligerence, an embarrassing abandonment of two of America's strongest European allies, and an appalling lack of understanding of the present and future risks posed by Iran. Worse, this unforced retreat of American hard power clearly signals what may well be a long American recessional globally.

First, Mr. Obama's capitulation was about Russia, not about Iraq. Russia has always known that former President George W. Bush's national missile defense project was not aimed against Russia's offensive nuclear capabilities, neither in scope nor in geographical deployment. To the contrary, our common interests in defending against threats from rogue states should have led to missile-defense cooperation, not antagonism.

What has really agitated Russia was not that the sites were for missile defense, but that they were an American presence in former Warsaw Pact countries, Russia's now-defunct sphere of influence.

Now, without anything resembling a quid pro quo from Moscow, Washington has dramatically reduced its presence and isolated its own friends. In Russia and Eastern Europe, the basic political conclusion is straightforward and worrying: Russia, a declining, depopulating power, growled, and the United States blinked. This devastating reaction extends worldwide, especially among our Pacific allies, who fear similar unilateral U.S. concessions in their region.

''It is far better to err on the side of U.S. security than on the side of greater risk of nuclear devastation. There is no harm in deploying our missile defenses before Iran's ICBMs can reach America, but incalculable risk if Iran is ready before we are.''

Second, Mr. Obama's proposed new missile defense deployments will not protect the United States against Iranian ICBMs, for which the Eastern European sites were primarily intended. Protecting Europe was only an ancillary, although welcome side effect, one intended to help calm European concern that the United States would abandon Europe and embrace isolationism behind national missile defenses.

Western Europe, not surprisingly, seems largely content with the Obama-projected alternative, which, if implemented, would protect Europe, but would have few tangible benefits for America.

Thus, despite Mr. Obama's rhetoric about replacing one missile defense design with a more effective one, the systems in question are aimed at two completely different objectives. Of course, it also remains to be seen whether and exactly how the administration will actually implement its projected deployment, and what new risks are entailed.

For example, U.S. ships deployed in the Black Sea would be fully exposed to Russia's naval capabilities, in contrast to more secure bases in continental Europe. Failure to implement the new plan aggressively will be seen as yet another failure of American will.

Mr. Obama's public explanation omitted any acknowledgment that the Eastern European deployments were never intended to counter existing Iranian threats, but rather were to protect against threats maturing in the future. Obviously, to be ahead of the curve and ready before Iran's threat became real, we had to begin deployment now, not in the distant future. Instead, Mr. Obama's decision effectively forecloses our ability to be ready when the real need arises.

Third, although purportedly based on new intelligence assessments about Iran's capabilities, Mr. Obama's announcement simply reflected his own longstanding biases against national missile defense. He has never believed in it strategically, or that it could ever be made operationally successful.

The new intelligence ''estimate'' agreeably minimizes the threat posed by Iranian ICBMs, thus facilitating a decision to cancel that had been all but made during last year's campaign. The assessment, as briefed to Congress immediately after the president's announcement, involved no actual new intelligence, but only a revised prediction of Iran's future capabilities.

The new ''assessment'' also confirmed the administration's often-expressed and so far frustrated desire to negotiate with Iran over Tehran's nuclear weapons program. That schedule has slipped badly, leaving Mr. Obama running out of time for diplomatic endeavors.

Moreover, stronger economic sanctions, his fallback position, are increasingly unlikely to be comprehensive or strict enough to actually stop Iran's nuclear program before completion. How convenient, therefore, to suddenly ''find'' more time on the missile front, thus facilitating a diplomatic strategy that had been increasingly headed toward disastrous failure. Moreover, whatever the available intelligence, it does not determine what levels of international risk we should accept. Mr. Obama has too high a tolerance for such risk.

He is too willing to place America in jeopardy of Iran's threat, a calculus exactly opposite from what we should use. It is far better to err on the side of U.S. security than on

the side of greater risk of nuclear devastation. There is no harm in deploying our missile defenses before Iran's ICBMs can reach America, but incalculable risk if Iran is ready before we are.

Mr. Obama's rationale for abandoning the Eastern European sites ignores the important reasons they were created, underestimates the Iranian threat, and bends the knee unnecessarily to Russia. This all foreshadows a depressing future. Our president, uncomfortable with projecting American power, is following the advice of his intellectual predecessor George McGovern: ''Come home, America.'' Both our allies and adversaries worldwide will take due note.

[From the Wall Street Journal, Sept. 23, 2009]

OBAMA AND THE POLITICS OF CONCESSION—IRAN AND RUSSIA PUT OBAMA TO THE TEST LAST WEEK, AND HE BLINKED TWICE

(By Mark Helprin)

During last year's campaign, Sen. Joe Biden famously remarked that, if his ticket won, it wouldn't be long before ''the world tests Barack Obama like they did John Kennedy'' on foreign affairs. Last week, President Obama, brilliantly wielding the powers of his office, managed to fail that test not just once but twice, buckling in the face of Russian pressure and taking a giant wooden nickel from Iran.

With both a collapsing economy and natural gas reserves sufficient to produce 270 years of electricity, the surplus of which it exports, Iran does not need nuclear electrical generation at a cost many times that of its gas-fired plants. It does, however, have every reason, according to its own lights, to seek nuclear weapons—to deter American intervention; to insure against a resurgent Iraq; to provide some offset to nearby nuclear powers Pakistan, Russia and Israel; to move toward hegemony in the Persian Gulf and address the embarrassment of a more militarily capable Saudi Arabia; to rid the Islamic world of Western domination; to neutralize Israel's nuclear capacity while simultaneously creating the opportunity to destroy it with one shot; and, pertinent to last week's events, by nuclear intimidation to turn Europe entirely against American interests in the Middle East.

Some security analysts may comfort themselves with the illusion that soon-to-be nuclear Iran is a rational actor, but no country gripped so intensely by a cult of martyrdom and death that to clear minefields it marched its own children across them can be deemed rational. Even the United States, twice employing nuclear weapons in World War II, seriously contemplated doing so again in Korea and then in Vietnam.

The West may be too pusillanimous to extirpate Iran's nuclear potential directly, but are we so far gone as to foreswear a passive defense? The president would have you think not, but how is that? We will cease developing the ability to intercept, within five years, the ICBMs that in five years Iran is likely to possess, in favor of a sea-based approach suitable only to Iranian missiles that cannot from Iranian soil threaten Rome, Paris, London or Berlin. Although it may be possible for the U.S. to modify Block II Standard Missiles with Advanced Technology Kill Vehicles that could disable Iranian missiles in their boost phase, this would require the Aegis destroyers carrying them to loiter in the confined and shallow waters of the Gulf, where antimissile operations would be subject to Iranian interference and attack.

Interceptors that would effectively cover Western Europe are too big for the vertical launch cells of the Aegis ships, or even their hulls. Thus, in light of the basing difficulties that frustrate a boost-phase kill, to protect Europe and the U.S. Mr. Obama proposes to deploy land-based missiles in Europe at some future date. If he is willing to do this, why not go ahead with the current plans? The answer is that, even if he says so, he will not deploy land-based missiles in Europe in place of the land-based missiles in Europe that he has cancelled because they are land-based in Europe.

What we have here is an inadvertent homage to Lewis Carroll: We are going to cancel a defense that takes five years to mount, because the threat will not materialize for five years. And we will not deploy land-based interceptors in Europe because our new plan is to deploy land-based interceptors in Europe.

Added to what would be the instability and potentially grave injury following upon the appearance of Iranian nuclear ICBMs are two insults that may be more consequential than the issue from which they arise. Nothing short of force will turn Iran from the acquisition of nuclear weapons, its paramount aim during 25 years of secrecy and stalling. Last fall, President Mahmoud Ahmadinejad set three conditions for the U.S.: withdrawal from Iraq, a show of respect for Iran (read ''apology''), and taking the nuclear question off the table.

We are now faithfully complying, and last week, after Iran foreclosed discussion of its nuclear program and Mojtaba Samareh Hashemi, Mr. Ahmadinejad's chief political adviser, predicted ''the defeat and collapse'' of Western democracy, the U.S. agreed to enter talks the premise of which, incredibly, is to eliminate American nuclear weapons. Even the zombified press awoke for long enough to harry State Department spokesman P.J. Crowley, who replied that, as Iran was willing to talk, ''We are going to test that proposition, OK?''

Not OK. When Neville Chamberlain returned from Munich at least he thought he had obtained something in return for his appeasement. The new American diplomacy is nothing more than a sentimental flood of unilateral concessions—not least, after some minor Putinesque sabre rattling, to Russia. Canceling the missile deployment within NATO, which Dmitry Rogozin, the Russian ambassador to that body, characterizes as ''the Americans . . . simply correcting their own mistake, and we are not duty bound to pay someone for putting their own mistakes right,'' is to grant Russia a veto over sovereign defensive measures—exactly the opposite of American resolve during the Euro Missile Crisis of 1983, the last and definitive battle of the Cold War.

Stalin tested Truman with the Berlin Blockade, and Truman held fast. Khrushchev tested Kennedy, and in the Cuban Missile Crisis Kennedy refused to blink. In 1983, Andropov took the measure of Reagan, and, defying millions in the street (who are now the Obama base), Reagan did not blink. Last week, the Iranian president and the Russian prime minister put Mr. Obama to the test, and he blinked not once but twice. The price of such infirmity has always proven immensely high, even if, as is the custom these days, the bill has yet to come.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE of Pennsylvania (at the request of Mr. HOYER) for after noon today and for the balance of the week on account of attending the G–20 Summit in Pittsburgh, Pennsylvania.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PETERS) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. TONKO, for 5 minutes, today.

Mr. PETERS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. FLEMING) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, September 30.

Mr. JONES, for 5 minutes, September 30.

Mr. GOHMERT, for 5 minutes, today and September 24.

Mr. FLAKE, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1677. An act to reauthorize the Defense Production Act of 1950, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on September 21, 2009 she presented to the President of the United States, for his approval, the following bill.

H.R. 1243. 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.

ADJOURNMENT

Mr KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, September 24, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances [EPA-HQ-OPP-2009-0012; FRL-8433-8] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerance Nomenclature Changes; Technical Amendment

[EPA-HQ-OPP-2009-0043; FRL-8432-2] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Acetochlor; Pesticide Tolerances [EPA-HQ-OPP-2009-0002; FRL-8434-1] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aminopyralid; Pesticide Tolerance [OPP-2004-0139; FRL-7724-8] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azinphos-methyl, Disulfoton, Esfenvalerate, Ethalene oxide, Fenvalerate, et al.; Tolerance Actions [EPA-HQ-OPP-2008-0834;FRL-8426-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3721. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2008-0876; FRL-8431-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Saflufenacil; Pesticide Tolerances [EPA-HQ-OPP-2008-0352; FRL-8430-4] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3723. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — School Breakfast Program: Severe Need Assistance [FNS-2005-0008] (RIN: 0584-AD50) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3724. A letter from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Assistance Regulations (RIN: 1991-AB77) September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3725. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Adequacy of Kansas Municipal Solid Waste Landfill Permit Program [EPA-R07-RCRA-2009-0646; FRL-8953-3] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3726. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Emissions Inventory; Baton Rouge Ozone Nonattainment Area [EPA-R06-OAR-2007-1064; FRL-8952-5] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3727. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Opacity Variance for Rocket Testing Operations Atlantic Research Corporation's Orange County Facility [EPA-R03-OAR-2009-0520; FRL-8953-1] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3728. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State and Local Assistance; Technical Correction [EPA-HQ-SFUND-2009-0617; FRL-8953-8] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3729. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment for Ozone [EPA-R05-OAR-2009-0221; FRL-8952-1] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3730. A letter from the Director, Regulatory Management Divison, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Columbus Area to Attainment for Ozone [EPA-R05-OAR-2009-0220; FRL-8952-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3731. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Excess Emissions [EPA-R06-OAR-2008-0815; FRL-8954-7] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3732. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Final DTV Table of Allotments, Televisions Broadcast Stations (Fond du Lac, Wisconsin) [MB Docket No. 09-115] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3733. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Waverly, Alabama) [MB Docket No.: 09-54] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3734. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Batesville, Texas) [MB Docket No.: 08-227] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3735. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Television Broadcast Stations (Ann Arbor, Michigan) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3736. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Television Broadcast Stations (Santa Fe, New Mexico) [MB Docket No.: 09-110] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3737. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Television Broadcast Stations (Colorado Springs, Colorado) [MB Docket No. 09-111] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3738. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Dulac, Louisiana) [MB Docket No. 09-18] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3739. A letter from the Chief of Staff, Media Bureau, Federal Communications Commissions, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Ten Sleep, Wyoming) [MB Docket No.: 08-242] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3740. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM09-17-000] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3741. A letter from the Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Foreign Trade Regulations (FTR): Eliminate the Social Security Number (SSN) as an identification number in the Automated Export System (AES) [Docket Number: 090422707-9708-01] (RIN: 0607-AA48) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3742. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Nondiscrimination in Federally Assisted Railroad Programs; Removal [Docket No.: FRA-2008-0117, Notice No. 1] (RIN: 2130-AB98) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3743. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Entry Level Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ58) August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3744. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shortracker Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ57) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3745. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ59) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3746. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 09100091344-

9056-02] (RIN: 0648-XQ72) received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3747. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ76) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3748. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ75) received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3749. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Closure of the Primary Pacific Whiting Season for the Shore-Based Sector [Docket No. 090428799-9802-01] (RIN: 0648-XQ39) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3750. A letter from the Acting Director, Office Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ51) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3751. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries [Docket NO.: 080226308-9700-02] (RIN: 0648-AW50) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3752. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Fran Schnarr Open Water Championships, Huntington Bay, NY [USCG-2009-0520] (RIN: 1625-AA08) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3753. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Pilot, Flight Instructor, and Pilot School Certification [Docket No.: FAA-2006-26661; Amendment Nos. 61-124, 91-309 and 141-12] (RIN: 2120-AI86) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3754. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Medication Prescribed by Non-VA Physicians (RIN: 2900-AL68) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3755. A letter from the Director of Regulation Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Service Connection for Osteoporosis for Former Prisoners of War (POWs) and Former POWs diagnosed with Posttraumatic Stress Disorder (PTSD) (RIN: 2900-AN16) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3756. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Paid Time Off Contributions (Rev. Rul. 2009-31) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3757. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Contribution Increases under Automatic Contribution Arrangements (Rev. Rul. 2009-30) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3758. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2009 Marginal Production Rates [Notice 2009-74] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3759. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Corrections to Rev. Proc. 2009-39 Regarding Taxpayers Before the Joint Committee on Taxation (Announcement 2009-67) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3760. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2009 Section 43 Inflation Adjustment [Notice 2009-73] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3761. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Adding Automatic Enrollment to SIMPLE IRA Plans —— Sample Amendment [Notice 2009-67] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3762. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Enrollment in SIMPLE IRAs [Notice 2009-66] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3763. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Adding Automatic Enrollment to Section 401(k) Plans—Sample Amendments [Notice 2009-65] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3764. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of Returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2009-38) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3765. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — ICE Futures Canada, Inc., a regulated exchange of Canada, is a qualified board or exchange of Canada (Rev. Rul. 2009-24) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3766. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Employer Comparable Contributions to Health Savings Accounts under Section 4980G, and Requirement of Return for Filing of the Excise Tax under Section 4980B, 4980D, 4980E, or 4980G [TD 9457] (RIN: 1545-BG71) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3767. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reasonable Good Faith Interpretation of Required Minimum Distribution Rules by Governmental Plans [TD 9459] (RIN: 1545-BH53) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3768. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Effect on Earnings and Profits (Rev. Rul. 2009-25) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3769. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Application of insurance principles to whether a reinsurance arrangement is sufficient for the assuming company to qualify as an insurance company under section 831(c) (Rev. Rul. 2009-26) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3770. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Modification to Consolidated Return Regulation Permitting an Election to Treat a Liquidation of a Target, Followed by Recontribution to a New Target, as a Cross-Chain Reorganization [TD 9458] (RIN: 1545-B172) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3771. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's ''Major'' final rule — Air Cargo Screening [Docket No.: TSA-2009-0018; Amendment Nos. 1515-1, 1520-8, 1522-New, 1540-10, 1544-9, 1546-5, 1548-5, 1549-New] (RIN: 1625-AA64) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. MATSUI: Committee on Rules. House Resolution 766. Resolution providing for consideration of motions to suspend the rules (Rept. 111–264). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. WASSERMAN SCHULTZ (for herself and Mr. CULBERSON):

H.R. 3630. A bill to promote crime awareness and cybercrime prevention initiatives, and for other purposes; to the Committee on the Judiciary.

By Ms. TITUS (for herself, Mr. STARK, Mr. PALLONE, Mr. RANGEL, Mr. WAXMAN, Mr. DINGELL, Ms. BALDWIN, Mr. BARROW, Mr. BOUCHER, Mr. BRALEY of Iowa, Mr. BUTTERFIELD, Mrs. CAPPS, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. DEGETTE, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GORDON of Tennessee, Mr. HIGGINS, Mr. LARSON of

Connecticut, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Ms. MATSUI, Mr. MURPHY of Connecticut, Mr. PASCRELL, Mr. POMEROY, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. STUPAK, Ms. SUTTON, Mr. VAN HOLLEN, Mr. WEINER, Mr. WELCH, Mr. YARMUTH, Mr. CARDOZA, Mr. DAVIS of Illinois, and Ms. BERKLEY):

H.R. 3631. A bill to amend title XVIII to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries in a budget neutral manner for 2010; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. COBLE, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 3632. A bill to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Ms. HARMAN:

H.R. 3633. A bill to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERRY (for himself, Mr. BOOZMAN, Mr. ROSS, and Mr. SNYDER):

H.R. 3634. A bill to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the ''George Kell Post Office''; to the Committee on Oversight and Government Reform.

By Mr. CAO:

H.R. 3635. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal assistance with respect to disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. FILNER, Mr. AL GREEN of Texas, Mr. STARK, Mr. TOWNS, Mr. WEXLER, Mr. MEEK of Florida, Ms. SCHAKOWSKY, and Mr. HOLT):

H.R. 3636. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals and families, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY (for herself, Ms. WATSON, Mr. PAYNE, Mr. FATTAH, Mrs. CHRISTENSEN, Ms. EDWARDS of Maryland, Mr. SCOTT of Georgia, Mr. ELLISON, Mr. AL GREEN of Texas, Ms. CLARKE, Ms. FUDGE, Ms. KILPATRICK of Michigan, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mr. WATT, Mr. DAVIS of Illinois, Mr. RANGEL, Ms. RICHARDSON, Mr. DAVIS of Alabama, Mr. MEEKS of New York, Mr. CUMMINGS, Ms. LEE of California, Mr. SCOTT of Virginia, Ms. MOORE of Wisconsin, Mr. CLYBURN, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Ms. TITUS, Mr. TOWNS, Mr. THOMPSON of Mississippi, and Mr. CONYERS):

H. Con. Res. 190. Concurrent resolution recognizing the historic founding of the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself and Mr. MCGOVERN):

H. Res. 764. A resolution expressing the sense of the House of Representatives on the importance of inter-religious dialogue and the protection of religious freedom and related human rights for persons of all faiths and nationalities in the Islamic Republic of Pakistan; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia (for himself, Mr. BARROW, Mr. SCOTT of Georgia, Mr. GINGREY of Georgia, Mr. KINGSTON, Mr. BISHOP of Georgia, Mr. WESTMORELAND, Mr. DEAL of Georgia, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. LINDER, Mr. JOHNSON of Georgia, Mr. MARSHALL, Mr. COHEN, Mr. NADLER of New York, Mr. BISHOP of New York, Mr. HIGGINS, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mrs. EMERSON, Mr. MCNERNEY, Mr. BLUMENAUER, Ms. DEGETTE, Mr. BRALEY of Iowa, Mr. MORAN of Kansas, Mr. PERLMUTTER, Ms. EDWARDS of Maryland, Mr. BAIRD, Ms. CLARKE, Mrs. MALONEY, Mr. BUTTERFIELD, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. ENGEL, Mrs. CAPPS, Ms. SLAUGHTER, Mr. HINCHEY, Ms. MOORE of Wisconsin, Mr. EDWARDS of Texas, Ms. MCCOLLUM, Mr. STARK, Mr. FARR, Mrs. DAHLKEMPER, Mr. SALAZAR, Mr. BOYD, Mr. KISSELL, Mr. DICKS, Ms. WATERS, and Ms. JACKSON-LEE of Texas):

H. Res. 765. A resolution expressing condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009, and expressing gratitude to all of the emergency personnel who continue to work with unyielding determination to meet the needs of Georgia's residents; to the Committee on Transportation and Infrastructure; considered and agreed to.

By Mr. ANDREWS:

H. Res. 767. A resolution expressing support for designation of a National Animal Rescue Day to create awareness, educate humans in the importance of adoption, and create a humane environment for any pet, including the importance of spaying and neutering of animals, and the encouragement of animal adoptions throughout the United States; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York (for herself, Mr. PLATTS, Ms. CORRINE BROWN of Florida, Mrs. MALONEY, Mr. CLEAVER, Ms. BALDWIN, and Mrs. MCMORRIS RODGERS):

H. Res. 768. A resolution expressing support for the designation of the month of October as ''National Work and Family Month''; to the Committee on Education and Labor.

By Mr. PLATTS (for himself, Ms. MATSUI, Mr. EHLERS, Mr. PRICE of North Carolina, and Mr. KENNEDY):

H. Res. 769. A resolution recognizing the benefits of service-learning as a teaching strategy to effectively engage youth in the community and classroom, and expressing support for the goals of the National Learn and Serve Challenge; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARNEY:

H.R. 3637. A bill to waive the 35-mile rule to permit recognition of Tyler Memorial Hospital as a critical access hospital under the Medicare Program; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 3638. A bill for the relief of Jorge-Alonso Chehade-Zegarra; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 87: Ms. FOXX.
H.R. 124: Mr. YOUNG of Florida.
H.R. 137: Mr. WITTMAN.
H.R. 510: Mr. GRAVES.
H.R. 571: Ms. PINGREE of Maine.
H.R. 615: Mr. LATHAM.
H.R. 622: Mr. KINGSTON.
H.R. 658: Mr. HIGGINS, Ms. FUDGE, Ms. PINGREE of Maine, and Mr. VISCLOSKY.
H.R. 690: Mr. ISSA.
H.R. 734: Mr. LANCE.
H.R. 745: Mr. HOLT.
H.R. 816: Mr. DAVIS of Alabama, Mr. MACK, Mr. COFFMAN of Colorado, Mr. MURPHY of Connecticut, Ms. EDWARDS of Maryland, Mr. LIPINSKI, and Mr. ISRAEL.
H.R. 950: Mr. ELLISON.
H.R. 953: Mr. MURPHY of New York and Mr. COURTNEY.
H.R. 968: Mr. HOEKSTRA.
H.R. 997: Mr. LATHAM.
H.R. 1086: Mr. LEE of New York, Mr. HOEKSTRA, and Mr. GARY G. MILLER of California.
H.R. 1134: Ms. BALDWIN.
H.R. 1135: Mr. HOLDEN.
H.R. 1173: Ms. KOSMAS.
H.R. 1182: Mr. FRANKS of Arizona and Mrs. LOWEY.
H.R. 1189: Mr. CARNAHAN.
H.R. 1207: Mr. LEWIS of Georgia and Mr. ARCURI.
H.R. 1215: Mr. WU, Mr. CARSON of Indiana and Mr. FRANK of Massachusetts.
H.R. 1233: Mr. SENSENBRENNER.
H.R. 1245: Mr. LATHAM, Mr. BLUNT, and Mr. COSTA.
H.R. 1283: Mr. PERLMUTTER.
H.R. 1326: Mr. POLIS
H.R. 1362: Mr. GONZALEZ, and Mr. BOCCIERI.
H.R. 1402: Mr. SHULER.
H.R. 1408: Ms. HERSETH SANDLIN.
H.R. 1428: Mr. HOLT and Mr. LEVIN.
H.R. 1490: Ms. WASSERMAN SCHULTZ and Mr. ARCURI.
H.R. 1547: Mr. BRADY of Texas, Ms. FALLIN, and Mr. MICA.
H.R. 1557: Mr. MURPHY of New York.
H.R. 1570: Ms. ROS-LEHTINEN.
H.R. 1585: Mr. CASTLE.
H.R. 1618: Ms. TITUS.
H.R. 1623: Mr. CRENSHAW.
H.R. 1633: Mr. CALVERT.
H.R. 1677: Mr. SHIMKUS and Mr. WILSON of Ohio.
H.R. 1691: Mr. SHULER.
H.R. 1702: Ms. TSONGAS and Mr. CARSON of Indiana.
H.R. 1792: Mr. LATHAM.
H.R. 1826: Mr. YARMUTH.
H.R. 1927: Mr. SIRES and Mr. MASSA.
H.R. 1963: Mr. BISHOP of Georgia and Ms. CORRINE BROWN of Florida.
H.R. 2002: Mr. PAUL and Ms. WASSERMAN SCHULTZ.
H.R. 2006: Mr. CARNAHAN.
H.R. 2017: Mr. MICHAUD.
H.R. 2055: Ms. SPEIER.
H.R. 2057: Mr. CAPUANO.
H.R. 2067: Ms. SCHWARTZ.
H.R. 2112: Mr. HONDA, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, and Ms. ROYBAL-ALLARD.

H.R. 2138: Mr. FILNER.
H.R. 2149: Mr. ALEXANDER.
H.R. 2243: Mrs. MCMORRIS RODGERS.
H.R. 2254: Mr. GONZALEZ, Mr. DRIEHAUS, Mr. THOMPSON of Mississippi, Ms. ESHOO, Ms. TITUS, Mr. HALL of Texas, Mr. SHERMAN, Mr. MAFFEI, and Mr. CARSON of Indiana.
H.R. 2305: Mr. MARCHANT, Mr. PLATTS, and Mr. MANZULLO.
H.R. 2329: Mr. KAGEN.
H.R. 2365: Mr. TIERNEY.
H.R. 2393: Mrs. MILLER of Michigan.
H.R. 2421: Mr. DEAL of Georgia, Mr. HARPER, Mrs. MCCARTHY of New York, Mr. MCCLINTOCK, Mr. MARSHALL, Mr. TIM MURPHY of Pennsylvania, Mr. POSEY, Mr. REICHERT, Mr. SCHIFF, Ms. MARKEY of Colorado, Mrs. DAHLKEMPER, and Mr. WILSON of Ohio.
H.R. 2452: Mrs. BLACKBURN, Ms. ROS-LEHTINEN, Mr. BOSWELL, and Mr. SMITH of New Jersey.
H.R. 2499: Mr. GRIJALVA.
H.R. 2523: Mr. FALEOMAVAEGA.
H.R. 2542: Mr. REICHERT.
H.R. 2567: Mr. KENNEDY.
H.R. 2573: Mr. BRADY of Pennsylvania.
H.R. 2593: Mr. KISSELL.
H.R. 2672: Mr. BUCHANAN.
H.R. 2743: Ms. BERKLEY and Ms. TITUS.
H.R. 2801: Mr. LATHAM.
H.R. 2808: Mr. HERGER.
H.R. 2811: Ms. BERKLEY.
H.R. 2835: Ms. ZOE LOFGREN of California.
H.R. 2935: Mr. MCNERNEY, Mr. COURTNEY, Mr. WELCH, Ms. KOSMAS, Mr. CARNAHAN, and Mr. GALLEGLY.
H.R. 2964: Mr. BOUCHER.
H.R. 2980: Mr. MINNICK.
H.R. 3017: Ms. VELÁZQUEZ, Mr. MURPHY of New York, and Mr. TONKO.
H.R. 3037: Mr. HIMES and Mr. CLAY.
H.R. 3039: Mrs. BIGGERT.
H.R. 3057: Mr. MCGOVERN and Mr. GRIJALVA.
H.R. 3070: Mr. COURTNEY.
H.R. 3116: Mr. GRIFFITH, Ms. FOXX, Mrs. DAHLKEMPER, Mr. SHULER, Ms. SHEA-PORTER, and Mr. SPRATT.
H.R. 3135: Mr. MCDERMOTT.
H.R. 3136: Mr. MCDERMOTT and Mr. SESTAK.
H.R. 3178: Mr. DOGGETT.
H.R. 3201: Mrs. MCMORRIS RODGERS.
H.R. 3203: Mrs. MCMORRIS RODGERS and Mr. MINNICK.
H.R. 3225: Ms. DELAURO.
H.R. 3245: Mr. CLAY, Mr. CUMMINGS, and Mr. BRADY of Pennsylvania.
H.R. 3250: Ms. SLAUGHTER, Ms. VELÁZQUEZ, and Mr. WEINER.
H.R. 3253: Ms. SLAUGHTER.
H.R. 3256: Mr. GRAVES.
H.R. 3284: Mr. CAMPBELL.
H.R. 3310: Mr. FLAKE.
H.R. 3322: Mr. ARCURI.
H.R. 3365: Mr. PETERSON, Mr. EHLERS, and Mr. PIERLUISI.
H.R. 3369: Mr. ROONEY.
H.R. 3407: Mr. CARSON of Indiana and Mr. BOOZMAN.
H.R. 3408: Mr. FILNER, Mr. HARE, Mr. LIPINSKI, Ms. BERKLEY, Ms. CHU, and Mr. KAGEN.
H.R. 3412: Mr. MCMAHON.
H.R. 3413: Mr. RODRIGUEZ.
H.R. 3421: Ms. LEE of California, Mr. MANZULLO, and Mr. MEEK of Florida.
H.R. 3480: Mr. ROTHMAN of New Jersey, and Mr. MCGOVERN.
H.R. 3515: Mrs. BIGGERT.
H.R. 3535: Mr. MASSA.
H.R. 3554: Mr. BISHOP of New York and Mr. PIERLUISI.
H.R. 3569: Mr. LATTA, Mr. ROGERS of Kentucky, Mr. JOHNSON of Illinois, and Mr. MILLER of Florida.
H.R. 3571: Mr. GARY G. MILLER of California, Mr. WITTMAN, and Mrs. EMERSON.
H.R. 3580: Mr. SMITH of Texas.
H.R. 3594: Mr. NEUGEBAUER and Mr. AKIN.
H.R. 3597: Mr. TIERNEY and Mr. DELAHUNT.
H.R. 3608: Mr. HEINRICH.
H.R. 3611: Mr. KLINE of Minnesota, Mr. PENCE, Mr. MILLER of Florida, Mr. POE of Texas, Mr. MARCHANT, Mr. POSEY, Mr. MASSA, Mr. THOMPSON of Pennsylvania, Ms. ROS-LEHTINEN, Mr. MACK, Mr. REICHERT, Mr. BOOZMAN, Mr. AKIN, Mr. BURTON of Indiana, Mr. ROGERS of Kentucky, Mr. ROE of Tennessee, Mr. BROWN of South Carolina, Mr. BARTLETT, Mr. HOEKSTRA, Mr. GRIFFITH, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. DEAL of Georgia, Mr. PITTS, Mr. WESTMORELAND, Mr. ROHRABACHER, Mr. HALL of Texas, Mrs. BACHMANN, Mr. COFFMAN of Colorado, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. LATTA.
H.R. 3613: Mr. MARCHANT, Mr. POE of Texas, Mr. MILLER of Florida, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. POSEY, Mr. AKIN, Mr. KING of Iowa, Mr. GOHMERT, Mr. RYAN of Wisconsin, Mr. PITTS, Mr. HUNTER, Mr. BRADY of Texas, Mr. HERGER, Mr. CARTER, and Mr. JONES.
H.R. 3621: Ms. JACKSON-LEE of Texas, Mr. RYAN of Ohio, Mr. JONES, Mr. BOUCHER, Mr. PASCRELL, and Mr. SHERMAN.
H.J. Res. 42: Mr. YOUNG of Alaska, Mr. BONNER, and Mr. LOBIONDO.
H. Con. Res. 74: Mr. GALLEGLY.
H. Con. Res. 177: Mr. KING of New York, Mr. MCNERNEY, and Mrs. MYRICK.
H. Con. Res. 181: Mr. UPTON and Mr. MCCOTTER.
H. Con. Res. 185: Mr. WITTMAN and Mr. PAULSEN.
H. Res. 216: Mr. MCCOTTER.
H. Res. 408: Mr. MCKEON, Mr. NYE, Ms. EDWARDS of Maryland, Mr. FARR, Mr. MICHAUD, Mr. DONNELLY of Indiana, Ms. CASTOR of Florida, Mr. ETHERIDGE, Ms. DEGETTE, Mrs. CAPPS, Mr. THOMPSON of California, and Mr. HINCHEY.
H. Res. 554: Mr. QUIGLEY, Mr. GOODLATTE, Mr. DENT, Mrs. MILLER of Michigan, Mr. PETRI, Mr. ISSA, Ms. GRANGER, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. BILIRAKIS, Mr. CRENSHAW, and Mrs. BIGGERT.
H. Res. 568: Mr. MCGOVERN and Mr. BERMAN.
H. Res. 605: Mr. QUIGLEY.
H. Res. 660: Mr. MILLER of North Carolina.
H. Res. 689: Mr. SCHOCK.
H. Res. 704: Mrs. MCCARTHY of New York and Ms. NORTON.
H. Res. 711: Ms. BALDWIN and Mr. MORAN of Virginia.
H. Res. 715: Mr. HINCHEY, Mr. KANJORSKI, Mr. PASCRELL, Mr. KUCINICH, and Mr. QUIGLEY.
H. Res. 721: Mr. YOUNG of Alaska, Mr. MCCOTTER, Mr. FLEMING, and Mr. LAMBORN.
H. Res. 725: Mr. SESTAK.
H. Res. 727: Mrs. MALONEY, Mr. RYAN of Ohio, Mr. SESSIONS, Mr. TIERNEY, and Mr. MARSHALL.
H. Res. 730: Mr. OBEY, Mr. HARE, Ms. BEAN, and Mr. CONYERS.
H. Res. 733: Mr. LINDER.
H. Res. 736: Mr. ROGERS of Kentucky and Mr. SCHOCK.
H. Res. 740: Ms. PINGREE of Maine, Mr. ELLSWORTH, Mr. SCHAUER, and Mr. COURTNEY.
H. Res. 741: Mr. TONKO and Mr. POLIS.
H. Res. 748: Mrs. BLACKBURN.
H. Res. 754: Mr. ELLSWORTH, Mr. BISHOP of Utah, and Mr. PETERS.
H. Res. 756: Mr. WOLF, Mr. YOUNG of Florida, and Mrs. NAPOLITANO.
H. Res. 757: Ms. MOORE of Wisconsin, Ms. WASSERMAN SCHULTZ, and Mr. SMITH of Washington.
H. Res. 763: Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. PITTS, Mr. HUNTER, and Mr. RYAN of Wisconsin.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, SEPTEMBER 23, 2009 No. 135

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Gracious and merciful God, You guide the humble and teach them Your way. What can keep us from praising You? Even amid life's toils and tears, we find tokens of Your care and providence. Thank You for the beauty of sunrise and the glory of sunset, for nourishing food and the support of family and friends. We are grateful for the joys of work well done and for even the challenges that strengthen our faith. Lord, we praise You for a nation of rich resources, high privilege, and enlarging freedoms.

Thank You also for our Senators and all who faithfully work with them. Today, gladden their hearts and reward them for their service. May they live this day as a never-to-be-repeated opportunity to glorify You. We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 23, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for 90 minutes, with Senators permitted to speak for up to 10 minutes each. The majority will control the first 45 minutes and the Republicans will control the final 45 minutes.

Following morning business, the Senate will resume consideration of the Interior Appropriations bill. Last night, I filed cloture on the bill and the substitute amendment. As a result, Senators must have their germane amendments filed at the desk prior to 1 p.m. today.

I also want to remind Senators there is a reception and buffet dinner in S. 211 tonight—that is the LBJ room—at 6 o'clock to celebrate Henry Clay in the Senate.

There is a wonderful story about a 150-year-old painting that was discovered. It is a magnificent painting, right outside these doors, and we will talk a little about that tonight. It is historic and a great way to recognize the success of this country over the years.

We will need to be out of session at 5:30 for the Senate reception room to be swept by the security folks. This event is hosted by the Senate Commission on Art, and our spouses will be expecting us to be on time.

I want to say also that 45 minutes of our time is going to be controlled by Democratic freshmen Senators. The American people are going to see here today the quality of the people who are new Senators—all successful prior to coming here, from many different walks of life, men and women. As I have watched these past 9 months the bringing of these men and women into Senate business, I am so impressed and understand how they did so well before coming here. Today, they are going to talk about health care.

As an example of the quality of our Senators—and I am not going to run through all the freshmen Senators—we have our Presiding Officer. The Presiding officer had a long and successful career before coming to the Senate as Attorney General of the State of New Mexico, as a long-time Member of Congress, and now as a Member of this body.

I had one of the pleasures of my life a month or so ago in being able to go to New Mexico and spend about an hour with the Presiding Officer's father—the historic Stewart Udall. What a wonderful visit we had. We talked about his brother Morris Udall, whom I had the good fortune of being able to serve with in the House of Representatives. I am sure that Morris Udall is beaming up in Heaven that his son Mark is now serving in the Senate.

What a quality group of people they are, and the American people are going to be seeing them in a few minutes as they talk about health care. I don't know what they are going to talk about with regard to health care, but I can almost bet that one of the things all these fine Senators are going to say is that we do not have as an option in health care to do nothing. The status quo will not work.

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

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Because of the monopolistic handle the insurance company has on everything that happens—all the profits being made by the insurance industry, the pharmaceutical industry—the cost of health care is leaving 50 million American people uninsured, with many people losing their insurance. Today, 14,000 people will wake up in America with health insurance and go to bed without it. In the State of Nevada—sparsely populated, relatively speaking—220 people will wake up this morning with health insurance and go to bed tonight losing it, 7 days a week.

I admire and appreciate the freshmen Senators speaking out on the need to do something about health care.

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, the Senate will proceed to a period of morning business for 90 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 45 minutes and the Republicans controlling the second 45 minutes.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the time for morning business not begin until a quarter to 10.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, yesterday afternoon I came to the floor to speak out against one of the tactics that supporters of the President's health care proposal have resorted to in recent days.

It appears that a particular Senator has encouraged the administration to use its powers to clamp down on an opponent of the administration's health care policy—to clamp down—to use the administration to clamp down on an opponent of the President's health care policy. What is more, the administration snapped to attention at the Senator's request. It followed the Senator's advice and almost immediately the government clamped down on a private health care company in my home State that had been sharing its concerns about the administration's health care proposal with seniors on Medicare.

Yesterday, we saw how legitimate those concerns were when the Director of the nonpartisan, independent Congressional Budget Office said the administration's proposed Medicare cuts would indeed lead to significant cuts in benefits to seniors.

Let me say that again. We had the Director of the Congressional Budget Office just yesterday confirm that what was said by this health insurance company to its customers was true. Yesterday, we saw how legitimate those concerns were when the Director of the nonpartisan, independent Congressional Budget Office said that the administration's proposed Medicare cuts would indeed lead to significant cuts in benefits to seniors. So a part of the administration is putting a gag order on a company for telling the truth to its customers.

First and foremost, this episode should be of serious concern to millions of seniors on Medicare who deserve to know what the government has in mind for their health care. But it should also frighten anyone—anyone—who cherishes their first amendment right to free speech, whether in Louisville, Helena, MT, San Francisco, or anywhere else. It should concern anyone who is already worried about a government takeover of health care. Why? Because it seems that in order to advance its goals, the administration and its allies are now attacking citizens groups and stifling free speech.

Let's review. At the instigation of the chairman of the Finance Committee, the author of the health care legislation now working its way through Congress, the executive branch, through the Centers for Medicare and Medicaid Services, has launched an investigation—believe it or not, an investigation—into Humana for explaining to seniors how this legislation would affect their coverage.

One more time: A private health care provider told its elderly citizens how its health care legislation might affect their lives. Now the Federal Government is putting its full weight into investigating that company at the request of the Senator who wrote the legislation in question. Now we find out the concerns the company was raising to its clients were perfectly legitimate, according to the Director of CBO. So, for telling the truth to your clients, you get investigated by the government. This is so clearly an outrage it is hard to believe anyone thought it would go unnoticed. For explaining to seniors how legislation might affect them, the Federal Government has now issued a gag order on that company and any other company that communicates with clients on the issue, telling them to shut up—shut up or else. This is precisely the kind of thing Americans are worried about with this administration's health care plan.

They are worried that handing government the reins over their health care will lead to this kind of intimidation. They are worried that government agencies, which were created to enforce violations evenhandedly, will, instead, be used against those who voice a different point of view.

That is apparently what is happening here, and to many Americans it is a preview of what is in store for everyone under the administration's health care plan. It is hard to imagine any justification for this. But if people behind this latest effort believe they have some legal justification for shutting up a private company, then they need to explain themselves to the American people. More specifically, they need to explain to 11 million seniors on Medicare Advantage why they should not be allowed to know how the cuts to this program will affect their coverage.

Yesterday, my office called CMS to ask for the legal authority that would warrant them imposing an industry-wide gag order on an issue of public concern. We are still waiting for a response. So this morning I am asking the Centers for Medicare and Medicaid Services to provide my office with its justification for telling a company it cannot communicate with its seniors.

Over the past several months, we have seen a pattern of intimidation by supporters of the administration's health care proposals, including efforts to demonize serious-minded critics at townhall meetings across the country. Now we are seeing something even worse, the full power of the Federal Government being brought to bear on businesses by the very people writing the legislation. This was troubling enough in itself. It is even more troubling now that we are told that Humana was exactly right—exactly right in what it was telling its clients. Americans are already skeptical about the administration's plan. They should be even more skeptical now.

I yield the floor.

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

HEALTH CARE REFORM

Mr. WARNER. Mr. President, I rise with a group of my freshmen colleagues to discuss an issue that is on all our minds and on the minds of many Americans and that is the issue of health care reform. The subject most of us are going to address today is what happens if we do nothing on this critically important issue because we, as recent additions to this body, are united by a simple but important truth: the rising cost of health care is

hobbling American business, stressing family budgets and, if we do nothing and it is left unchecked, it will explode our national debt.

While many of my colleagues have raised important and valid questions about some of the health care proposals, one of the things I hope all my colleagues will realize is that doing nothing to reform our health care system is a policy choice. It would be a misguided choice, an irresponsible choice, but it is a choice nonetheless.

Today, health care costs in America consume nearly 17 percent of our GDP. This is projected to grow to one-third of our GDP by 2040 if we do nothing. This chart shows this ever-escalating cost of health care and its percentage of our GDP. Here we see the cost in actual dollar amounts, $2.4 to $2.5 trillion spent on health care in the past year.

Our per capita health care cost is double that of virtually every other developed nation in the world—nations we compete against every day. As we come out of this recession and American business has to compete against these countries around the world, our economy is hobbled by costs that, on average, include $3,000 more per employee due to our higher health care costs than our competing nations.

If we look at an issue that is equally important and one that I know our colleagues, especially my freshmen colleagues, continue to raise—but we hear concerns about from our friends on the other side of the aisle—that is the concern about our Federal deficit. The primary cause of our Federal deficit and our overall debt is the increasing per-person costs of Medicare and Medicaid. We pay more and more dollars in the Federal budget each year to basically pay for the same level of care. As this chart shows, increasing Medicare and Medicaid costs alone will exceed all other Federal spending. Clearly, this situation is not sustainable.

In my home State of Virginia, since 2000, insurance premiums have increased nearly 90 percent, while wages have only increased 27 percent. If we do nothing, and this was reaffirmed by the Business Roundtable report just last week, nationwide insurance premiums are projected to double by 2016. This is of particular concern to small businesses. Today, small businesses are the only group that still pay retail for their health care services. Their size makes their bargaining power weak and makes them susceptible to enormous increases in health care premiums.

Once again, it is a policy choice. Doing nothing means exploding our Federal debt and deficit. Doing nothing means doubling health care premium costs for American families. Doing nothing means American companies will be less competitive in a global market and our small businesses will continue to pay retail for health care.

Mr. President, I think I speak for all my freshmen colleagues when I say we were not elected to do nothing. We did not run for office because we were satisfied with the direction of our Nation. We were elected to work together with willing Republicans and Democrats to help turn this country around. I hope this will be the first of a series of statements from the freshman class, who are not only here to point out the challenges we face but to join Senators from both sides of the aisle who are committed to getting things done.

I would now like to yield 5 minutes to my colleague, the distinguished Senator from New Hampshire.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Mr. President, I wish to begin by recognizing and thanking Senator WARNER for his efforts today to organize the freshmen to talk about why it is so critical that we get something done to reform health care in this country. He and I both belong to the former Governors caucus, and I come to this debate with the work, years of work that I did as Governor and the perspective we have to do something to improve the availability of health care for all Americans and certainly for the families in New Hampshire.

Over the past several months, my office has responded to thousands of letters and phone calls about health care. I have traveled all across New Hampshire, talking to small business owners and families who are desperate for help. I have talked to health care providers who are frustrated with the current system. Time and time again, what I have heard is that our health care system is not working. Costs are too high and access is too limited. The status quo is simply not sustainable. Now is the time to act.

Every day in New Hampshire and across our country, families are struggling with the rising costs of health care. It threatens their financial stability and leaves them exposed to higher premiums and deductibles and puts them at risk of losing their health insurance and, in too many cases, financial ruin. According to one study, 62 percent of bankruptcies in 2007 were caused by a medical condition. I have a chart that shows this very clearly. This is the 62 percent of those bankruptcies that were the result of the costs of medical care. What is probably even more concerning is that of those 62 percent, 78 percent of them were insured. So most of the people in this country who are going bankrupt as the result of their health care costs actually have health insurance.

Health care costs are a threat to our economy, to our small businesses, and to our working families. The current health care system is simply unsustainable for our economy. As Senator WARNER pointed out, it is estimated that in 2009 our Nation will spend $2.5 trillion or 18 percent of our gross domestic product on health care. That means health care costs account for 18 percent of the value of all the goods and services produced in this country. If we continue on this current path, health care will make up over a third of our economy by 2040.

Senator WARNER showed that in a chart. This is a graph that shows the same thing—what happens to health care costs if we do nothing, as a portion of the entire economy of this country.

In New Hampshire, our small businesses are feeling this burden firsthand. From 2002 to 2006, there was a more than 40-percent increase in the cost of health insurance premiums for New Hampshire businesses. For those of our smallest businesses, those with fewer than 10 employees, that increase was almost double, to more than 70 percent—a 70-percent increase in just 4 years for small businesses in New Hampshire. That means that, although our small business owners want to provide their employees with health insurance, many of them cannot afford it.

Ultimately, it is our hard-working families who suffer. Today, the average family living in New Hampshire pays about $14,600 for their insurance premium. In New Hampshire, we have the highest premiums in the country for those people who have group rates.

I wish to say that one more time because in New Hampshire we are paying the highest premiums in the country for group health insurance. If we continue on this current path, families will be paying almost $25,000 in the next 10 years, by 2019. Again, here is another graph that shows what is going to happen to New Hampshire families—$25,000 in 10 years. This is not affordable.

The good news is that we know how to bring down costs. At the Center for Informed Choice at Dartmouth, research shows that more spending does not translate into better outcomes. In fact, it shows that up to 40 percent of the time, patients who are engaged in the decisions related to their care will choose the less invasive and less costly procedures. These choices produce better outcomes with higher rates of patient satisfaction.

The health care industry can do better for less. We can find savings in our system. For example, experts have estimated that we can save $5,000 per Medicare beneficiary by reducing costly hospital readmissions. I have introduced legislation with Senator SUSAN COLLINS from Maine called the Medicare Transitional Care Act. This bipartisan legislation will reduce Medicare costs and offer better support and coordination of care to Medicare patients. This will not only improve the quality of health care for our seniors, but it will also save taxpayers money.

I was very pleased to see that many of these provisions were in the markup that came out of the Finance Committee.

Although the numbers and statistics are compelling, it is really the stories I have heard from my constituents

which best illustrate why reform cannot wait. This is not just about politics, this is about real people.

A few weeks ago I received a letter from a young woman named Jennifer. Jennifer and her husband had recently decided they wanted to start a family. They both work for small businesses that do not offer health insurance, so they shopped around for an individual insurance plan. The policy they could afford did not cover standard maternity care, but they were told they would be covered in case of an emergency: if Jennifer needed a C-section or if she had other health problems during the pregnancy.

Unfortunately, Jennifer suffered a rare complication, a molar pregnancy, resulting in a loss of the pregnancy and requiring extensive followup. But the insurance company told them it would not cover ''that'' emergency. So during their time of grieving, Jennifer and her husband are not only facing piles of medical bills, they are wondering how they will ever be able to afford a baby in the future.

No young family should have to go through this. We have the opportunity to stabilize health care costs and reform our health care system for people such as Jennifer and her husband. We know this is not easy. It is one of the greatest challenges of our time. But the time has long passed for action. We need to act now to stabilize costs and provide coverage for Americans.

I look forward to working with my colleagues on both sides of the aisle to achieve this goal.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. I thank my colleague, the Senator from New Hampshire, on her very excellent comments. We are running a little behind. I do want to come back, if we have time, to talk about the costs to State budgets, something both she and I experienced.

I yield 5 minutes of our time to the distinguished Senator from Delaware.

Mr. KAUFMAN. I thank the Senator.

I join my freshmen colleagues this morning to discuss the Nation's health care system and urge Congress to pass reform legislation this year. I think there are two major reasons we need to enact health reform this year, and they both require controlling health care costs.

First, we need to pass health care reform because failure to do so could literally bankrupt the country. Just look at Medicare and Medicaid. One of the biggest driving forces behind our Federal deficit is the skyrocketing cost of Medicare as well as Medicaid. In 1966 Medicare and Medicaid accounted for only 1 percent; that is, 1 percent of all government expenditures. Today they account for 20 percent. If we do nothing to start bending the cost curve down for Medicare and Medicaid, we will eventually spend more on these two programs than all other Federal programs combined.

Medicare spending is growing rapidly for the same reasons that private health care spending is growing rapidly: increases in the cost and utilization of medical care. Between 1970 and 2007, Medicare's spending for each enrollee rose by an average of 8.5 percent annually, while private health insurance increased by 9.7 percent per person per year.

The Congressional Budget office estimates that Federal spending on Medicare and Medicaid was approximately 4 percent of the Nation's gross domestic product in 2008. If we fail to act—and we cannot fail to act—Federal spending on Medicare and Medicaid will rise to 7 percent of GDP by 2025. We must bend these cost curves down and slow the level of growth in Medicare and Medicaid programs if we are ever to get our budget situation under control.

The second major reason we have to act is because failure to do so will drive more and more Americans into personal bankruptcy. Today bankruptcy involving medical bills accounts for more than 60 percent of U.S. personal bankruptcies, a rate 1.5 times that of just 6 years ago.

Keep in mind, more than 75 percent of families entering bankruptcy because of health care costs actually have health insurance. I think we have a popular idea that the people going bankrupt are people who cannot manage their money, who do not have health insurance. These are people who have health insurance. Again, two-thirds of all Americans filing for bankruptcy because of medical bills already have insurance. These are middle-class Americans who are well educated and own their own homes. They just cannot keep up with the alarming rise in costs associated with medical care.

We have to act so that Americans no longer have to worry about how they are going to afford their medical bills. We need to pass health care reform and give Americans more stability in these rough economic times so they no longer have to choose between paying their medical bills or paying their home mortgages or their children's tuition payments. Controlling health care costs is a major reason we need to pass health care reform today.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. I thank my colleague from Delaware for pointing out the enormous cost of inaction both to our Federal deficit and to families who are struggling with these costs.

Now I yield 4 minutes of our time to the distinguished Senator from Alaska.

Mr. BEGICH. Mr. President, I am pleased to stand with my freshman colleague this morning. We often share the back bench, but today we bring our message front and center. The time has come for action on health insurance reform. We represent the North and South. For me, everyone comes from the South. But today we see that no matter where you live in this country or what you do for a living the cost of inaction is simply unacceptable. All of us can cite alarming statistics from our States.

In my State, there are now 133,000 uninsured Alaskans. The raw numbers may not be much when compared to Virginia, Illinois, or Colorado, but in Alaska that number represents 20 percent of the population.

To me, and I hope to my colleagues on both sides of the aisle, this is unacceptable. Average insurance premiums in Alaska have doubled in the past decade to more than $12,000 annually. If we do not act, they will double again about the time my 7-year-old son starts high school. Families cannot afford that.

Already, the average Alaskan family pays a hidden tax of $1,900 in premiums to cover the cost of uncompensated care provided to people without insurance, and it will only get worse as time moves forward. The problem is especially tough for small businesses in my State because Alaska has a high proportion of small business owners: fishermen, float plane operators, construction contractors, independent realtors, and the like.

Some 52 percent of all the jobs in Alaska are held by small business workers or the self-employed. They know better than anyone that a broken health care system leads to lost jobs, reduced productivity, less investment, and stalled business growth. Just this weekend I met with a small business townhall and there was one clear message from them to me, to Congress: Do something. Do it now. Each one cited their increases ranging from 14 to 41 percent in health care costs this year alone. That is why one of the best ways we in the Senate can strengthen and grow Alaska's and American business is to pass meaningful health care reform not sometime down the road but this year.

I joined the small business majority earlier this year as they released the compelling report on the need for reform. The bottom line, even with middle-of-the-road reform: American small business will spend $800 billion more than they need to over the next 10 years.

If they can save that, with just the middle-of-the-road reform, we can save them money and put it to the best use. Considering that small business is driving economic recovery in America, that is huge. Eight hundred billion dollars saved is available for infrastructure, innovation, and providing stable jobs.

It is not just small business that needs reform. The Business Roundtable, which has been spoken about already this morning, which represents much bigger companies, released a report last week that said health care costs will triple over the next decade to nearly $29,000 per employee.

There is plenty to debate about health care reform in the weeks ahead. I still have questions of my own. But there is one thing I hear from all across my State and across this country, from e-mails and messages we receive: support for health care reform is truly support for America's businesses.

I yield the floor.

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

Mr. WARNER. I thank my friend from Alaska for pointing out, particularly, with small businesses, that in our current system they are the only people who pay retail for their health care expenses. Reform must rectify that.

I yield 4 minutes to the Senator from Oregon.

Mr. MERKLEY. Mr. President, during 11 townhalls in Oregon this August I heard a lot of heartfelt anger and confusion from Oregonians about health care in our Nation. I am sure it echoed the confusion and frustration from voices across our Nation.

A lot of Oregonians came out to tell me that they did not like one bit the description of the reform plan they were hearing on radio and on television. If reform means they would have to give up their insurance or give up their doctor, they did not want any of it.

If reform meant that government panels would deny care to seniors, then they wanted me to know that was outrageous, that they would never support it. And I agree with them. If reform had those features, it sure would not get my vote. I do not think it would get a single vote in this Chamber.

But as most of America now knows, those claims were lies told to scare the bejeebers out of citizens by folks who profit from our current health care system. It says a lot, does it not, that those who want to block repairs to our broken health care system have to resort to creating myths in order to whip up opposition.

The opponents of reform have their own plan, which is continue to profit from the current system, our current broken system. Their plan, simply put, is a terrible plan for America. The opponents' status quo plan features shutting out folks with potential health care risks, those who most need health care, from our health care system. Their plan features denying coverage for citizens with preexisting conditions. Their plan involves dumping citizens out of coverage who, after years of paying their premiums, develop a health care problem and then they lose their health care.

The opponents' status quo plan is to continue a broken system in which premiums double every 7 years, putting health care out of reach to America's working families and robbing workers of their pay raises that could improve their standard of living.

The opponents' plan is to continue health care rationing by insurance company bureaucrats who make money denying the claims. The opponents' plan is to continue lifetime limits that pile massive debt on those unfortunate enough to get sick or injured.

The opponent's plan is to continue a system in which health care costs drive more than half the bankruptcies in America, tearing the financial foundations out of our working families, setting them back decades, if, in fact, they ever recover at all.

What I did hear from citizens back home is they do not like that status quo plan. They want to see those problems fixed. They want an individual to be able to join a pool and get a much better deal. They as a small business want to know that they will be able to control health care costs and keep providing health insurance, and maybe even get a better deal, and not have to pay the transfer costs of all of the folks who do not have health care and end up in the emergency room.

So for small businesses to thrive in our Nation, for American families to thrive, for large businesses to compete internationally, we must fix our broken health care system. The status quo plan put forward by opponents is simply wrong for America, wrong for families and wrong for business.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. I thank my friend from Oregon for pointing out, in vivid terms, the challenges the status quo presents to so many American families. I yield 4 minutes to my friend, the distinguished Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I am here with my fellow freshmen Senators because we are united in our determination to pass health insurance reform this year. Our late and giant colleague Senator Ted Kennedy said it best when he called health reform ''the great unfinished business of society.''

We are presented this fall with a historic opportunity to finally succeed, and, for me, failure is not an option. The cost of inaction is too great, both for American families and for our economy. We have a bloated $12 trillion Federal debt which is being fed every day by growing health care costs. Every day, small and large businesses are laying off workers and slashing benefits to their employees. Those Americans who have coverage still do not have the peace of mind that comes from knowing insurance companies will keep their promises. Premiums are rising at three times the rate of wages. The number of uninsured is growing at a faster rate every day. In my State of Colorado, nearly one in four is uninsured in some areas. The Treasury Department recently released a study showing that one out of every two Americans will lose coverage at some point over the next 10 years. We can't allow this to become America's future, but it will if we don't act now.

There are many reasons health care reform cannot wait, but there is one that I know strikes a chord with many Coloradans; that is, the lack of freedom our current system provides. Workers across our country are afraid to leave their jobs for fear they won't be able to provide health care to their families.

That lack of freedom affects our economy because fostering the growth of small business is one of the keys to economic success. In our current system, Americans are afraid to follow their dreams and start a small business or travel to go to work for a new company. Small businesses run on thinner margins than their big-company counterparts, and they are being hit hardest by the rise in health care costs. In Colorado, we have a disproportionate share of small businesses. As a result, we have more citizens who are uninsured. Those who do offer benefits are finding themselves increasingly facing no-win decisions. They are faced with either hiring fewer employees or slashing benefits or dropping coverage completely or, in some cases, going out of business forever.

The proposals in front of us are tailor-made to help small businesses. The ideas in place would provide tax credits and create a simplified, well-regulated, pooled marketplace to help small businesses find cheaper and higher quality coverage. It is estimated that reform will save small businesses more than $500 billion over 10 years or more than $3,500 per worker. That is real money that can be reinvested in business growth and adding additional jobs to fuel our economic recovery.

The burden on individuals is only one of the culprits preventing economic growth. Our deepening Federal deficit and long-term fiscal outlook are also closely linked to a broken system. As President Obama said in his address to Congress 2 weeks ago: Our Nation's health care problem is our deficit problem. Just think, we spend $2 trillion on health care per year. That is more than $1 out of every $5 spent in the economy, more than twice what any other industrialized nation spends. I think we would all agree we are not twice as healthy for our money. If this number continues to grow, there is no hope for reining in long-term deficits.

Health insurance reform is a golden opportunity to begin to control our deficit. We can and we need to grab this opportunity and make health care the springboard from which we clean up our long-term fiscal mess. The President reminded us that the growth of health care costs, if slowed by one-tenth of 1 percent a year, would help bring down the deficit by $4 trillion.

There are many excellent ideas on the table to help us get there—by ensuring Medicare's solvency, reforming Medicare's payment structure to bring down cost growth in the long-term, and discouraging overgenerous health plans which encourage overutilization of the system.

As Senator WARNER and others have pointed out, many of the proposals being discussed are politically difficult to support. But not facing politically difficult decisions head-on is what has caused so much of the inertia that has brought us to where we are today. We don't all agree on exactly the best way forward, but we do agree it is time for every Member of Congress and every Member of the Senate to think about

health insurance reform for what it is: a huge and necessary step to putting our economy back on track and finally providing stability, security, and freedom to the people. If we do this, I know we can find common ground. We must because the cost of inaction is too great.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague from Colorado.

We are hearing a common theme. These freshman Members all care about driving down cost, and they see health care reform as stimulative to the American economy and recognize that ensuring the growth of our economy means we have to get the deficit under control. That means driving health care costs down.

I yield 4 minutes to my colleague from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I am proud to join our class today to talk about the cost of inaction.

Mr. UDALL of New Mexico. Mr. President, health insurance reform is one of the defining challenges of our time. Every person in our country has a stake in what we do at this moment, in this place. And while there are a lot of proposals out there, there is one thing we know for sure: Maintaining the status quo is not an option.

It is what has been done for years. It has been the easy choice. Kick the can down the road a couple yards . . . a couple of years . . . but never get at the root of the problem. Maintaining the status quo is the one coward's way out. And one doesn't need an economics degree to see where that approach has gotten us.

Part of meeting the challenge of reforming health insurance is being honest about the consequences we face if we don't. So I rise today to talk about the high price of doing nothing.

It is a price we will all pay—a human price, an economic price, a societal price. All equally devastating if we don't muster the courage, if we don't have the political will to stand up and say: Not anymore. Not on our watch.

The human price is the price we feel most personally when we see our family, our friends, our neighbors struggling to obtain health care, to afford health care, or to hold on to the health care they already have.

If we do nothing—if we maintain the status quo—more Americans will be uninsured or underinsured. More Americans will become sick. More will die because of lack of care, and more families will experience financial ruin.

A new report that came out last week found that family premiums have already increased by about 5 percent this year. Over the past 10 years, premiums have gone up 131 percent. It is a vicious cycle. America's families, America's workers and businesses—especially small businesses—can't keep up.

In New Mexico, we have been paying the human price of the status quo for years. In my State, nearly one in four residents lacks health insurance. That makes us the second-highest uninsured State in the Nation. And three-quarters of uninsured New Mexicans work or are from working families. Added to that, 80 more New Mexicans lose their health care coverage every day.

People like a woman I met in Raton, NM, last month. She and her husband just got a renewal notice from their health care insurer. Their premium rose 24 percent this year alone. It is an increase they can't afford, and they don't know what to do. They are paying the human price for the status quo.

Along with the human price, there is the economic price.

By now it is a familiar refrain. The health care system as we know it is unsustainable. It is unsustainable for taxpayers, who are picking up the costs for those who can't afford or can't obtain insurance on their own. It is unsustainable for businesses which aren't able to afford skyrocketing costs to cover their employees. And it is unsustainable for our government. As President Obama said recently:

> Our health care problem is our deficit problem. Nothing else even comes close.

Without health care reform, if we do nothing but maintain the status quo, the problems that seem insurmountable today will look like child's play compared with the catastrophic news of tomorrow.

If we fail to act, the number of uninsured Americans will increase from more than 46 million last year to more than 53 million in 2019. And that is a best case scenario. The actual number could be as high as almost 58 million. For New Mexico, failure to act would mean that insured New Mexicans continue paying $2,300 in hidden subsidies for the uninsured.

If we fail to act, U.S. spending on health care will climb from almost $2.4 trillion last year to almost $4.3 trillion in 2017. And insurance companies will continue to profit at the expense of America's health and America's pocketbooks.

If we fail to act, businesses will continue to flounder under the crushing costs of health care coverage. Fewer businesses will open their doors. More will call it quits for good. And, most chillingly, the entrepreneurial spirit that is so uniquely American could be badly damaged.

If we fail to act, government at all levels will suffer. Budgets will continue to shrink. Priorities like education, energy innovation and job creation will continue to be underfunded. Americans will continue to pay the economic price.

Finally, along with the human and economic costs, there is one more price to consider if we don't step up to our responsibilities and deliver on health care. That price is more figurative, but no less painful.

I am talking about the price we pay as a country for not living up to the ideals on which America was founded.

America is heralded as the land of opportunity. But realizing that opportunity should not be dependent on whether you have enough money in your bank account to afford health care.

America is a place where ''all men are created equal.'' But how can that be true if access to something as fundamental as health care is divided between the haves and have nots?

Harry Truman—who was the first President to attempt to provide every American with health care—put it simply:

> We are a rich nation and can afford many things. But ill-health which can be prevented or cured is one thing we cannot afford.

More than 60 years later, his words ring true:

> We cannot afford ill-health which can be prevented or cured.

We cannot afford to maintain the status quo.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I know our time allotment is drawing to a close and we still have more Senators who wish to speak.

I yield 3 minutes to my distinguished colleague, the Senator from Illinois.

Mr. BURRIS. Mr. President, I am honored to be able to join my freshman colleagues as we speak on this important issue of health care reform. On September 9, the President stood before the Congress and issued a resounding call for health care reform. It is time for us to answer. We need to recognize, as our President does, that this is our moment to stand for freedom and opportunity.

Health care reform is nothing less than a moral imperative. For years, costs have been rising and the quality of care has been going down. For the giant corporations that provide health insurance, rising costs have meant rising profits. They rake in millions of dollars by denying coverage to sick Americans. But for those of us who are not health care insurance executives, rising costs have become a terrible burden.

In the early 1990s, when President Clinton and the Democratic Congress tried to pass health care reform, insurance companies brought costs under control. From 1993 to 1995, health care costs grew by an average of only $38 billion. Insurance corporations must have been afraid that reform would hurt profits, so they self-regulated, keeping costs under control until the threat of reform had passed. But when the Republicans took back the Congress, health care reform was dropped and costs skyrocketed, however. Between 1995 and 2006, costs increased by almost $102 billion annually. These numbers are clear. We are spiraling out of control, and inaction is not an option. We cannot stand by as millions of Americans all across the country are forced into bankruptcy by medical bills.

Some say we are moving too quickly, that we need to wait. I ask, wait for

what, for more people to get sick and die because they don't have access to health care? The American people have been waiting far too long. We must not wait any longer. It is time to make sure everyone has access to quality care and affordable health care. It is time to make sure no one can be dropped because of preexisting conditions and to provide a public option to compete with the private insurers. It is our duty to stand up for what we know is right.

Mr. President, 45 years ago another Illinois Senator saw this same need as Congress debated the Civil Rights Act. The bill was under fire. There were some who could not accept reform. But Senator Everett Dirksen knew equality was woven into the moral fabric of this Nation, and he knew America had waited long enough for change to happen. Standing on the floor of this Chamber, he echoed Victor Hugo, who said: Stronger than all the enemies is the idea whose time has come. The time has come. Let's vote in health care reform.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the Senator from Illinois. I also thank my distinguished colleague from Tennessee for granting our group 4 additional minutes.

Mr. ALEXANDER. I ask unanimous consent that each side be granted 4 additional minutes in morning business.

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

Mr. WARNER. I now yield 4 minutes to the Senator from North Carolina, my friend.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I rise with my colleagues to discuss the urgent need for comprehensive health care reform and why I believe the cost of inaction is simply too high for North Carolina and America's working families.

As I traveled across the State during the August recess, it was clear that North Carolinians are concerned about the rising cost of health care. In the past 10 years in my State, the cost of health care premiums has increased 98 percent, whereas wages have increased only 18 percent. That is a startling statistic. Just last week, the chamber of commerce from Dunn, NC, came to visit me in Washington. One man has a company that employs 600 employees. The cost of health care last year for his company increased 28 percent—in 1 year. That is simply unsustainable for America's businesses.

The Treasury Department issued a stern warning just last week: If we do nothing to tackle the skyrocketing cost of health care, nearly half of all Americans under the age of 65 will lose their health insurance in 10 years. Those are frightening numbers.

Right now, the average family's health insurance premium is $13,375. If Congress does not send our President a reform bill, premiums are expected to rise to a staggering $25,000 in 2016. Today, this average premium represents a little over a quarter of a family's income. But, by 2016, that average premium will represent almost half of a family's income. How are people going to able to afford to pay for mortgages and save for college tuition if they are paying half their monthly income for insurance premiums?

This past year, North Carolina's unemployment rate rose to 11 percent. Many of the thousands of North Carolinians who have lost their jobs in this recession have also lost their health care, and many more families are facing this frightening reality: One medical emergency could send them into bankruptcy.

In 2005, nearly half of all Americans who filed for bankruptcy cited major medical expenses as the reason for their financial decline. Between 2001 and 2008, the number of uninsured in North Carolina increased from 1.1 million to 1.4 million people. Without action, this number is going to continue to grow.

The Senate Health, Education, Labor, and Pensions Committee crafted a bill that ensures that people who like their insurance and their doctors keep them. It also expands access to health insurance for those without it, and slows down the skyrocketing cost of health care—the three critical components President Obama called for in his speech to Congress 2 weeks ago.

The President has been adamant that health care reform must not add one dime to our Federal deficit now or in the future, which has been a requirement of mine all along. The exploding cost of health care has put our Nation's economic security at risk. We simply cannot afford inaction any longer.

In 1960, health care spending was 4.7 percent of GDP. Today, it is 18 percent. On the current trajectory, by 2030, health care costs will account for 28 percent of GDP.

We need health care reform to get our deficit under control. We need a reform package that ensures a preexisting condition, such as diabetes or cancer, no longer prevents anyone from obtaining health insurance. We need health care reform to ensure America's families do not have to fear bankruptcy when a loved one gets sick.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague from North Carolina and all these freshmen Senators who have talked today about the very real costs of inaction.

I would like to now call on our final colleague, my friend, the junior Senator from Colorado.

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

Mr. BENNET. Mr. President, I thank the Senator from Virginia and the rest of my colleagues.

I have a few slides I wish to go through. But the basic point is, no matter what one thinks about the various health care bills that are out there and the various prescriptions that have been suggested, the status quo is not an option.

For me, this starts with fiscal responsibility. We have seen an unbelievable explosion in debt in our country, from $5 trillion, from the beginning of the previous administration, to $12 trillion today. If you look at what is causing it: As you can see from this slide, this is our revenue line. The biggest drivers of our deficit are the interest payments we have on this debt—that we are managing to pass on to our kids and our grandkids because we are unwilling to make the tough choices that need to be made—and rising Medicare and Medicaid costs, which is the red line right here. So one cost of inaction is we will continue to drive these insane deficits we are facing as a country.

In my State of Colorado—and the senior Senator from Colorado is in the Chamber as well—our working families and small businesses are suffering mightily because the economy is not working for them. Over the last decade, median family income in the State of Colorado has actually declined by $800 in real dollars, and that has happened all across the United States of America, where we see median family income down by $300.

At the same time, health care premiums have risen by 97 percent. The cost of higher education, by the way, has gone up 50 percent. Our working families are being asked to do more with less just for the basic necessities that are required to move your family ahead. These are not ''nice to haves.'' These are essential, if working families and the middle class are going to be able to move ahead.

The second reason we need reform is, as the Senator from Virginia said at the beginning of his comments, we are spending almost a fifth of our GDP on health care. That is more than twice a much as what any other industrialized country in the word is spending on their health care system.

As I have said in townhall meetings all across our State, this is no different than if you have two small businesses across the street from one another, with one spending a fifth of their revenue on their light bill and the other spending less than half that on their light bill. You do not need an MBA to know which of those two companies is going to be able to invest in their business plan and grow their business.

We have a lot to do to make sure this economy can compete in the 21st century. I would say one of the things we ought to do is not to devote a fifth of our economy to health care if we expect to compete.

This slide shows the rate of insurance premium increase in our State versus the rate of the increase in wages. These are absolutely related to each other. If

you talk to small businesses in any State—I am sure this is true in Virginia, as well as it is true in Colorado—small business owners are desperately trying to keep their employees insured, but the choice they are making is to pay them less in wages. This wage compression is related directly to the rate of the insurance premium.

The other chart of this slide simply shows if we change nothing there are going to be families all across this country who, by 2016, are going to be spending 40 percent of their income on health care—that is before you get to higher ed; that is before you get to rent or food—40 percent of every dollar on health care. It is absurd.

We see that health care is bankrupting middle-class Americans all over this country. We know 62 percent of bankruptcies are health care related. What is staggering to me is, 78 percent of those bankruptcies are happening to people who had insurance. The entire reason people buy insurance is so they have stability when their child gets sick or their spouse gets sick or they get sick. Seventy-eight percent of these bankruptcies have happened to people who had insurance.

Then, finally, no one is burdened more by the current system than small business and the employees who work for small businesses. In our State, small business pays 18 percent more for health insurance just because they are small. When I say that, sometimes people say: Well, Michael, don't you understand that is because the pool is smaller and it is harder to spread the risk. I say: I understand that. But from a business point of view—and the Senator from Virginia and I both have spent a lot of time in our careers working in the private sector—from a business point of view, that is absurd because these small businesses, if they are investing 18 percent more, ought to be expecting to be 18 percent more productive or, at a minimum, ought to have 18 percent better health care, and that is absolutely not the case.

Mr. President, I ask unanimous consent for 1 additional minute.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. BENNET. My final point, Mr. President, is we have been having a healthy debate about how we should do this reform, and there are a lot of people who are concerned about things such as a public option, things such as government control over health care. I would argue that the status quo is what is producing that because fewer and fewer of our working families are covered at work—which is what this slide shows—and for every one of those people who then goes on uncompensated care, it is paid for by the American people.

So I join my colleagues today in saying, we absolutely cannot maintain this status quo. It is absolutely unsustainable. I look forward to a thoughtful, commonsense reform that works for working families and small businesses in my State.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank our colleagues on the other side of the aisle for the additional time.

I appreciate the opportunity we have had to make our statements.

The ACTING PRESIDENT pro tempore. The time is expired.

Mr. ALEXANDER. Mr. President, how much time is available for the Republican side?

The PRESIDING OFFICER (Mr. BENNET). Forty-nine minutes.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Thank you very much, Mr. President.

HEALTH CARE REFORM

Mr. ALEXANDER. Mr. President, I commend my friends on the Democratic side for their interest in health care reform and their coming here to express their views. I can say to them very clearly there is 100 percent agreement on the Republican side that we do not want the status quo, and there is 100 percent agreement on the Republican side that there would be one thing worse than the status quo and that would be higher premium costs, more debt for the government, and higher taxes.

I am afraid that is what my friends are arguing for because they are continuing to say they want to insure at least 30 million more people, they want to improve the benefits for people already on insurance, and they want to reduce costs. That does not add up. So I think it is time we get down to some reality in this discussion about: How can we best achieve health care reform in this country?

We, on the Republican side, want health care reform, but we do not want more debt, more taxes, and higher premium costs for people who cannot afford their insurance policies now. Yet the proposals we have seen on that side of the aisle do that.

Our focus should be about one thing. Health care reform should be about one thing: reducing costs, reducing costs to individuals and small businesses who are paying for health care, and reducing the cost to our government, which is the responsibility of every single one of us taxpayers in this country.

We have had several proposals from the Democratic side that increase the debt and increase the cost, and the President himself, in effect, rejected them in his address to Congress the other day because he said there cannot be one dime of deficit, not one dime. So the bill that came out of the HELP Committee in the Senate—it is out of here. The bill that is coming out of the House of Representatives that has been through several committees—it cannot be considered under the President's own standard that it cannot increase the deficit one dime.

I am glad he is saying that. I am glad he is saying that because he is already proposing we increase our national debt by $9 trillion over the next 10 years—doubling our national debt, tripling it over 10 years, spending more over the next 10 years, three times as much as we spent in World War II—amounts that have most people in this country alarmed about the debt of this government. So this should be a straightforward discussion about costs, reducing the cost of health care to you, if you are buying health care, and reducing the cost of health care to your government, which you are responsible for.

So the President has done us a favor. He said do not worry about the Senate bill that came out of the HELP Committee because—in effect, he said this—it adds to the deficit, so it has to go. For the bills coming out of the House of Representatives, the Congressional Budget Office has told us it adds to the deficit in the first 10 years, and it adds to the deficit even more in the next 10 years, so it has to go.

So now we have a new bill, and it is already a 250-page—I misspoke. It is not a bill yet. It is 250 pages of concepts. It is important for the American people to understand this. I think one of the things we have all heard, as much as anything, when we have gone home is: Did you read the bill? That is a pretty good question. It is a pretty big job because we have gotten in the habit around here of coming up with 1,000-page bills that Senators and Congressmen do not read. So the American people are saying to us: At least read the bill. They are saying to us, second: At least know what it costs. So that is a bare minimum of what we should insist on as we are going forward.

The bill introduced by the distinguished Senator who is the chairman of the Finance Committee is 250 pages of concepts. So everyone understands where we are in the process, the Finance Committee is meeting. They will be meeting all week. My guess is they will be meeting next week. They are trying to agree on what those concepts will finally be. The chairman has recommended what he thinks they ought to be, and now the committee is going to say what they think they should be.

Then, as I understand it, the Democratic leader is going to try to fit this bill that came out of the HELP Committee—that the President, in effect, has rejected because he says no deficit—well, it has a deficit—and he is going to try to put that bill that raises costs with the Baucus bill and turn it into one bill. The bill that came out of the HELP Committee is already nearly 1,000 pages. I do not know yet what will be coming out of the Finance Committee.

So in a week or two, we are going to be having another big bill we will have to read. Then the Congressional Budget Office, which is our official nonpartisan outfit that tells us what things cost—appointed by the majority

but still nonpartisan—told Senator BAUCUS yesterday it would take about 2 weeks for them to tell us how much it will cost.

So the way I am adding up the weeks, I am saying a week or two for the Finance Committee to come up with a bill—maybe a week to write the bill—and the Congressional Budget Office says after the bill is written, it takes 2 weeks to know the formal cost. Then we ought to have several weeks to debate the bill. That is what we did with the Energy bill for 4 or 5 weeks and, of course, we should do just that. So we need the time to do it, and we need to be able to say to people when we go home: I read the bill and I know exactly what it costs and here is what I think about it.

What about the Baucus concepts—not the Baucus bill; they don't have the bill yet—but the concepts. The Congressional Budget Office released an analysis of the impact of the Baucus budget plan on insurance. It shows that the premiums for those in the individual market under the Baucus bill don't go down, they go up. This is supposed to be about reducing the cost of premiums that Americans have for their health care, and under the Baucus bill so far, on its first day of consideration by the full Finance Committee, the premiums go up and taxes on insurers, drugs, and devices would be passed on to consumers in the form of higher premiums. This is not fearmongers saying that; this is not Republicans saying that; it is not the doctors saying that; it is the Congressional Budget Office appointed by the majority, the Democratic majority. Premiums go up under the Baucus bill. That means Americans will pay more, not less, for their health insurance under the bill as it is today.

Here is what the Congressional Budget Office said:

> Under current law, premiums on employment-based plans would not include the effect of the annual fees imposed under the proposal on manufacturers and importers of brand-name drugs and medical devices, on health insurance providers, and on clinical laboratories.

These are new taxes.

> Premiums for exchange plans——

These would be plans in the exchange that you might choose if you were an individual—

> Premiums for exchange plans would include the effect of those fees, which would increase premiums by roughly 1 percent.

That is the Congressional Budget Office about the Baucus concepts.

CBO, the Congressional Budget Office, went on to say:

> At the same time, premiums in the new insurance exchanges——

These are the marketplaces where under this plan you would go to buy your insurance——

> would tend to be higher than the average premiums in the current-law individual market.

So the premiums under the new bill and the new exchange would be higher than you are paying today. CBO says:

> Again, with other factors held equal, because the new policies would have to cover preexisting medical conditions and could not deny coverage to people with high expected costs for health care.

CBO goes on to say:

> People with low expected costs for health care, however, would generally pay higher premiums.

So if you make a promise to improve the benefits, somebody else is going to pay for them. That is mathematics. That is the way the world works. Fortunately, we have the Congressional Budget Office to say under this plan premiums would go up. It continues:

> For families, premiums plus cost-sharing payments would range from about $2,900 for those with incomes of $30,000, to nearly $20,000 annually for premiums for those with incomes above $96,000.

So costs go up to individuals under the Baucus concepts. Additionally, we should consider the cost to our government. Most Americans are very much aware—I think that is why they have been turning out in record numbers in town meetings—that the government is not some remote, abstract thing; we own it, and we own the debt too. According to the Budget Committee staff, the real 10-year cost of the Baucus concept when fully implemented will be $1.67 trillion because the main spending provisions won't go into effect until 2013.

In other words, when we talk about 10-year costs around here, the next 10 years aren't an accurate picture because the bill isn't fully implemented until you get on down the road 3 or 4 years to 2013. So if you take a full 10 years—a full implementation of the bill—the Budget Committee says it is about $1.67 trillion in new costs. However, there are new taxes and fees to pay for that: $838 billion over 10 full years of implementation, and those new taxes and fees go into effect immediately.

The long-term deficit reductions predicted in the bill depend on Congress—that is us—approving cuts year after year to Medicare providers. Medicare providers are doctors, hospitals, hospices, and home health agencies. In other words, to make this bill balance the budget and not add to the deficit, we are going to have to have cuts year after year to Medicare, cuts to doctors, cuts to hospitals, cuts to hospices, and cuts to home health agencies.

I thought I heard the President say in his speech the other night there will be no cuts to Medicare. He did say that. It turns out not to be true in the Baucus proposal. It could be true if Congress were willing to support cuts year after year to Medicare, hospitals, doctors, home health agencies, and hospices, but we have never done that. In fact, a few years ago we Republicans tried to restrict the growth of Medicare by $10 billion a year—I think it was from 43 percent to 41 percent over 5 years—and we had to bring the Vice President back from overseas to cast the deciding vote because everybody on the Democratic side wouldn't even vote for $10 billion in reduced savings to Medicare. Yet what we are proposing here assumes that suddenly we have all changed and we are going to allow cuts year after year to people who provide services to Medicare.

CBO found that its projections ''assume that the proposals are enacted and remain unchanged throughout the next two decades, which is often not the case,'' it wisely said.

CBO goes on: ''For example, the sustainable growth rate''—we call that the ''doc fix'' around here when we come in once a year and automatically—doctors' payments under Medicare, which is already only 80 percent—doctors earn only about 80 percent under Medicare compared to what they earn when they see private patients—so we automatically cut their pay by 20 percent and we always come in and raise it back up to about what it was the year before.

So CBO is telling us that the sustainable growth rate—the ''doc fix'' ''governing Medicare to physicians—has frequently been modified.'' That is an understatement. It has been modified almost every year ''to avoid reductions in those payments'' and that ''the long-term budgetary impact could be quite different if those provisions were ultimately changed or not fully implemented.''

So unless we have massive cuts in Medicare, we are not going to be able to balance the budget with this bill.

We don't know how much this bill will cost State governments. The distinguished Senator from Nebraska is on the floor. He was a Governor. I was a Governor. We have all struggled with Medicaid. I think our view is that dumping another 15 million low-income Americans into Medicaid is not health care reform. Doctors and providers are only reimbursed about 61 or 62 percent of their costs for providing services to Medicaid patients, so 40 percent of doctors won't see Medicaid patients. Dumping a low-income American into the Medicaid program is like giving them a bus ticket to a bus line that only runs 60 percent of the time. It is not health care reform. Even so, this will cost State governments, and all the Governors—Democrats and Republicans—are opposed to the concept in this bill that transfers some of the cost of increased Medicaid to the States. Their view is—and I think they are right on this—if the Federal Government wants to expand Medicaid, the Federal Government should pay for it. I haven't been able to even get an estimate of how much this will cost Tennessee. We are trying to figure that out. Senator CORNYN said his estimate is about $2 billion a year for Texas.

Additionally, the proposal cuts nearly $500 billion from Medicare to fund this new government program even though Medicare will start going bankrupt in 2017. Yesterday I heard the president of the Mayo Clinic on National Public Radio say that any public

option that looked like Medicare would bankrupt the country overnight, since trustees have said that Medicare is likely to go broke in 2015 to 2017.

I am afraid we need to start over. I admire Senator BAUCUS's effort, but we don't do comprehensive very well here. A 1,000-page bill is not likely to solve the problem. It is time to bring an end to the era of these 1,000-page bills that are so complicated no one can understand them or have time to read them. Instead, I believe we should move step by step to lower health care costs and re-earn the trust of the American people.

I see the Senator from Nebraska and I will soon defer to him, or to the Senator from South Dakota, whichever one is next. But in conclusion, these are the things we can start doing today to move step by step in the right direction to lower costs: allow small businesses to pool to reduce health care costs; reform medical malpractice laws; allow individual Americans the ability to purchase health insurance across State lines; ensure that Americans who currently qualify for existing programs such as Medicaid and SCHIP who are not enrolled to be signed up; create health insurance exchanges so you can find coverage; and incentivize health reform technology. We can agree on those things. We can take those steps and we can reduce the costs of health care to each American family and to our government.

I thank the President and I yield the floor.

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

Mr. THUNE. Mr. President, I wish to thank the Senator from Tennessee for very effectively making the arguments that many Americans want to hear voiced in this debate about health care and a whole range of other issues. The Senator from Tennessee has pointed out as a former Governor—and we have another former Governor, the Senator from Nebraska, here today as well—the impact that many of these proposals would have on State budgets. The former Governor of Tennessee has described it as ''the mother of all unfunded mandates.'' I think that is a view that is shared by many other Governors across this country, about the impact some of these expansions would have, not just on Federal budgets but on State budgets.

I have had numerous discussions with the Governor of South Dakota about this and he last suggested that the minimum amount, the conservative amount of additional funding that would be required each year to meet some of these expansions of Medicaid that are called for in these various health care reform bills would be about $45 million a year. Around here that doesn't sound like a lot of money, but in the State of South Dakota that is real money. That is a real impact and it would require higher taxes or significant cuts in their budget in my State of South Dakota. So that is one aspect of this argument.

I might say that like some of my colleagues who over the month of August were out in their individual States listening to their constituents, I was doing the same thing. I conducted a series of townhall meetings in my State and I heard from people all across my State in every geographic region. Of course, as is typical in the Midwest, people were very respectful and it was a very civil discussion. But one could not miss the intensity people felt on not only the health care issue, because that happened to be the main subject of debate, but a range of other issues. I think it comes down to two fundamental issues. I think at least in my State of South Dakota this seems to be the case—as it was in some of the other meetings around the country in other States—that people were concerned about two issues. One was the issue of control and the other was the issue of cost.

With the issue of control, it is a question of who has the power when it comes to the debate about health care and when it comes to the debate about higher energy costs. Is all this sort of consolidation and expansion of the Federal Government here in Washington, DC going to mean people in this country have less control when it comes to their own health care? Is the government going to be stepping in and intervening more and making a lot of these decisions and dictating out of some bureaucracy in Washington, DC what happens in the world of health care, which for most people is very personal to them? That is why I think there was such a visceral reaction across the country to some of these proposals.

I think the other issue is cost. People have a sense that things are sort of spinning out of control. I think there are a couple of sort of basic principles that are fairly pervasive in the mindset of most people where I come from in the upper Midwest and that is, No. 1, you can't spend money you don't have; and No. 2, when you borrow money, you do have to pay it back. They see this incredible borrowing spree and this incredible spending spree here in Washington, DC and they are wondering, How is this all going to end? What does it mean not only for me and for my family but for future generations? Are we borrowing at levels that are not sustainable into the future? I think that has really gripped people across this country as they have looked at not only the health care debate but also the question of all of these government takeovers of financial services and insurance companies and auto manufacturers, and the list sort of goes on and on.

The most recent example of that would be student loans where, again, we see the Federal Government trying to pull the reins in and move all of the guaranteed loan programs that currently operate in this country through the financial services industry and commercial banks into the Federal Government. The Federal Government would be the entity that makes all of these loans directly. Well, that ends up adding several hundred billion dollars to the Federal debt which we are already talking about raising here in the middle of next month. In the middle of October the debt limit is going to have to be raised. So we have all of that student loan exposure now, liability coming on to folks from the Federal Government. We have TARP which is said to expire at the end of this year, on December 31, unless Secretary Geithner certifies to Congress that he is going to extend it.

I wrote a letter—and last week 39 of my colleagues signed it—asking the Secretary of the Treasury when TARP expires on December 31 not to extend it because, there again, there are unobligated balances in TARP funding that could be used that would reduce the overall amount of the debt, the overall amount of the deficit.

And the truth be known, I don't think any American wants to see the TARP funds becoming a slush fund to fund other types of endeavors the Federal Government might undertake. They want to see this program that was temporary and was designed to prevent imminent financial collapse and provide stability to the financial services industry expire. Now that that purpose has been served, we should not continue to have hundreds of billions of dollars of taxpayer dollars out there that could be recycled or put into some other industry the government decides to select.

I hope the Secretary will heed the suggestion made by myself and 39 colleagues in our letter and let the TARP program expire. I say that because this paints a broader picture, a narrative, that I believe is of great concern to the American people, which is the reason we saw so much intensity at many townhall meetings over the break.

The health care debate is occurring right now in real time. We have had four of the five committees record bills that have jurisdiction over health care in the Congress—three in the House and one in the Senate. The Senate Finance Committee is marking up their bill this week. We expect that will be completed and that this could be put on the floor sometime in the next few weeks. That seems to be a very fast schedule considering the consequence of what we are doing. We are talking about one-sixth of the American economy, about reorganizing one-sixth of the American economy. Mr. President, $2.5 trillion annually is spent on health care in this country. I think we better make sure we do it right. All we have seen so far in the Finance Committee is a 220-page summary, which we assume, when translated into legislative language, is going to be more than 1,000 pages. That is something many of us will want to have time to digest, and we would like our constituents to look at it to see whether it makes sense to them.

I think probably the biggest reaction I saw during the August break in the discussions I had with constituents in South Dakota was a negative reaction in opposition to the notion of a government plan, that the government would create this public plan option—essentially a government plan. A lot of people who derive health care coverage in the private marketplace today would by default be pushed into that government plan, and you would have the government involved at a much higher level in driving a lot of the health care decisions in this country. There was a real reaction to that.

The point I made earlier as to what I think people were reacting to is the issue of control, power. Who has the power? Is the Federal Government trying to buy this expansion, create more power in Washington, and take away some of the power and decisionmaking that should occur between patients and their doctors? That was the one issue. The Finance Committee plan, to their credit, has done away with that—at least for the time being. They decided to proceed in a different direction.

That being said, the issue remains that people were responding to during August; that is, the issue of cost. According to the Congressional Budget Office, the overall cost of this, for the immediate 10 years, is a little under $1 trillion. When fully implemented, the cost of the plan is still $1.7 trillion, which has to be paid for somehow. They said they are not going to add to the deficit. The proposal is to reduce Medicare by $500 billion. The balance will be raised in the form of tax increases, revenue raisers.

People are looking at this and saying: OK, a $1.7 trillion expansion; what do we get in exchange for that? People will be covered who are not currently covered, but a lot of people who don't have insurance still won't be covered under the proposal the Finance Committee is currently considering. But it is still going to cost $1.7 trillion.

If you are a taxpayer saying: OK, what is this going to cost and how may it impact my insurance premiums if I already have health insurance coverage, I think the answer was given by CBO Director Doug Elmendorf in response to a question. Senator CORNYN posed the question, and it had to do with: Will this lead to higher premiums? If you read from the letter, it says:

> Senator, our judgment is that that piece of the legislation would raise insurance premiums by roughly the amount of the money collected.

Whatever is collected in the higher taxes that are going to be put on somebody else—that is always the assumption—is going to be put, in this case, on the insurance companies. But does anybody believe for a minute that will not be passed on to the American consumer? It is going to be.

So what does this legislation actually do to drive costs down? My whole argument in this health care reform debate has been that anything we do ought to bend the cost curve down, not raise it. Almost every proposal we have seen increases or raises the cost curve. This is another example, according to the CBO, of a plan that, in the end, is going to raise insurance premiums for most Americans.

The other thing I think is important to note here—and the same response was given by the chief of staff of the Joint Tax Committee. He answered the question the same way: We analyzed this largely falling on the consumer, and that would happen in a couple of different ways. This is going to be eventually little paid by the consumer. It is a tax increase.

The other point is that the assumption is that the portion that is not raised through revenue increases, tax increases, will be paid for in the form of Medicare reductions. Do we really believe $500 billion in Medicare reductions will be achieved by the Congress? And we know how difficult it is around here to talk about reducing Medicare. My view is, if we are talking about making Medicare more sustainable, we ought to look at how we can reform it and find savings. But this is going to take a new entitlement program and put it on top of a program that we are told will be bankrupt by 2017.

I still think we can do health care reform here that does bend the cost curve down, lowers costs for most Americans, and provides access to more Americans as well. We have not seen a proposal yet that doesn't include a significant increase in the amount of Federal Government control, of power in Washington, DC, an expansion of the Federal Government. We have not seen a proposal that actually does anything to get costs under control for most consumers. For most consumers, that is the issue; it is a cost issue. Furthermore, we are looking at proposals, from a taxpayer's standpoint, that will increase spending and borrowing and it will pass more and more of that debt on to future generations.

So we need to proceed slowly and get this right. We need to focus on ideas that actually reduce costs, such as allowing people to buy insurance across State lines or to join small business health plans, which is something we have tried to get through for a long period of time, unsuccessfully, or dealing with medical malpractice reform, so people can get insurance in the private marketplace.

This level of government expansion, this level of spending and borrowing is unacceptable to the American people. That is why they are reacting so negatively. It comes down to control and who has the power. Is it the Federal Government or the American people? It comes down to costs. What are we doing to future generations with the amount of spending and borrowing we are doing?

I hope we will take it slower and get it right and focus on initiatives and ideas that will get costs under control and that before Congress adopts health care reform, that will be the focus, not expansion of government in Washington, DC, at trillions of dollars in additional costs to the American taxpayer and no savings to the ratepayer out there trying to get their insurance premiums under control.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. JOHANNS. Mr. President, I wish to start out this morning by complimenting the distinguished Senator from Tennessee and the Senator from South Dakota. They have raised some excellent points. As I have listened to them, I have to tell you, I think they have offered a lot to move the debate forward.

I rise today to shine the light on what I consider budgetary gimmicks and omissions in the Finance Committee health care proposal.

Both Republicans and Democrats should be able to agree that one of the things we need to do in accomplishing true health care reform is to do it in a fiscally responsible way. We all went back home in August, and I heard the message very loud and clear from Nebraskans. They want honesty and full transparency as we attempt to achieve health care reform.

Americans believed the President when he said he wanted an open and transparent process. We all agree on that. Unfortunately, what we have is not transparent, and I argue that it is based on false assumptions. Honestly, an American family would have to hire a whole team of accountants to understand all that is hidden in the Finance Committee draft.

While the CBO has scored the bill as $774 billion, the real cost of the bill—and that cost is moving up every day—is closer to $1.7 trillion over 10 years, as the previous two Senators have pointed out. What its supporters neglect to tell you is that the main spending provisions in this proposal don't go into effect until 2013. That is right, the American public will have to wait 4 years before most of the new initiatives even get off the ground. So none of us should be surprised when the American people really laugh at an arbitrary deadline of the end of the week or the first of next week for finalizing committee action. They don't understand the need to hurry. The proponents claim it is such a crisis that we should rush through. Yet their fixes don't take effect for 4 years.

You can understand the American public's frustration and skepticism. They must watch the evening news—whatever their flavor of news is—and look at the Capitol dome and ask the question: What is going on? What is happening out there? They have to be scratching their heads in amazement. If they ran their business or household this way, they would be in bankruptcy.

If that weren't enough to fill an entire gymnasium full of townhall participants, there is, unfortunately,

much more. The proposal requires new taxes on everything from medical device manufacturers, health insurance premiums, and pharmaceutical manufacturers, topped off with additional Medicare cuts of about $500 billion and, of course, unfunded mandates on the States in the form of the expansion of Medicaid, which I am all too familiar with as a former Governor.

Let me translate this. Higher taxes will be passed on to the American people. All these taxes, these fees, and these mandates will only increase the cost of health care. They don't decrease it when all this is passed on to the American consumers.

While the promised benefits don't kick in until year 4, the taxes and fees, interestingly enough, start right away, almost on day one.

In effect, the bill is structured to impose 10 years and $848 billion worth of new taxes and fees, and you get in return 6 years of additional benefits under this bill. The creative accounting, unfortunately, only appears to get cheers inside the beltway. Yet the average American thinks we don't have a clue.

Another hidden cost is the new mandate on States through an expansion of Medicaid. I wish to spend a moment on that.

Partial costs to expand the Medicaid Program up to 133 percent of the poverty limit will be put on the States. This unfunded mandate will cost States—and estimates will vary—about $42 billion. Of course, that is not built into the cost estimate, not because the American people don't pay for it, because they will, but because it doesn't fall on the Federal budget. Who gets to pay the costs here? Well, obviously, once again, it will fall on the American people.

I come from a State that is fiscally responsible. We have only two ways to deal with this kind of issue because our constitution prohibits us from borrowing money. What a unique concept; Nebraska doesn't borrow money. We have only two choices: we can cut programs or we can raise taxes. If we cut programs, things such as education, senior initiatives, infrastructure projects, prisons to keep the bad guys out of society, and other very valuable programs could find their budgets destroyed.

In these times of tight budgets, States have already slashed their budgets. They are down to the bone, and they are trying to figure out how they will balance next year's budget. I suggest the Federal Government giving them another layer of spending is not the answer.

The other alternative is to raise taxes, hit the consumer again. But that is not the right way to go either. But it seems that what we are doing with this mother of all unfunded mandates is making this choice inevitable.

Folks in Nebraska and across the country are going to resent seeing their State paying higher taxes because the Federal Government put them in this fiscal straitjacket. In addition, one of the main pay-fors in this legislation is $400 billion, $500 billion in Medicare cuts. Despite the fact that the Medicare trustees report projects that Medicare will be bankrupt by 2017, none of the $400 billion goes toward shoring up our already pending fiscal crisis.

The false promise being made is that we can both fund this new entitlement with Medicare money and keep our commitment to senior citizens. I am not naive enough to buy that bag of goods and neither are our seniors. We are asking them to choose the prize behind the curtain when the prize is a goat.

I am deeply concerned that we are compounding the problem by not reinvesting these dollars back into Medicare. That is why I hope the Finance Committee will see the light today and adopt important amendments by the junior Senators from Kansas and Nevada.

Even the nonpartisan Congressional Budget Office Director admitted yesterday that these cuts to Medicare will decrease current insurance benefits that our seniors now enjoy.

Finally, this Finance Committee proposal is built on false assumptions when it comes to cost containment. The bill is based on the fantasyland assumption that scheduled sometimes double-digit payment cuts to medical professionals will be allowed to take place. The history is very much the opposite. We do the doctor fix on an annual basis.

Any Senator who votes for this Finance Committee proposal should be required to publicly state their support for a 25-percent cut in physician reimbursement rates beginning in 2 years.

Their proposals credit themselves free money by assuming savings in this area. Yet they know Congress waives the Budget Act, waives pay-go, and suspends these cuts year in and year out with a lot of support, I might add.

In fact, the Congressional Budget Office states:

> These projections assume that the proposals are enacted and remained unchanged throughout the next two decades, which is often not the case for major legislation.
>
> For example, the sustainable growth rate, SGR, mechanism governing Medicare's payments to physicians has frequently been modified to avoid reductions in those payments.

Therefore, I am not going to count on Congress acting any differently in the near future, and any cost estimate that assumes otherwise, I say, is not based on reality. We all know what they say about good intentions, but I still believe you do not spend money until you know from where the money is coming.

The American public simply deserves a very transparent discussion about our current and future actions, what they are going to cost, and what they will lead to in terms of our health care system instead of a house of cards. The American people have asked us to be transparent. They know we have to make tough decisions. They just want to understand the ramifications of what we are deciding. That means they want us to read the bill. They want us to do that before we vote. They want us to have a full picture of how this will affect budget deficits and the fiscal outlook. And they want us to communicate that to them.

The American people want to know how this proposal will impact them and what it will do to the current health care system and their costs. Basically, they want us to know all the details before we rush into a vote. That means we need the time to look at this bill. This is going to be a 1,000-page bill, a Senate Finance Committee with no legislative language that is working now, a plan to consider almost 500 amendments, and yet they want to get it done this week. Mr. President, it is time to call a timeout and get this right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, as I listen to all of the discussion about health care, I have come to several conclusions. No. 1, there is a 100-percent bipartisan agreement that something has to be done. But No. 2, there is a growing strong bipartisan agreement that this bill is not the something that should be done.

From the New York Times:

> The first big fight over the Senate Finance Committee's health care legislation erupted Tuesday night: a rollicking brawl over a deal that the Obama administration cut with the pharmaceutical industry to achieve $80 billion in saving on drug costs over 10 years, money that would help pay for the legislation. Top House Democrats have hated the deal from the get-go. Senate Democrats are now bitterly divided. . . .

This resonates with the comment that the Republican leader made where he says the only truly bipartisan thing about this bill is the opposition to it. I think this demonstrates that we need to slow down, start over, and do it right.

We have heard many speeches saying we can't wait. We see people carrying signs: ''Health Care Reform Now.'' We have just heard from the Senator from Nebraska that this bill will give us health care reform not now—4 years from now. Four years is a long time to wait. We can do it faster than 4 years, but we can do it faster only if we slow down, start over, and do it right. We can do it in this Congress if we slow down, start over, and do it right.

What are the things on which we need to start over? The looming challenge in this whole debate is cost. The numbers that are being thrown around are astronomical, and we still don't know exactly what they are. These are still estimates. The Senate Finance Committee has not reduced their proposal to legislative language. The CBO says: We can't give it a score until we get legislative language, and by the time we get the language, it is at least

2 weeks before we can produce a score. Yet we are being told we must pass this bill next week? Slow down, start over, and do it right.

We are going to pay for it, we are being told, by taking $500 billion out of Medicare. And every study of Medicare says at least $500 billion is being wasted, so that is easy. Let's take $500 billion out, and we will solve the problem.

We can take $500 billion out of Medicare with a meat cleaver, and that means we are cutting the programs that are good in Medicare, the things about Medicare that work as well as the things that do not work. Maybe we should slow down, start over, and do it right by taking the $500 billion out of Medicare with a surgeon's scalpel rather than a meat cleaver and spend the time to find out where the money is being wasted, how it could be changed, where the incentives need to be altered so that the $500 billion comes out of the right part of Medicare instead of with a slash with a meat cleaver.

Medicare is not the only one where more careful examination could produce significant savings. We are told that Medicaid in 2007 spent $30 billion improperly. If we extrapolate that over the 10-year period that we use to make these projections, that is $300 billion that could come from Medicaid. Are we going to take a meat cleaver to Medicaid and say we are going to arbitrarily cut $300 billion out of Medicaid in the next 10 years because there is a study that says that much is being wasted or are we going to listen to the Governors, bipartisan, Democrat as well as Republican, who are telling us: What you are doing in this bill on Medicaid is going to bankrupt the States because they simply cannot sustain the kinds of increases that are built into it and nothing will be done about the $30 billion of waste and abuse that is there.

How are we going to get at it? How are we going to discover what that $30 billion is? How are we going to deal with it in a way that does not bankrupt the States? To answer that question, we need to slow down, start over, and get it right.

If I can be provincial and parochial for just a moment, my home State of Utah has done a great amount of work on health care. They have been very entrepreneurial and innovative. They have come up with ideas to deal with health care, ideas from which we at the Federal level could learn a great deal, but we cannot learn anything from the experimentation that is going on in the States if we continue this rush to an arbitrary deadline, to get this thing done within a couple of weeks.

The States have great experience with this. There is much the States can teach us. There is much the Governors need to tell us before we rush to spend this much money, which means we should slow down, start over, and do it right.

As I talk with the businesses, as I talk with my constituents in Utah, I come back to the same thing I said at the beginning. There is a 100-percent bipartisan agreement that something has to be done. Our long-term challenges with health care are absolutely unsustainable, to use a Washington word. That is another word for disastrous.

We have to deal with this, and we have to deal with it in an intelligent way. The numbers are very large, and we have to recognize the stakes are very high. But that is, again, the message that comes from those who will be most affected by what we do, either in their businesses or their personal lives or their tax returns. It is very important that we get it right; and if we are going to get it right, we have to start over. If we are going to start over, we have to slow down.

That is the wisdom this body should adopt as it deals with this challenge so that we can change the reality of where the bipartisan agreement is. Instead of the bipartisan agreement growing in opposition to the bill, we need a circumstance where a bipartisan agreement will grow in support of a bill that will solve our problem. The bill before the Finance Committee is not that bill, and a large number of Members of this body of both parties are increasingly coming to that conclusion.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from New York.

DEMANDING AN APOLOGY FROM THE GOVERNMENT OF LIBYA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 253, 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 bill clerk read as follows:

A resolution (S. Res. 253) expressing the sense of the Senate that the Government of Libya should apologize for the welcome home ceremony held to celebrate the release of convicted Lockerbie bomber Abdel Baset al-Megrahi.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 253) was agreed to, as follows:

S. RES. 253

Resolved, That the Senate—

(1) condemns the August 20, 2009, release from prison in Scotland of Abdel Baset al-Megrahi, the lone person convicted in connection with the 1988 bombing of a Pan Am flight over Lockerbie, Scotland, that killed 270 people, including 189 Americans;

(2) condemns the lavish welcome home ceremony held in Tripoli, Libya, to celebrate the release of Mr. al-Megrahi; and

(3) calls on the Government of Libya to apologize for the public celebration of Mr. al-Megrahi's release.

Mr. SCHUMER. Mr. President, I have a brief statement I would like to make about the resolution.

I rise today in support of S. Res. 253, a resolution condemning the release and vile welcome home celebration held for Libyan terrorist and convicted Lockerbie bomber, Abdel Baset al-Megrahi. I also express my sincere thanks and appreciation to my colleagues, Senators LAUTENBERG, GILLIBRAND, WEBB, VOINOVICH, CARDIN, CASEY, MCCASKILL, MENENDEZ, and MIKULSKI for agreeing to cosponsor this resolution.

Mr. President, it is upsetting that Libyan leader COL Muammar Qaddafi is in New York City at this very moment and will be given an opportunity to speak before the United Nations General Assembly. I am disappointed because I sympathize enormously with the families and victims of the deadly Pan Am terrorist attack who will be reminded of that deadly day in December almost 21 years ago when they see Qaddafi grandstanding at the U.N.

On December 21, 1998, Pan Am Flight 103, en route from London's Heathrow Airport to New York's John F. Kennedy International Airport, suddenly exploded over the town of Lockerbie, Scotland, killing all 259 on board and 11 people on the ground. Many New Yorkers and New Jersey residents were among the 189 Americans killed in the bombing. A young man from my neighborhood, whose family was active in a neighboring parish—Our Lady Help of Christians—was killed in the bloom of his early life. That story could be repeated over and over because there were many students who were coming back from a program affiliated with Syracuse University. We know people all over New York State were lost, and many young college students.

In 2001, at least the families of the victims found some solace when justice appeared to have been delivered as Abdel Baset al-Megrahi was convicted of murder and sentenced to life in prison. But to the shock of many people on both sides of the Atlantic, on August 20 of this year, the Scottish Government released al-Megrahi, who is currently suffering from prostate cancer and is predicted to have about 3 months to live. The Scottish Government claimed the release was a compassionate gesture given his failing health.

Upon his return, thousands of young men, who had been transported by the Libyan Government, gathered at the airport in Tripoli to greet the terrorist. They waved banners, threw flower petals after al-Megrahi was escorted from prison by Seif al-Islam el-Qaddafi, the son of COL Muammar Qaddafi. The hero's welcome Libya gave to this terrorist truly shocks the conscience and deserves a formal rebuke.

It is outrageous that the Libyan Government would so blatantly disregard the suffering the families have endured for more than two decades. S. Res. 253 demands the Government of Libya apologize for the gross homecoming celebration of al-Megrahi.

This resolution does three important things: First, it condemns the August 20, 2009, release from prison in Scotland of Abdel Baset al-Megrahi, the lone person convicted in connection with the 1988 bombing of a Pan Am flight over Lockerbie, Scotland, that killed 270 people; second, it condemns the lavish welcome home ceremony held in Tripoli to celebrate the release of al-Megrahi; and third, it calls on the Government of Libya to apologize for the public celebration of al-Megrahi's release.

Al-Megrahi only served 8 years in jail. He committed one of the most dastardly terrorist attacks that has been known in the last 100 years. Eight years later, the families haven't recuperated. They live with their losses every day, every minute. There is a hole in their hearts that will never heal. To release al-Megrahi is terrible; to celebrate the release of this awful terrorist is even worse. And for the world to remain silent, the U.N. not to condemn but to greet Qaddafi—strike three. It is an awful situation.

I call on the Senate to support S. Res. 253 condemning the release and the vile welcome home celebration. I hope all Senators will join us in cosponsoring the resolution. Murder and terrorism are not forgivable offenses, and refuge should never be offered to those determined to terrorize and murder the innocent. If we do so, we are encouraging future terrorists to repeat these awful crimes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

COMMENDING SENATOR MEL MARTINEZ

Mr. COCHRAN. Mr. President, I was deeply saddened by the recent announcement of the distinguished Senator from Florida, Mel Martinez, that he had decided to resign from the Senate. Although he had served in the Senate for a relatively short period of time—since January 4, 2005—he had become a very important influence in this body.

As the first Cuban American to serve in the Senate, he shared with us his personal experiences and insights into his early life in Cuba, including his separation from his parents at a young age as he traveled to Florida to embark upon a very successful new life of learning and leadership in the United States. He earned undergraduate and law degrees from Florida State University. He served as a member of the Orlando Utilities Commission and was elected Mayor of Orange County. President George W. Bush selected him to serve as a member of his Cabinet, as Secretary of Housing and Urban Development. He was elected a United States Senator in 2004 and quickly established himself as an effective advocate for his State in the Senate.

Mel Martinez quickly became an active and influential member of the Armed Services Committee as well as the Banking, Housing and Urban Affairs Committee, and the Commerce, Science and Transportation Committee. His constituents benefitted in particular from his service as ranking member of the Senate's Special Committee on Aging.

Mr. President I congratulate my friend from Florida on his very successful service and important contributions through his dedicated public service in Florida and in our Nation's Capital. I have enjoyed serving with him, and I wish him all the best in the years ahead.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2996, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2996) making appropriations for the Department of the Interior, Environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Carper amendment No. 2456, to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions.

Collins amendment No. 2498, to provide that no funds may be used for the administrative expenses of any official identified by the President to serve in a position without express statutory authorization and which is responsible for the interagency development or coordination of any rule, regulation, or policy unless the President certifies to Congress that such official will respond to all reasonable requests to testify before, or provide information to, any congressional committee with jurisdiction over such matters, and such official submits certain reports biannually to Congress.

Isakson modified amendment No. 2504, to encourage the participation of the Smithsonian Institution in activities preserving the papers and teachings of Dr. Martin Luther King, Jr., under the Civil Rights History Project Act of 2009.

Vitter motion to commit the bill to the Committee on Appropriations, with instructions to report the same back to the Senate forthwith with Vitter amendment No. 2508 (to the instructions on Vitter motion to commit the bill), to prohibit the use of funds to delay the implementation of the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, the floor is now open for amendments to the Interior bill. I hope Senators will come to the floor if they have an amendment. The filing deadline is 1 o'clock this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I say to the Senator from California that I join her in urging our colleagues to come to the floor and offer their amendments so we can move on through the bill. There is an opportunity to offer them and to debate them.

Mr. President, if someone comes to the floor I will finish quickly so they can take the floor and we can move on with the bill, but while we are waiting for that, I ask unanimous consent to speak as in morning business.

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

CLIMATE CHANGE

Mr. ALEXANDER. Mr. President, with great respect to the President of the United States, I am still shaking my head a little bit in disbelief at his speech yesterday on climate change at the Climate Change Summit in New York. Here we had 100 leaders from around the world in our country to talk about climate change and the President said what he has said before, which is that we need to stop putting so much carbon in the air because carbon is the principal greenhouse gas that contributes to climate change, in the opinion of most scientists.

But in saying that, the President did not mention the one way we have to create a lot of low-cost electricity without putting any carbon in the air, and that is nuclear power—a process that the United States invented; a process that the United States operates more efficiently than any other country in the world. It produces 19 percent of our electricity, and our plants operate 90 percent of the time. Even France, which gets 80 percent of its electricity from nuclear power, only operates its plants 80 percent of the time. He failed to mention nuclear power even though it produces 70 percent of our carbon-free electricity, and even though every one of the other top five carbon emitting nations in the world are committed to a full-scale construction program for nuclear power.

This is what the President said:

The developed nations that caused much of the damage to the climate over the last century have the responsibility to lead—and that includes the United States.

Well, according to the Wall Street Journal on Monday, September 21, in its news pages, we know who produces the carbon: China is No. 1—6 million metric tons; the United States is No. 2—nearly 6 million metric tons. So we produce about the same. Russia is next—1.7 million; India is next; Japan is next. Those are the top five carbo emitting nations.

President Obama lectured other countries when he said:

But those rapidly developing nations—

And here he means China and India—

that will produce nearly all the growth in global carbon emissions in the decade ahead must do their part as well.

He is right about that. The President went on to say:

We cannot meet these challenges unless all the largest emitters of greenhouse gas pollution act together. There's no other way.

He is right about that. But then, to my great astonishment—and I am sure to others—he stopped there and he basically was saying to China and to Russia and to India, as well as Japan: You must do something about carbon. We are going to take the lead. Yet they all are building nuclear power plants that emit zero carbon and we haven't started one new reactor in 30 years, even though we invented it. How can the President of the United States lecture other countries about the carbon they produce—the principal greenhouse gas—when they are expanding the one technology that could do the most to solve the problem?

Let's be very elementary here. Coal and natural gas plants produce nearly 40 percent of the carbon when they produce electricity. The President did boast of how the United States is committed to building windmills and solar panels. In fact, his administration wants to build 20 percent of our electricity from wind turbines. These aren't grandma's windmills, these are the giant 50-story wind turbines that they want to string along the Appalachian Mountain tops, from the Smokey Mountains to the White Mountains, along the coastlines, and run 19,000 miles of transmission lines to get the power to our homes and businesses. That is the plan. And to a point, that plan can help. I mean, renewable energy—solar panels, wind turbines—is a supplement to the electricity we need. But today, wind turbines and solar panels produce about 3 to 4 percent of America's carbon-free electricity. Nuclear power produces 70 percent of our carbon-free electricity. So why not expand nuclear power? Yet we haven't built a new nuclear powerplant in 30 years.

What is happening around the world? Well, they are not slowing down. They are taking full advantage, as the world often has, of American ingenuity. We invented nuclear power here. And after we invented the atom bomb, President Eisenhower and other scientists in the 1950s said: Let's have an atoms for peace program.

So we went off on two tracks. We used nuclear reactors to operate our Navy, which we have done successfully, without incident ever since the 1950s. Admiral Rickover pioneered that. So today we have about 80 Navy vessels operated by reactors and, during the 1970s and 1980s, we built 104 nuclear reactors. This was the Atoms for Peace Program. We took what probably was the greatest scientific invention of the last century, the reactor, and used it to produce a lot of low-cost, reliable energy—which is the dream of the world, to have a lot of low-cost, reliable energy for everyone in the world. That is the one of the single best steps toward reducing poverty and increasing prosperity.

So here we are in the United States, using our 104 nuclear reactors—not having built a new one in the last 30 years—to produce 19 percent of our electricity and 70 percent of our carbon-free electricity. But what is happening around the world? There are 44 new nuclear powerplants under construction in the world. China has four under construction. This was the first country the President would be lecturing: Do something about carbon-free electricity. So China is planning 132 nuclear powerplants and we are constructing zero. We have not constructed one in 30 years. How can we lecture China about carbon if they are building 132 nuclear powerplants, which would be enough to produce one-fourth of all the electricity the United States uses? That is more than we produce today through nuclear power.

Russia is building two a year. One reason Russia is doing it is because they want to sell their natural gas to Europe at a lot more expensive price, so they are taking advantage of nuclear power to raise their standard of living. Japan is 36 percent nuclear power today. Japan, as everyone knows, suffered under the two atom bombs that were dropped. But they have come to terms with the safe use of atoms for peace, nuclear-power-produced electricity—36 percent of their electricity is nuclear. They are building two more plants. The United States has not built a plant in 30 years.

South Korea, one of the most successful emerging countries—in America, one of those countries that the President might be saying you need to do something about climate change—they are. Forty percent of their electricity is carbon-free nuclear power and they are building eight more nuclear plants by 2015 and we have not built one in 30 years.

India, the largest democracy—we point our finger at them and say we don't have to do anything about climate change until you do. They are. They are considering a thorium reactor. They are committed to nuclear power, partly because of the agreement between the United States and the Bush administration and India, and we are helping them build nuclear powerplants. We are helping China as well. But we have not built one in 30 years.

The President even said Iran has the right to build a nuclear powerplant; not a nuclear bomb but a nuclear powerplant. We have not built one in 30 years.

France—we don't usually like to say the French are ahead of us. We have a little love-hate relationship with France, but look what they have done. They have taken our nuclear reactor invention and 80 percent of the electricity in France comes from nuclear power. They have among the lowest rates of carbon emissions in the entire European Union. They have among the lowest electricity prices in the European Union. They are selling electricity to Germany, which is the only one of the European countries that has said they don't want any nuclear power. So they are buying nuclear power from France.

There are many other countries in the world that are using nuclear power. But as the Wall Street Journal said: China, the United States, Russia, India, and Japan produce most of the carbon. Scientists believe carbon produces 40 percent of the greenhouse gases that cause global warming and the United States is the only one of those five countries that is not committed to the construction of new nuclear powerplants.

The President's plan instead is an energy tax and renewable mandates that would force us to build more giant wind turbines. Wind turbines work some places. They don't work in my part of the country. The wind doesn't blow enough, and we don't want to see them on our mountaintops. I am a sponsor of Senator CARDIN's mountaintop removal bill. We don't want people blowing up our mountaintops and dumping the tops of the mountains in our streams. We don't want them putting 50-story wind turbines that don't turn more than 19 percent of the time up there either. So there is a growing recognition that in addition to the unreliability of renewable energy, the energy sprawl on our landscape is something we should think about.

One thing we should think about is think about where to put renewable energy installations, to make sure they are in appropriate places. The other thing to think about is are there any alternatives to renewable energy. The answer, of course, is, yes, there are alternatives to renewable energy. The principal one is nuclear power.

Let me be specific. In order to make 20 percent of our electricity in the United States from carbon-free sources, we could either build about 186,000 wind turbines—these are 50 stories tall—that would cover an area about the size of West Virginia. Or we could build 100 new nuclear reactors. We have 104 today. Remember, China is building 132. Today, nuclear produces about 20 percent of all our electricity; wind provides about 1.3 percent.

Nuclear power is baseload power because it operates 90 percent of the time. That means we could have it on almost all the time. Wind power is intermittent. It only works when and where the wind blows and there is no way today to commercially store large amounts of that electricity.

Nuclear, as I mentioned earlier, operates 90 percent of the time. Wind operates about 33 percent of the time.

When you read that you have 1,000 megawatts of electricity from nuclear,

that means you have 900 megawatts because it operates 90 percent of the time. When you read you have 1,000 megawatts of wind, that means you probably have 300 or 350 megawatts because it only operates a third of the time and, as they found in Denmark and other places, the wind often blows at night when we don't need it. We have lots of unused electricity at night.

As far as additional infrastructure, building 100 new nuclear reactors would take very little new infrastructure because you could locate them mostly on the existing sites where we now have the 104 nuclear reactors we have today. Wind turbines, on the other hand, as I said, would take an area the size of West Virginia, plus 19,000 miles of new transmission lines that would go from unpopulated areas, through suburban areas, to populated areas where people need the electricity.

What about the Federal subsidy? Sometimes people say these big new nuclear plants must have a big federal subsidy, but the fact is they do not. To produce the first 100 plants that we have, they were built without much federal subsidy. To build 100 more, the estimates are for $17.5 billion over 10 years, including a capped nuclear production tax credit—that would build the 100 nuclear plants. To build 186,000 wind turbines the taxpayer would shell out about $170 billion.

We hear a lot of about green jobs, let's have renewable electricity because that produces green jobs. Green jobs are good jobs. We have two big new plants in Tennessee that the Governor recruited and they make polysilicone, which is for the purpose of making solar panels. We hope solar energy works and we believe it will. Today it costs four to five times in our area what other electricity costs, but we hope the price comes down and we are all for that. But the estimate for nuclear's green jobs to build 100 reactors would be about 250,000 construction jobs. To build 180,000 1.5 megawatt wind turbines would be about a third of that, 73,000 construction jobs, and then 70,000 permanent jobs for nuclear and 77,000 permanent jobs for the wind turbines. They would be about the same.

The lifetime of a nuclear plant is about 60 to 80 years. The lifetime of the wind turbines is about 20 to 25 years. At a recent hearing which was chaired by the Senator from California, we talked with the Interior Secretary about the possibility of bonds for the developers who are putting up these 186,000 turbines. What if they wear out after 15 or 20 years, which is what they are expected to do? Or what if policies change? Or what if subsidies disappear? Or what if we decide we prefer other forms of energy? Who is going to take them down? We need to think about that, just as we did not think about abandoned mines all over the country—47,000 alone in California.

Then there is the visual impact I mentioned. If you build 100 big nuclear powerplants, 100 reactors, they have tall cooling towers. There is a visual impact there. But you do it mostly on the sites where the 104 are today, where they are well accepted by the people in those communities and it is only 100 of them and it only takes about 100 square miles. Mr. President, 186,000 wind turbines would cover 25,000 square miles, which is an area the size of West Virginia.

I hope as we proceed, after health care, to our debate on energy and climate change, that we will take a more realistic attitude. I am one of those Senators who believe climate change is a problem. I believe humans are contributing to it. I think it is time for us to stop emitting so much carbon into the air. But I would like for us to do that in a low-cost, sensible way that permits us to keep our jobs in this country and not in a high-cost way that causes us to drive jobs overseas, looking for cheap energy. Every single Republican Senator has endorsed an energy plan that is, No. 1, 100 new nuclear powerplants in 20 years; No. 2, electrify half our cars and trucks in 20 years; No. 3, offshore exploration for natural gas, which is low carbon and oil—we should use our own while we use it; and, No. 4, doubling research and development for alternative energy. How can we make solar cost-competitive? How can we find a way to recapture carbon from coal plants? How can we have advanced biofuels? How can we find the fourth generation of nuclear energy that recycles used nuclear fuel in a way that doesn't produce any plutonium?

It is not just the 40 Republican Senators who are interested in that. I have had a number of Democratic Senators talk with me about that. Many were far out in front of the issue before I began to speak so much about it.

My hope would be that, as we look more seriously at the issue of climate change and energy, that we adopt a low-cost energy strategy. We don't need an energy tax that raises everybody's electric bill. We don't need a renewable energy mandate that requires us to put up wind turbines in the Southeast, where the wind doesn't blow, anymore than we need a nuclear energy mandate that requires people to put up nuclear plants where people don't want them or a hydroelectric mandate that requires States to put up dams where there is no river. We need a low-cost, clean energy policy. Almost every other major country in the world is deciding that nuclear power is the key to the future.

Wind is a supplement. One day solar may be widely used as supplement. But for baseload power for a prosperous country there is no choice, in my view. So climate change may be the inconvenient problem, as my friend and fellow Tennessean, Al Gore, says. But nuclear power, I am afraid, is the inconvenient solution, and I hope we will move to the day when the President of the United States will go to a summit on climate and say: Yes, we are building wind turbines in appropriate places; yes, we are having solar thermal panels in appropriate places; yes, we have doubled and tripled our investment in research and development for alternative energy. But as the country that invented low-cost, reliable, clean, carbon-free nuclear energy, I, the President of the United States, have set as a goal that we will double the amount of electricity we will produce from nuclear power.

If the President went to Copenhagen and said we were committed to build 100 new nuclear powerplants in 20 years and to electrify half our cars and trucks in 20 years, just implementing those two goals would get us close to the Kyoto Protocol standards in 2030; just implementing those two goals—100 new nuclear plants and electrifying half our cars and trucks—and we can do both. We already did both. Between 1970 and 1990 we built 104 reactors, not to mention the 81 U.S. Navy vessels powered by nuclear reactors, so we have done that. Most experts, including many in the Obama administration, agree we can electrify half our cars and trucks, and probably without building one new powerplant because we have so much unused electricity at night. We can plug them in at night. We will be reducing imported oil, keeping the price of fuel low, we will be cleaning the air, and we will be dealing with global warming.

So why are we engaged in a 1,000-page energy tax, a cap-and-trade system that doesn't effectively deal with fuel, that adds to taxes, and it runs jobs overseas, when we have before us the technology we invented that would lead us into the next century?

So I hope those issues evolve. I have seen that sometimes we do not have the votes on this side of the aisle, but we have the right message. Sometimes we find if we work with our colleagues on the other side, we can have the same message.

So I believe there are many Democrats and all of the Republicans who will join in setting a new national goal of 100 new nuclear plants in the next 20 years. I believe we already have consensus on electrifying half of our cars and trucks. So if that will help us reach the climate change goals, why don't we do that instead of a national goal that raises the price of energy, increases poverty, runs jobs overseas, and causes all sorts of unanticipated problems?

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, one of my delights has been to work with the distinguished ranking member. I think anyone who was listening to this does see his erudition and knowledge on this particular subject. So I would like to thank him and commend him for his remarks. Senator ALEXANDER is correct. If we are going to address global warming, all of the options have to

be on the table and we have to rethink and relook at nuclear power as being a viable alternative as a clean fuel.

What has surprised me today is that so many people do not believe we face an emergency. So I have spent quite a bit of time trying to go back and look at global warming, look at books written by scientists, talk with people who have knowledge, who have expertise. And I have come to the conclusion that, unfortunately, it is real, that it is happening, and that it is substantially impacting our Earth. So since there is no one on the floor of the Senate wishing to offer an amendment—and I would be very happy to cease and desist should there be someone on the floor wishing to offer an amendment—I would like to say a few words about what I see happening kind of as, not a contretemps to what the Senator said but as a supporter of what he has said.

I think the science, as I said, is overwhelming. Our climate is changing. The Earth's climate has, in fact, warmed by 1.1 to 1.6 degrees Fahrenheit since the industrial revolution. People look at this and say: Oh, that is not very much. In fact, it is very much, and it changes the dynamic. It impacts species. It kills some. It diminishes the carbon sink of the ocean. It does a number of things. But let me read to you something that the Intergovernmental Panel on Climate Change warned in 2007.

Warming of the climate system is unequivocal. Observational evidence from all continents and most oceans show that many natural systems are being affected by regional climate change.

So I just pulled a few charts, and I would like to put them up and show them to you, which is the evidence of the change in our climate.

This is the Greenland Ice Sheet. The year is 1979. Since 1979, 30 percent of the ice sheet has melted. Here is Greenland in 1979, both the rust color as well as the interior. Here it is in 2007.

The source is the National Aeronautics and Space Administration. So this is an actual rendering. It is pretty clear how much has melted. Here is the Arctic at the end of the 2007 ice melt. The sea ice cover was 23 percent smaller than it was in 2005 and 39 percent below the long-term average from 1979 to the year 2000.

So here is the whole Arctic ice sheet. We now know the Northwest Passage is open and is open for the first time in history all during the year. You can see in 2005 the Arctic went all of the way out. 2007, here it is. The source of this is the National Aeronautics and Space Administration.

These are a couple of satellite photos from intelligence. We have large satellites in the air. They have photographed, as part of a project, some of the melt. This happens to be the Beaufort Sea, both in August of 2001 and 2007.

This site near the edge of the ice pack in summer as shown here has ponds of melted water forming on the surface. These dark pools absorb more of the summertime solar radiation than does the surrounding ice, enhancing melting.

So observations of sea ice conditions reveal considerable year-to-year variability. But these images display the variability with regard to the amount of melting and are an example of the long-term sequential record needed to support and understand this dynamic system. So pond coverage, monitored over time, contributes to the estimate. But this is the Beaufort Sea in 2001, and here it is in 2007. The dark is all open water. I think it is pretty clear.

This other satellite photo is of Barrow, AK. Here we see the Chukchi Sea in 2006, and it is pretty clear. Here it is in July of 2007, as photographed by a U.S. satellite. What they say is sea ice forms along the coast in the winter and generally melts or is breaking away by mid-July. Observation of sea ice reveals considerable year-to-year variability.

This is similar to the other one, but I think this really shows the difference in satellite photographs, and there is a project to continue from the atmosphere to prove the change in the ice map and the breakup of ice masses. So we know Greenland is melting at an extraordinary pace.

This week NOAA's National Climatic Data Center announced that the world's ocean surface temperature this summer was the warmest ever recorded. These records date back to 1880.

In the Arctic, researchers have found that the widely documented summer shrinking which I have just showed you again resulted in the first ever opening of the Northwest Passage.

In 2007, the winter thickness of that sea ice diminished by a record 19 percent in one winter, and scientists fear if the glaciers of Antarctica and Greenland melt at the same time, sea levels could rise by 20 feet. People say: Oh, that cannot possibly happen. I tell my constituents when they come: If you live near a beach in California, imagine what happens if the worldwide sea levels move up by 20 feet? In fact, some of this movement is already being felt in some of the Southern Pacific Islands, with people even making arrangements to move from those islands.

In California we have seen a dramatic increase in catastrophic wildfires. I have spoken about that on the Senate floor. I have spoken about it to my ranking member. We have spoken about it in committee. We believe this bill meets the challenge because for the first time it funds the fire suppression needs of the Forest Service.

But in the last 5 years, wildfires have burned more than 10,000 homes in California alone. Scientists now are predicting a 70- to 90-percent diminution of the Sierra snow pack. This is important because the Sierra Nevada Mountains provide the water for most of California. As a matter of fact, it provides the water for two-thirds of the State. That water could be lost due to climate change. At the same time annual rainfalls are decreasing, and the State's forests are burning up like never before. Here is the point: Can this warming be stopped? I have read a lot about it. I have talked to many people. I have talked to scientists I respect very much. What they tell me is it cannot be diminished, but it might be able to be controlled.

The reason for this is that carbon released into the atmosphere does not dissipate. It has remained in the atmosphere since the beginning of the industrial revolution. So as carbon begins to pile up in the atmosphere, it creates the warming, and it also creates the potential catastrophe.

So what do we do? We need to begin by reducing emissions of carbon, and that is pretty clear now. I have seen no serious science that diminishes this at this point in time. Instead, what they tell me is that we need to reduce emissions by 65 to 80 percent below 1990 levels, and all by the middle of this century.

That translates to a goal of 450 parts per million of carbon dioxide in the atmosphere. So I think, as Senator ALEXANDER alluded to, there is no single policy we can implement to curb our Nation's emissions, no silver bullet. Rather, we need all the tools available, and this includes laws designed to protect the public from dangerous air pollution like the Clean Air Act.

Global warming is real. It is happening today. It is being charted by our satellites. It is being charted by our scientists. It is being charted by those of us in this body, and I think the real key is if we are ready to admit that fact and take the action to make the necessary conversion.

The Senator from Tennessee just spoke, I think eloquently, about the merits of nuclear power. I am one who believed originally that the human element and the waste element was such that it was not a viable alternative source. I no longer believe that. I think it is a viable alternative source, if we can fix the permit process that enables state-of-the-art nuclear technology to be built in a relatively short period of time.

The yield from a nuclear plant, as we know, of clean energy is very large indeed. So that is a positive thing. We are debating now the placement of solar facilities: where they should go, how big they should be, and this is cutting edge for us. We have talked about it. I have indicated my concern about projects that are too big, like 20 square miles in pristine areas of the California desert that we have been trying to protect with public funds over time.

We have learned that the largest solar facilities are perhaps 250 megawatts. So if you have them way up to 800, 1,000, this is without precedent. So we need to discuss if this is wise. If so, where should they be? What is the upside? What is the downside? Do they require new transmission corridors or are our existing transmission corridors adequate?

So I think these are the kinds of discussions that are most fruitful, how we

deal with the present circumstances. I hope that more Members of this body recognize it is only a question of time.

I remember the days when there was never a funnel cloud off the coast of California. Now people report that they see funnel clouds off the coast of California. Of course, one of the results of global warming is volatility increases of weather patterns. Raindrops are bigger, more volatile. Hurricanes, tornadoes are more volatile. We have to begin to deal with that.

There are people who believe the Earth is immutable, that the Earth will not change. Again, as I go back and read the literature and go back 255 million years, what is posited is that there was effectively one land mass on Earth and, geologically, that can be shown today. Yet various events have broken up the land masses. Volcanic activity that produces some of the greatest mountain ranges in the world also is believed to be responsible for the separation of the continents millions of years ago. I don't know, but this is much of what we see as we read some of the scientific material.

I do not believe the Earth is immutable. That is what has been so interesting about foraging into Mars to try to see if Mars ever, in fact, had water on it. Time is infinite. Therefore, one never knows when the planet Earth was born, what it was like when it was born, how it has changed over the millennia. One thing we know in the instant of this millennia we share, we have a problem, and we have to solve it.

I thank the Senator from Tennessee for bringing to the debate what is a valuable alternative source of energy that should be continued, just as wind, just as solar, just as biofuels, and just as moving away from the internal combustion engine into hydrogen, electricity, those things which can guarantee our future.

The one thing that is frightening about all this is we will not do it fast enough and we will not do it in a way that is able to stop the climate change which is now taking place, halt it. We can't reverse it but halt it. The time has come for the United States to take a leadership role. We have a big conference at the end of the year, which we have briefly discussed, where nations will come together and where they will look at the United States and say: You are the wealthiest country on Earth. You have 5 percent of the population, but you use 25 percent of the energy. Therefore, you have an obligation to lead. Certainly, the Chinese will believe this, although, as the Senator has pointed out, the Chinese have rapidly overtaken the United States in their release of global warming gases. But certainly India looks to us as well. So China, India, the big developing countries that so impact the release of global warming gases, it is very important that our President stand tall, that the United States stands tall and that we are willing to offer real leadership to the world.

Whether this happens remains a cipher, but I very much hope and pray it does.

I thank the Senator from Tennessee for his remarks. I am happy to make this small addition.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I congratulate the Senator from California. She is characteristically balanced in her approach and passionate about it which becomes a former mayor who is accustomed to making practical decisions. We have all had to change our minds about some things as we go along. There is in this body an entire range of views about climate change. Some are about ready to jump off the cliff. Others believe it is a complete hoax. That is probably the way it is in the country today among a variety of views.

My own view is that if I had this much information about my house probably catching on fire, I would buy some fire insurance. What we need to do in the Senate is say: Yes, it is a problem, and we are helping to cause it. What makes the most practical sense for dealing with it in a rapid way without running our jobs overseas where they are looking for cheap energy?

There are a variety of ways to do that. I totally agree that renewable energies are an important new source, but we need to be smart about it. One way to be smart is intensive research. We may find a way to make solar power a fourth the cost of what it is today. Then we have rooftops instead of thousands of square miles of thermal powerplants we can use. We may find cost effective ways to recapture carbon from coal plants. That would be a blessing not only for us but for the world because it would mean low-cost energy without polluting the world. It is important to recognize that the Obama administration's chief scientist, Dr. Chu, the Nobel Prize-winning physicist, says unequivocally that nuclear power is safe and used nuclear fuel can be safely stored onsite for 40 to 60 years, while we have a mini Manhattan project to find the best way to recycle that used nuclear fuel, most likely in a way that doesn't produce highly enriched uranium of the kind that causes proliferation concerns.

So the two questions often raised regarding nuclear power—what to do with the waste and is it safe. The chief scientist in this administration says those concerns aren't a problem. If that is the case, then nuclear power has to be a big part of the solution.

I am delighted I had a chance to hear the Senator speak on climate change. I hope, as we talk more about this over the next several months, we can agree on a consensus and permit the President to go to international summits and show the United States is actually leading.

Mrs. FEINSTEIN. Once again, Mr. President, I thank my colleague, the ranking member, the distinguished Senator from Tennessee, for his comments. I agree with him.

The floor is open. We are going back and forth using the time, but I don't want Members to believe that if they come to the floor to offer an amendment, we will not promptly hear their amendment. The floor is open. So, please, if you have an amendment, come to the floor. The filing deadline is in 36 minutes. Hopefully, we will know what we are facing in about 36 minutes. We would like to move this bill and move on to Defense appropriations.

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. CHAMBLISS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

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

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

RECOGNIZING ANGEL FLIGHT AND MACK SECORD

Mr. CHAMBLISS. Madam President, I rise today to recognize the great work that is done by the Angel Flight organization and, in particular, one of its Georgia members, Mack Secord. In the world of nonprofits, Angel Flight stands out for its determination to bring those in need lifesaving medical care. In a world of dedicated volunteers, Mack Secord stands out for coupling his passion for flying with his passion to help his fellow man.

Angel Flight's creed is that the cost of travel should never stand in the way of patients receiving necessary medical care. Through a network of volunteer pilots, Angel Flight specializes in flying those in need to medical facilities at distant locations.

In Georgia, we are proud that the DeKalb Peachtree Airport in metro Atlanta is home to Angel Flight, the original volunteer pilot organization serving those who live in or traveling to or through Georgia, Alabama, Mississippi, Tennessee, and the Carolinas.

Since the year 2000, Angel Flight's missions of hope have increased more than 760 percent. Last year, these generous volunteer pilots flew 2,266 missions, serving patients with 167 different medical conditions who ranged in age from newborn to 100 years old.

In some of our Nation's most trying hours, the pilots and coordinators of Angel Flight were there. In the aftermath of 9/11, they transported relief workers, firefighters, Red Cross personnel, and FBI agents to New York and Washington when commercial air traffic was grounded. They served as first responders during Hurricanes Katrina and Rita, flying 450 relief missions that carried supplies, medical equipment, and volunteers into disaster areas, and reunited families separated by the storms.

In recognition of the service of its volunteers, Angel Flight received awards from the Red Cross and the National Aeronautic Association.

One of Angel Flight's dedicated volunteers is Mack Secord of Atlanta. Simply put, Mack's life has always been about service. He is one of the original 15 pilots of Angel Flight of Georgia. But before he found his calling transporting adults and children to hospitals, burn centers, and cancer treatment facilities, Mack had another calling: his country. Mack spent 42 years as a pilot in the U.S. Air Force. For 5 of those years, he served as the Air Force's senior spokesman at the Pentagon.

Flying and helping others have always been Mack's twin passions. In 1964, while in the Air Force, he participated in a daring humanitarian airlift in the Congo that saved more than 2,000 people who had been taken hostage. For his efforts, Mack and his colleagues received the prestigious Mackay Trophy awarded by the Air Force for the most meritorious flight of the year.

Since 1985, Mack has donated his time, his Cessna 180, and the cost of his fuel to Angel Flight. On his first mission, he picked up a little boy in Columbus, GA, who had terrible burns on his face and body from pulling a frying pan off a stove. Mack says he didn't know burn patients require continuing treatment. He said:

> I realized during the first flight that this was an important service and that I could make a difference.

Mack is a one-man cheering section for Angel Flight. He spreads the word to the Lions Clubs, Kiwanis Clubs, Rotary Clubs, pilots associations, schools, churches, and anyone who will listen. He jokes that he will give his 20-minute PowerPoint presentation to any group of people who will sit still. This remarkable man also volunteers at the Hartsfield-Jackson Airport USO, works at the Atlanta Community Food Bank, and participates in a program to read to the blind. But his first love is flying.

Last August, Mack received the Wright Brothers Master Pilot Award from the FAA to commemorate 50 years of flying without accidents, incidents, or violations. In October, Mack was given the first-ever Lifetime Achievement Award from Angel Flight, marking his 23 years of service. Fittingly, it will be renamed the ''Mack Secord Award.'' Just this month, Mack was honored with the National Aeronautical Association's Public Benefit Flying Award for decades of going above and beyond as a volunteer pilot, bringing lifesaving medical care to families in need. This recognition couldn't come to a more deserving organization than Angel Flight, nor to a more deserving individual than Mack Secord.

On behalf of those who need help, thanks to Angel Flight, and to Mack Secord, for letting your passion for service take flight and for making hope soar.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to share a few thoughts about the process we are going through and the impact it is having on spending by the U.S. Government. We are at a rate that everyone agrees is unsustainable.

Worse than that, I think it is irresponsible, and we do not need to be doing the things we are doing now. I object. The ramp-up in discretionary spending for the appropriations in fiscal year 2010 is unprecedented. We know we have the biggest deficits we have ever had in the history of the Republic. Now we are passing more appropriations bills that will take effect next year that will have unprecedented spending levels. For example, the agriculture bill; I have always tried to support Agriculture Appropriations in the Senate. I have not always been able to do so. It had an increase of 14.5 percent. At that rate, spending on agriculture will double in 5 years. The average increase in agricultural spending, compounded over the past 7 years, from 2003 through 2009, was just 2.1 percent. So we have 14 percent.

Now we have the Interior and EPA funding and their increases this year in the bill before us today, which is 16.6 percent. What is inflation? Two percent or less. That is a 16-percent spending increase in 1 year. At that rate, spending for Interior and EPA would double every 4 to 5 years. Within this bill, the increase for the EPA is 33 percent. I guess that would double in 2 to 3 years. Since EPA was added to the Interior financing in 2006, it is difficult to compare—at least prior to that. However, we have added EPA funding to the Interior funding to get a comparison over previous years. The average annual increase in Interior-EPA Appropriations, from 2001 to 2009, is 1 percent but this year 16.6 percent. And we have the largest deficit in the history of the Republic this year.

When we pass a stimulus bill that is huge, in terms of additional spending, that is not being counted in what I am making reference to today.

We also passed the Transportation HUD bill, commonly called the THUD bill. Looking at its configuration for the past 3 years, we are able to conclude how that developed. From 1995 to 2009, we have seen a 5.2-percent average increase in discretionary spending—5.2 over the last 8 years. This year, what do you think it is? It is 23 percent. At a 23-percent rate, spending for highways in America would double in 3 to 4 years.

Why is this important? Let me back up one more time and mention the stimulus package. We passed, this year—the President insisted on it, and he was able to force it through—an $800 billion stimulus package. It was supposed to be to fix our crumbling infrastructure, our highways and bridges. Did you know only 4 percent or less of that $800 billion went to highways and bridges? That was a flimflam. The number I am talking about in the basic highway budget we passed, I guess, a few weeks ago, that bill has a 23-percent increase, in addition to the money they got out of the stimulus package.

To show you how large that $800 billion is—the stimulus package—spending only 4 percent on highways increased the Federal highway funding by about 40 percent. It may be more. You can say: Well, Jeff, the economy isn't doing well, so we need to spend more money. I submit that we are spending money to a degree that it is putting a cloud over the future of our Nation, and people who are involved in finance and investment and business are worried not about what is going to happen in the next year but about what is going to happen in the next 5 to 10 years. How can we sustain something that is unsustainable? The administration said this cannot be sustained and Democratic Senators have said it. Certainly, I say it.

In 2008, the entire national debt from the beginning of the founding of our Nation through 2008 was $5.8 trillion. According to our Congressional Budget Office, which I believe is a fair and impartial group, they calculated the President's budget and what it would mean to the deficit. They concluded that in 5 years—and the President submitted a 10-year budget—that would double to $11.8 trillion. That which we took over 200 years to accumulate—$5.8 billion—would be doubled in 5 years. By 2019, 10 years from now, it would triple to $17.3 trillion in debt.

The road we are on today will triple the national debt. I am not making up these numbers. These are the Congressional Budget Office numbers. It is stunning. In fact, it is based on the assumption that unemployment would top out at about 8 percent. What are we moving to now? About 10 percent. It also assumed a vigorous bounce-back in economic growth next year, which it doesn't look like we are going to get. So the results of those numbers can be worse than it appears here because the economy isn't coming back as rapidly as we would like it to.

It is hard to figure this. Some might say: I am unable to understand this, Sessions. How much money is this? A trillion dollars doesn't mean much to me.

Well, we spend less than $100 billion a year on education now. We spend about $40 billion on highways. Do you know how much we spend on interest on the debt? People think you can just print the money, and that is not what happens. We borrow. We sell Treasury bills and notes; people buy them and we have to pay them interest. Right now, interest rates are pretty low. It is expected those interest rates are going to increase from the financial sector on Wall Street, and the CBO, which calculates these numbers—everybody assumes the interest rates will go up some. How much, we don't know. They took a moderate increase in interest rates.

In 2009, this year, the interest on our debt is expected to be $170 billion. That is going to go up every year. Why? Because the deficit this year is going to be about $1.8 trillion. We have never had such a deficit in the history of the Republic. Last year, we had a $450 billion deficit, the largest deficit in the history of the Republic. This year, it will be $1.8 trillion. What does that mean? We have to borrow that money.

Over the 10-year budget window, as assumed by the CBO, the deficits will never fall below $600 billion. In fact, it will average over $900 billion—almost $1 trillion a year. That is how you get to $17 trillion after 10 years. So we have to borrow that money in the world marketplace. Countries such as China bought huge amounts of our Treasury. We pay them interest on that money. What does this mean over the 10 years? I think this can help the American people understand how sizable this debt is.

As I noted, we spend $100 billion on education federally and $40 billion on transportation. This year, 2009, we spent $170 billion on interest. In 2009, under the red line here on the chart, it will be $799 billion—$800 billion—money that we used to be in a position to do things with, such as build roads and do other things the Nation needs. That is now going to have to be spent every year—$800 billion—to pay interest. That is why Alan Greenspan, Wall Street experts, Ben Bernanke, and others have said this is unsustainable; we cannot continue this course.

What do we get from the Appropriations Committee and the Senate leadership? We get an Interior bill that increases funding 16.6 percent. That is not acceptable. That is simply too much spending. As I indicated, a lot of money is being pumped into Interior and environmental appropriations from this $800 billion stimulus. I am not counting that. This is baseline spending. So next year, if somebody in this Congress were to have an epiphany and become frugal, and we cut the budget and don't increase it a bit, what will be the average increase over 2 years? It would be 8 percent. That is totally unacceptable.

In the last 3 years, spending for interior and the environment, 2007 had a 5.6-percent increase; in 2008, a 3.7-percent increase; last year, minus 2.9. So you are averaging far less than that. This is a thunderous increase in spending in this Appropriations bill. I cannot support it. There are a lot of good things in this legislation, and I would like to support it. But I will not vote for a bill that increases discretionary spending by 16 percent.

Has anybody been in a townhall lately and talked to their constituents? How concerned are they? They think we have lost our minds up here. Have we not? Is the message not getting through? Look at this highway bill—a 23-percent increase in HUD and highway spending. It is 23 percent, and that doesn't include the stimulus money, which amounts to a 40-percent increase on top of that. This is baseline spending. When you put it in the baseline and do not make it an emergency, stimulus spending, you have created momentum for continuing increases in the future. How many people think we are going to cut spending for next year? How many people think we will have spending for HUD and transportation that will be below or equal to the inflation rate?

Unless the American people get heard soon, we will have another budget with a big increase. We have never seen 23 percent and those kinds of baseline expenditures before. I don't want to go on anymore at length. I don't want to vote against these bills. I would like to vote for the good things in them. But we have to simply recognize what we are doing is unacceptable. The American people are furious with us. They are rightly furious with us. We need to get our act together. When we had a shortage, one of the most significant votes I recall we took—it was so irresponsible—was when Senator VITTER, from Louisiana, offered an amendment that said the shortage in gas tax revenue that we find with the highway bill, that should be made up by taking money from the stimulus package. That had been unspent—$800 billion. If it only takes $20 billion or something such as that, that is what the bill was supposed to be for—crumbling infrastructure. He proposed that and it was voted down. Why? Because they did not want to take a dime out of the $800 billion stimulus bill, even if it was not spent, and they wanted to fill that gap with more debt. Since we are already in deficit, to find another $20 billion or so to complete the highway bill over the next year or two, we just have to increase the debt. That is what we have been doing. It is an unsustainable course.

I urge my colleagues to begin to say no. Let's vote no on this legislation. Let's start sending the American people a message that we hear their concerns, we know their concerns are legitimate and right, and it is time for us to be responsible.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. McCASKILL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. McCASKILL. Madam President, I understand I cannot call up an amendment right now because of the rules that are currently in place, but I wish to speak about an amendment I will be offering at a later time when the rules permit.

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

Mrs. McCASKILL. Madam President, the amendment I will be offering speaks to what I see as a very fundamentally flawed process in our appropriations in Congress. I am not in the majority in this body as it relates to the subject of earmarks. I realize I am one of very few in my party and a few more but not a whole lot on the other side of the aisle who do not participate in the earmarking process.

I hope my amendment is calling attention to how this process is flawed and why we need to change the process. There are many problems with the process, but two of them I am going to speak briefly about today.

One, the process is fundamentally unfair. It is rather mysterious how much money gets set aside for earmarks and who does it and where it happens. It is even more mysterious as to how the decision is made as to how the earmarks are distributed among the Members.

I point out that in looking at the appropriations bills that we have handled so far, it is very clear that the process is heavily weighted toward the Members who serve as appropriators. I get that. That is part of the culture that has grown up around earmarking; that is, if you are an appropriator, you are entitled to get more. I am not sure that is a good way to spend public money, but I think it is important to point out that is the process.

Fifty percent of all the earmarks in this bill are going to the members of the committee. Last week, it was even more egregious. I don't think most Members realized when we voted on the T-HUD bill, the Transportation, Housing and Urban Development bill last week, that in the Transportation part of the bill, there was $1.6 billion in earmarks. Over 50 percent of that money went to four Members, four States. So out of 50 States, four States got more than half of all the money. Well, when I tell that to people in Missouri, they say: Huh? How does that happen? How can that happen? And I frankly don't have a very good answer for them.

The other problem I wish to call to the attention of my colleagues today is not just the process as it relates to how earmarks are distributed but where these earmarks come from. This money is not growing on a secret tree somewhere that we are harvesting. It is coming out of programs. It is coming out of budgets. One of the things I found most troubling is that many of these earmarks are coming out of competitive grant programs or formula grant programs.

Formula is a formula because there is a way that is predictable about how the money is distributed—based on the size of the State, based on population; depending on the program, based on geography. It is a formula everybody understands. Taking money out of a formula to fund earmarks takes it from a predictable process based on merit to a very unpredictable process based on who you are.

The same thing with competitive grant programs. Competitive grant programs are ones where merit is supposed to rule the day based on criteria

set forth. The amendment I will offer basically wipes out the earmarks in one of these competitive grant programs. The program I am referring to is a great program—it is called Save America's Treasures. It was created by executive order in 1998. It is a public-private partnership, and there are specific criteria as to what a project has to have in order to qualify for this money—$20 million.

This is a small example. I admit this is not going to change anything, as we keep talking about bending the cost curve, but it is a great example of what I am talking about. It began as a competitive program and it has begun to morph into something more than a competitive program because now half of the money this year will be earmarked, leaving only $10 million for a competitive program.

So if your State doesn't get an earmark, either in the House or the Senate, in the bill, then the chances of your State getting any money out of this program have been cut in half. It is only $10 million for the entire country for these grants which are to restore America's historic treasures across the country. That is a problem.

Is this an isolated problem? No. No. In fairness to this subcommittee, this is a little problem compared to some of the other competitive grant programs that have been raided for earmarking. The hijacking of public money for earmarking from the competitive grant bus is going on everywhere, and let me give another couple of examples.

Last week, when we did the Transportation, Housing and Urban Development Appropriations bill, there were two good examples. They are programs that began to provide competition to valued programs across the country. The first one is the Neighborhood Initiatives at HUD, the Housing and Urban Development Department. In 1998, Congress created this program. The interesting thing is it was created to help people who were doing welfare-to-work projects. Great intentions; great program.

Ironically, HUD began granting these awards to people based on the competitive criterion that Congress had given them. Congress passes the program, funds the program, and tells HUD these are the competitive bases on which you should make these grants. There were no earmarks in the program at all in 1999—none—after Congress created the program. Beginning in 2001, however, every dime in this program under the Neighborhood Initiatives Program has gone to earmarks. Once again, a competitive merit process morphs over into a completely earmarked process.

How about another example of a program—the Economic Development Initiative, also in HUD. Congress introduced the program in 1994; once again, a congressional program. Funds were to be awarded competitively, and for the first couple of years they were. EDI funds were awarded competitively. Congress started earmarking the account beginning in 1998. By 2001, the entire account was earmarked. So Congress began it as a good idea, and said do it competitively. By 2001, competition was gone.

Ironically, the statute that sets out the criteria for competitive EDI is still on the books. It is still in the law, but we no longer follow it because there has been a decision to morph that competitive program into an earmark program. I think that competition is a good thing, and this isn't about a bureaucrat somewhere sprinkling fairy dust and supplementing their judgment for the judgment of Congress.

In fact, the examples I have given are programs that were designed to be competitive, and in two or three instances they were designed to be competitive by Congress itself and then somehow they have morphed over into a pecking order of priorities based on someone's seniority or the committee they serve on, or even if they are in some political trouble. It seems to me a goofy way to spend money, especially the public's money.

I ask my colleagues to consider this amendment. All it does is restore the program to a competitive basis and allow every State to compete on the same basis for the money in that competitive program. When the time is right, I will call up the amendment, once the rules allow me to do so.

I yield the floor.

Mrs. FEINSTEIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DORGAN. Madam President, I have consulted with the manager and the ranking member, and I ask unanimous consent to speak as in morning business for 10 minutes.

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

HEALTH CARE

Mr. DORGAN. Madam President, there is now underway—beginning yesterday in the Finance Committee—a discussion about health care reform. It is complicated, controversial, difficult, but important. I know they are working hard to try to figure out what they might do to see if they can put some downward pressure on health care costs and also to extend coverage to those who don't have health coverage.

There has been a lot of generous discussion on the floor of the Senate. We have had a so-called Gang of 6, now there is a gang—a larger number—of the Finance Committee members, and soon there will be a gang of 100 Senators who are trying to consider what to do about health care issues. We have had people come to the floor of the Senate to say there is a proposal for a government takeover of health care. I don't support that. I don't believe anybody has proposed that but, nonetheless, we have had people come to the floor of the Senate saying that is what is being proposed. I don't support a health care reform plan that lifts the ban on using Federal funding for abortion services. I don't support government rationing of health care. I don't believe that has been proposed, although it has been alleged it has been proposed. I don't support providing health care benefits to those who have come to this country illegally. And I don't support doing anything that undermines Medicare for the elderly or in any way diminishes or undermines VA health care.

All of these have been discussed by people who have trotted over to the floor of the Senate to make allegations about thing one or another. At some point we will consider and vote on the floor of the Senate on legislation that I think meets the interests of this country, meets the test of being in the public interest, and does not represent a government takeover of health care. But having said that, let me make a point that one of the things that has not been adequately discussed, but will be, is the issue of price increases for health care—cost increases—and especially that portion that relates to prescription drugs.

Let me be quick to say with respect to prescription drugs that the pharmaceutical industry plays a very important role in this country. The development of prescription drugs some with private investment funding in research and development by the pharmaceutical industry, some is a result of what we spend in public funding through the National Institutes of Health and then make what we have learned available to these companies—all of these in my judgment benefit this country and reflect the public interest.

The relentless march of increased costs of health care in virtually all areas includes the increased cost of prescription drugs, and the question is: What do we do about that? There is very little discussion about it, but I want to talk about it for a couple of minutes today.

I have introduced—for some number of sessions of the Congress now, along with my colleague on the other side of the aisle, Senator SNOWE—a piece of legislation that has had broad bipartisan support. It includes the late Senator Ted Kennedy as a cosponsor during this session of the Congress. It includes Senator Barack Obama as a cosponsor in the last Congress. It includes Senator JOHN MCCAIN, Senator JOHN THUNE, and Senator GRASSLEY. It is bipartisan and has had very broad support. Yet we have not been able to get it through the Congress because it is controversial. Let me describe what it is. It is legislation that tries to put some downward pressure on the escalating prices of prescription drugs.

I understand it is legislation that causes great concern to the pharmaceutical industry. I understand that because they price prescription drugs in this country the way they want to price them, and the way they want to price them is for brand-name prescription drugs we pay the highest prices in the world by far, not even close.

I have a pretty good description of that in my desk. These are empty bottles. Let me ask unanimous consent I be able to show them on the floor of the Senate.

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

Mr. DORGAN. These are bottles in which Lipitor is deposited. It is made in Ireland. The company which makes Lipitor, which is the highest selling prescription drug for the control of cholesterol of any drug in the world, I think—it is very popular.

As we can see this drug is made in a factory in Ireland and then sent around the world. This is actually the same bottle—one is blue and one is red. But this was sent to Canada and this was sent to the United States. The only difference is that in the United States, if we buy a tablet of Lipitor in this order, we pay $4.48, and the Canadian consumer pays $1.83.

It is not just the U.S. versus Canada. It is the U.S. price versus prices almost anywhere. Again, the same drug put in the same bottle in a plant sends medicine around the world to Germany, Italy, Spain, France, England and, yes, Canada and the United States, and what is the difference? There is no difference. It is the same pill put in the same bottle. The difference is price. We get to pay double what most other people in the world pay for Lipitor. Fair? Not as far as I am concerned. It does not make much sense to me.

How do we make that stick? We make that stick by saying to the American people: You can't purchase that same FDA-approved drug when it is sold in other parts of the world. You can't purchase that for half the price because we will not allow you to bring it back into this country because we are worried, the pharmaceutical industry says, that counterfeit drugs would come into the country.

Let me talk just a bit about that. When I say this, I don't want anybody to believe our drug supply is unsafe, but I do want to say this: 40 percent of the active ingredients in U.S. prescription drugs currently come from India and China. I am going to talk about that just for a minute. I am saying this because the pharmaceutical industry continues—including yesterday as a result of stories about this—continues to say if we pass the legislation that a broad bipartisan group of us want to pass, that gives the American people freedom—yes, freedom; the freedom to purchase the identical FDA-approved drug from wherever they choose to purchase it—they say if we do that we undermine the safety of prescription drugs, there are counterfeits, and so on—safety.

Forty percent of the active ingredients in prescription drugs come from India and China. Last year the Wall Street Journal did a very large story and did some first rate journalism, I might say.

> More than half the world's heparin, the main ingredient in a widely used anti-clotting medicine, gets its start in China's poorly regulated supply chain.

So ingredients go into medicine that comes into this country, heparin in this case. Let me describe the photographs in the Wall Street Journal. They went to find out where the heparin came from.

Here is an example of a man using a tree branch to stir a caldron of material coming from pig intestines that becomes heparin, from which the ingredient for heparin is extracted. You can see the kind of facility this is; uninspected, by the way. Never inspected. Pig intestines coming out of this machine. These are Wall Street Journal photographs, not mine, that describe heparin, the active ingredient, heparin, originating in this sort of unregulated area in rural China.

The industry is saying to me if we pass legislation that requires batch lots and pedigrees and controls, manufacturing controls on anything that comes in, and chain of custody, somehow we would injure the safety of the drug supply? Come on, that is not the case at all.

In fact, what we will do with the legislation that we have created is dramatically improve the safety of all of our drug supply because of what we provide for the FDA and what we require to be done to assure the safety of the chain of custody for the drug supply.

Dr. David Kessler, former head of the FDA, says this about our proposal. The Dorgan-Snowe bill ''provides a sound framework for assuring that imported drugs are safe and effective. Most notably, it provides additional resources to the agency to run such a program, oversight by the FDA of the chain of custody of imported drugs back to the FDA-inspected plants, a mechanism to review imported drugs to ensure that they meet FDA's approval standards, and the registration and oversight of importers and exporters to assure that imported drugs meet these standards and are not counterfeit.''

The question is this: It is not whether the pharmaceutical industry is a good industry—it is. It is not whether it does good things for our country—it does. I have supported the pharmaceutical industry in many ways. I support the research and development tax credit from which they benefit. I have always supported that. I am very interested in driving more research, so I support that. I have written that I would even support an increase in the patent period in cases where it takes them longer than it should take to get their product to market. They do have a point about that. I am not interested in injuring anybody, especially this industry.

I do think, however, if we are going to talk about how to deal with the relentless march of increased health care costs, we cannot ignore the increased costs of prescription drugs.

The pharmaceutical industry and the White House had announced a deal by which the pharmaceutical industry would contribute $80 billion over 10 years to help pay for what they had described. Basically, it is providing a benefit to help partially fill the so-called doughnut hole—I know this is Washington jargon—for senior citizens in Medicare; to partially fill that it provides rebates for purchases of brand-named drugs.

I think that is fine. But that is not a proxy for trying to restrain the relentless increase in the cost of prescription drugs in this country.

In 2008, the average price increase for the most widely used brand-name prescription drugs was 8.7 percent, more than twice the rate of general inflation. The fact is, if we go back we see what has happened to the cost of these prescription drugs in our country. It is up, up, and way up, and too many people are having to determine whether they purchase their medicine or buy their groceries, or purchase their medicine or pay their rent. I think there are ways for us to address it.

My colleagues and I are offering legislation when a health care bill comes to the floor of the Senate. We are going to offer legislation that will be the Dorgan-Snowe bill with, I think, somewhere around 30 cosponsors or so, that is very simple. It simply provides the freedom for the American consumer to purchase the FDA-approved drug where they choose to purchase the drug, and we outline the countries in which there is a nearly identical chain of custody to the chain of custody we have in our country for prescription drugs, then provide the resources for the FDA to monitor and to deal with that.

Second and most important, we provide requirements for pedigrees and batch numbers and lot numbers to be able to trace back prescription drugs.

One of the things we discovered with the heparin issue is we couldn't trace it back to find out where it came from. That does not make any sense to me. We do need legislation, in my judgment.

I received a letter from a woman in North Dakota a while back. She is suffering from fibromyalgia. She had the disease 20 years and tried many different treatments. The disease impairs her cognitive skills and causes her fatigue every day, and she is trying a new drug that she says helps with the fatigue and her concentration. She said:

> I have taken my first pill now and noticed improvement immediately, but the drug costs $348 a month, $11.60 a pill, so I am going to have to try to find a way to work despite the fact I really can't work in order to pay this drug bill.

She says:

> Byron, I am beat up but I ain't used up. This pill could be the difference between

working and filing for Social Security disability. Is there some way that people can afford this drug which doesn't yet have a generic version? Is there some way to put some downward pressure on prices?

The answer is yes, there is; legislation we introduced in the Senate. The Congressional Budget Office says this saves $50 billion, I believe it is, in 10 years, a $50 billion saving, and $10.6 billion of that is savings to the National Government. The National Federation of Independent Business—and I will ask unanimous consent to have this printed in the RECORD—the NFIB has just written, September 21, 2009, saying:

On behalf of the NFIB I would like to express our support for S. 1232, the Pharmaceutical Market Access and Drug Safety Act of 2009. . . .

It is signed by Susan Eckerly, the senior vice president of public policy.

Madam President, I ask unanimous consent that a copy of the NFIB letter dated September 21, 2009, be printed in the RECORD.

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

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
Washington, DC, September 21, 2009.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.

Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATORS: On behalf of the National Federation of Independent Business (NFIB), I would like to express our support for S. 1232, the ''Pharmaceutical Market Access and Drug Safety Act of 2009.'' This bill would allow for the importation of prescription drugs while ensuring that appropriate safeguards are in place to protect the integrity of imported medications. Importation offers a means of reducing one of the most rapidly rising healthcare costs facing consumers today: spending on prescription drugs.

This much-needed bipartisan legislation comes at a critical time for men and women in the small business community struggling with the ever-increasing cost of healthcare. Small firms pay an average of 18 percent more than their larger counterparts for the same healthcare benefits and are continually seeking out ways to lower their healthcare costs. With U.S. prescription drug spending expected to increase over the next decade, it is clear that the small business community must pursue viable opportunities to improve affordability and access to healthcare goods and services. The Congressional Budget Office has estimated that this legislation could result in a direct savings of $50 billion. Those savings could provide some much-needed and long overdue relief to small business.

The ''Pharmaceutical Market Access and Drug Safety Act of 2009'' secures a framework for the safe and legal importation of prescription drugs. NFIB is pleased that your legislation includes specific requirements to ensure that every imported drug must meet U.S. safety standards. The benefits for small business are also achieved by allowing licensed pharmacies and drug wholesalers to import Food and Drug Administration-approved medicines for commercial purposes.

Providing access for the importation of prescription drugs enjoys broad support. Seventy-eight percent of NFIB members favor allowing individuals to purchase drugs from other countries—support that is affirmed by other public opinion research including a Wall St. Journal poll indicating that eighty percent of Americans support importation.

Thank you for your continued efforts to increase access to affordable healthcare for the small business community. We look forward to working with you on this important piece of legislation.

Sincerely,

SUSAN ECKERLY,
Senior Vice President,
Public Policy.

Mr. DORGAN. Many other organizations have supported this legislation. The reason I wanted to visit about it today briefly is to say that whatever is considered in the Finance Committee and then developed as between the Finance and the HELP Committees and brought to the Senate floor for debate when health care is debated on the Senate floor, I will intend to be here with my colleagues. I know Senator MCCAIN, Senator STABENOW, Senator SNOWE—many others will want to be here to offer this amendment at the front end of a discussion and debate on health care on the floor of the Senate.

This has been a long, tortured trail—too long, in my judgment—to get this done. I understand, as will have been the case in the past and likely will be the case this year, we will have people stand up on the Senate floor and oppose us, saying it is going to undermine or somehow compromise the safety of the drug supply. It is simply not true. All of the experts who have looked at this have said we have created something that will actually improve the safety of the drug supply coming into this country.

Let me describe it in the easiest and best way I know, and that is with a very popular prescription drug. Somebody once said so many people take this they ought to put it in the water supply. I guess I don't support that, but Lipitor is the most popular drug, medicine for lowering cholesterol, by far. There are others as well. I should not fail to name them, but I believe this is the biggest selling cholesterol-lowering drug. The American people get to pay twice as much for the same pill put in the same bottle as virtually everybody else in the world. I think that is not fair. I think it is not fair that the American people pay the highest prices in the world. It wouldn't happen if the American people had a little bit of freedom, and that is the freedom to purchase this prescription drug from a FDA-approved plant with pedigreed lot numbers in a supply stream or chain of supply that is judged safe by our FDA.

We will have this amendment, have debate, have a vote. My fervent hope is that this is the time. There is a time and place for everything. My hope is that at long last this is the time Congress will pass this kind of legislation.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Tennessee is recognized.

FEDERAL STUDENT LOANS

Mr. ALEXANDER. Mr. President, the pending business is the Interior appropriations bill. I know several Senators have amendments. If they would like to come and speak on those amendments, this is a good time to do that. Then, working with the Senator from California, who is chairman of the committee, we will try to move those amendments to a vote as quickly as possible. If Senators do come to speak on amendments, I will stop talking and give them the floor. But for the time being, I would like to say a few words about Federal student loans.

President Obama said the other day, in what I thought was a very perceptive comment, that he understood the health care debate and all its intensity is a proxy for a larger debate, and that is about the role of government in our society. What I and many Republicans believe and, I think, many Independents and Democrats, as well, in the State of Tennessee, and I suspect across the country—is that we have suddenly seen too many taxes, too much spending, too much debt, and too many Washington takeovers. The President says, and he is correct to an extent with this, that some of these Washington takeovers were not his fault, were not his doing. I suppose he would say that about some of the bank takeovers and the insurance company takeovers. I am not so sure about the takeover of the automobile companies or the takeover of the farm bonds or the proposal to take over health care. But here is a voluntary takeover that is absolutely unnecessary, is unwise, and the American people should pay attention to this.

This goes to the center of what the President said. If health care is a proxy for a debate about the extent to which the American Government ought to be involved in our society, then the proposal by the President to take over the entire student loan program and move it from the private sector into the government is a perfect example of what we ought not to be doing.

Let me speak first to the dimensions of this program. The United States has the best system of higher education in the world. One of the greatest aspects of it, one of the greatest contributors to its quality, is that we have a generous amount of Federal dollars which permit about half or more of our students to either get a Federal grant, which we usually call Pell grants, or a Federal student loan which follows them to the institution of their choice. So unlike our elementary and secondary schools, your Pell grant—your grant going all of the way back to the GI bill in 1944—can follow you wherever you go. That choice and that competition and that money have helped to create not just some of the best colleges and universities in the world but virtually all of them. Most observers agree on that.

The higher education system today is 6,000 institutions. These are the universities of North Carolina and Tennessee. That is what we might think of first, but there are also community colleges,

the 2-year schools. There are also nonprofit colleges. There are also the religious institutions—Notre Dame and Brigham Young and many others. So there are 6,000 institutions.

Last year, 4,400 of those 6,000 institutions used the regular student loan program. That is the one where you go to the bank, usually your community bank or local bank, and you get a student loan. And 1,600 schools, or about one-fourth, used the direct loan program, which was put in at the time I was Secretary of Education about 20 years ago, and you just go to the U.S. Department of Education and get your money. On the private side of it, which is what 3 out of 4 students choose, there are 2,000 lenders that participate in the program. This year, there are nearly 18 million loans to students and parents—18 million—and 14 million of them are in the regular student loan program, 4.5 million through the government. There was $86 billion of loans made. So the regular student loan volume through the private lenders was about $64 billion; the direct loan volume was $22 billion.

So all in all outstanding, $617 billion of volume for both programs, and the President has said we are going to take all of that and put it in the U.S. Department of Education. So what his proposal is, if you are one of the 14 million students today who are getting their student loans from their local banks, starting in January you are out of luck. You better line up outside the U.S. Department of Education with the other 19 million people who want a student loan and hope they can provide you with the same sort of service your community bank or lending institution or nonprofit organization in your area provides you today.

There is a lack of evidence to show that the U.S. Department of Education can do a better job of making loans than banks can. I used to work at the U.S. Department of Education. I was the Secretary. It is one of the smaller departments in government. The people there know a lot about education, but none of them really is running for banker of the year.

Arne Duncan is President Obama's Education Secretary. He is one of his best appointments. I would much prefer seeing him in Memphis working on charter schools or in Denver trying to find ways to pay outstanding teachers more or trying to help create a better system of colleges and universities or community colleges instead of trying to manage the problem of, how do I grant $100 billion in new loans to 19 million people every single year? How do I replace 2,000 private lenders?

Let me give you an example of what a private lender might do. In Tennessee, we have EdSouth. This is a nonprofit provider. Here is what they do. They had five regional outreach counselors to canvass Tennessee to provide college and career planning, financial aid training, college admissions assistance, and financial aid literacy. They made 443 presentations at Tennessee schools through college fairs, guidance visits, and presentations. They worked with 12,000 Tennessee students to improve their understanding of the college admissions and financial aid process. They provided training to over 1,000 school counselors so those counselors could work better with their students. They distributed almost 1.5 million financial aid brochures to Tennessee students and families. Will the U.S. Department of Education start providing those services, or will the 19 million students who want student loans simply line up outside the U.S. Department of Education or one of its offices somewhere and apply for a loan? I think I know the answer to that question.

According to the Department of Education, it costs them about $700 million a year to administer the loans they make today. That is for one-quarter of all the students. They estimate they can make those same loans to 19 million students at about the same amount of money. I doubt if that is true, which brings me to the point of the savings—the alleged savings of this program.

Senator GREGG and I—the Senator from New Hampshire, who is the former chairman of the Budget Committee, ranking member now—talked about the alleged savings in moving all of these loans from the lending institutions that make them to 19 million students today, to the U.S. Department of Education.

Senator GREGG received a letter from the Congressional Budget Office on July 27. I ask unanimous consent to have that letter printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 27, 2009.

Hon. JUDD GREGG,
Ranking Member, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR SENATOR: This letter responds to your request for an estimate of the change in federal costs, adjusted for the cost of market risk, that might result from enactment of the President's proposal to prohibit new federal guarantees of student loans and to replace those guarantees with direct loans made by the Department of Education The Federal Family Education Loan Program (FFELP) provides federal guarantees for loans made to students by private lenders and is the predominant source of loans for higher education; the Congressional Budget Office (CBO) projects that, under current law, guaranteed loans will account for 70 percent of all new direct and guaranteed student loans made over the next 10 years. Under the President's proposal, the Department of Education, through the William D. Ford Direct Loan Program, would provide federal support for student loans only by lending money directly to students.

In its July 24, 2009, cost estimate for H.R. 3221 (the Student Aid and Fiscal Responsibility Act of 2009, as approved by the House Committee on Education and Labor), which would incorporate the President's proposal, CBO estimated that replacing new guarantees of student loans with direct lending would yield gross savings in federal direct (or mandatory) spending of about $87 billion over the 2010–2019 period. (Mandatory spending is governed by existing provisions of law and does not require future appropriations.) About $7 billion of those savings would represent a reduction in the administrative costs of the guaranteed loan program, which are recorded in the budget as mandatory spending. In contrast, most of the administrative costs for the direct loan program are funded in appropriation bills and recorded as discretionary spending. Thus, of the $87 billion reduction in direct spending, roughly $7 billion would be offset by an increase in future appropriations for administrative costs, for an estimated net reduction in federal costs from the President's proposal of about $80 billion over the 2010–2019 period.

Those estimates follow the standard loan-valuation procedure called for in the Federal Credit Reform Act of 1990 (FCRA) The law specifies that the cost of federal loans and loan guarantees be estimated as the net present value of the federal government's cash flows, using the Treasury's borrowing rates to discount those flows; that calculation does not include administrative costs, which are recorded in the budget year by year on a cash basis (that is, undiscounted). The FCRA methodology, however, does not include the cost to the government stemming from the risk that the cash flows may be less than the amount projected (that is, that defaults could be higher than projected). CBO found that after accounting for the cost of such risk, as discussed below, the proposal to replace new guaranteed loans with direct loans would lead to estimated savings of about $47 billion over the 2010–2019 period—about $33 billion less than CBO's estimate under the standard credit reform treatment.

ESTIMATING SUBSIDY COSTS USING CREDIT REFORM PROCEDURES

To determine whether a proposal to change the federal student loan programs would lead to budgetary savings requires comparing the federal government's costs for the subsidies that the two programs provide. Those subsidy costs depend on the various cash flows of the direct loan and guaranteed loan programs, the interest rates used to discount those cash flows, and the programs' administrative costs.

FCRA calls for using a present-value subsidy concept—in what is otherwise a largely cash budget—to better compare the strikingly different patterns of federal cash flows under the two programs. In the direct student loan program, the federal government makes a large, one-time outlay for the amount of the loan (net of various fees) and then receives a stream of principal and interest payments over time. In the guaranteed student loan program, the federal government faces a more complicated set of payments. It does not disburse a principal amount (loans are disbursed by private lenders) but instead receives some up-front fees, makes a stream of subsidy payments (known as special-allowance payments) to lenders, partially compensates lenders for loans that go into default, and pays certain borrower benefits, in addition to various other receipts and payments.

FCRA facilitates the comparison of the budgetary effects of direct loans and loan guarantees by converting the net outlays for each program into a single lump-sum estimate of net costs (that is, the discounted present value of all cash flows). Those cash flows are discounted using the government's costs of borrowing—that is, the interest rates it pays on Treasury securities of comparable maturities. The resulting subsidy estimate is recorded in the federal budget in

the year of a loan's disbursement. Subsidies computed under FCRA do not include the government's costs for administering the loans; those administrative costs are recorded separately, on a cash basis.

Under the FCRA accounting rules, the guaranteed loan and direct loan programs have very different subsidy rates, and thus different budgetary costs, even though the programs result in very similar loans to borrowers. CBO estimates that over the 2010–2019 period, the subsidy cost for each dollar of a guaranteed loan will exceed the subsidy cost for each dollar of a direct loan by between 10 cents and 20 cents. Generally, in CBO's estimation, the direct loan program will have a negative subsidy rate (that is, the net receipts to the government on a present-value basis are projected to be greater than its disbursements), whereas the guaranteed loan program will have a positive subsidy rate (that is, a net cost on a present-value basis). The difference in subsidy rates under FCRA for direct and guaranteed loans occurs primarily because of certain payments made for the latter—in particular, interest payments made on behalf of borrowers for subsidized loans and special-allowance payments to lenders. The latter are made by the government to lenders in the guaranteed loan program to ensure that they receive a specified interest rate on their student lending. The difference in the programs' subsidy rates led to CBO's estimate that under the procedures specified in FCRA, enactment of the President's proposal (as included in H.R. 3221) would yield net budgetary savings of approximately $80 billion (representing $87 billion in mandatory savings and $7 billion in discretionary costs) over the 2010–2019 period.

ADJUSTING FOR RISK

The full value of the subsidy provided by the government's student loan programs depends on what students would have to pay to obtain loans in the private market without federal support. That cost depends on the riskiness of the loans. Estimates of subsidies that are made using the techniques specified by FCRA do not provide a comprehensive picture of the costs of loan programs, mainly because they do not fully account for the riskiness of the loans. That methodology, which uses yields on Treasury securities as discount rates, tends to understate the subsidy provided under each program; but it generally understates the subsidy costs of the direct loan program to a greater degree than it does those of the guaranteed loan program. Alternative estimates of the value of the programs' subsidies that might better reflect the costs they represent for the government would incorporate the estimated cost of the market risk that taxpayers bear through such lending—a cost analogous to the higher returns that private investors expect for making risky investments.

When conditions in the financial markets are relatively benign, as CBO assumes will be the case after the first few years of the 2010–2019 projection period, the private sector's pricing of student loans that do not carry a federal guarantee suggests that the cost of raising capital for such loans will be 2 to 3 percentage points more per year than the interest that the government pays on Treasury securities with comparable maturities. That difference reflects the risk involved in extending long-term, unsecured credit to an individual consumer; participants in private-sector loan markets generally demand a higher rate of return for bearing that risk. (Put differently, the cost of capital for the firms that make such loans will be higher than the rates on Treasury securities.) A private entity that issued or insured student loans would recognize that higher cost of capital by discounting its expected cash flows from the loans at that higher rate. (A private entity would also approach administrative costs somewhat differently, but administrative costs account for little of the difference between the costs of the direct and guaranteed loan programs.)

Applying a set of risk-adjusted discount rates to the cash flows from the government's student loans would raise the subsidy rates for both student loan programs, but the rate for the direct loan program would increase by more than the rate for the guaranteed loan program because of differences in the timing and riskiness of the estimated cash flows. CBO estimates that if projected savings for the President's proposal were calculated using risk-adjusted discount rates, those savings would be $47 billion over the 2010–2019 period—a difference of $33 billion relative to CBO's cost estimate for H.R. 3221 issued on July 24.

Although the use of subsidy rates that have been adjusted for the cost of risk generally improves the ability to compare the costs of financial programs, the approach does raise some concerns. As the recent financial turmoil has shown, risky assets, including student loans, can fluctuate wildly in value. Those fluctuations can lead to large changes in market-based estimates of subsidy rates for student loans from one year to the next. Quite similar assets may trade at widely divergent values for reasons that are difficult to establish. Nevertheless, CBO believes that risk-adjusted subsidy rates provide useful information about the cost of federal programs in terms of the value of the economic resources that are devoted to those programs. The Congress adopted the approach of incorporating the cost of market risk into budget estimates for the 2009 enactment of the Troubled Asset Relief Program (TARP). That approach requires that the costs of assets purchased under the program be estimated using a present-value approach that, except for its requirement of an adjustment for the cost of market risk, is similar to the way loans and loan guarantees are evaluated under the Federal Credit Reform Act.

I hope this information is helpful. If you have further questions, we would be happy to address them. The CBO staff contact for this analysis is Sam Papenfuss.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Mr. ALEXANDER. Senator GREGG basically asked: Is it true that if we stop making loans through private and nonprofit lenders whereby the Federal Government guarantees the loans and pays a regulated subsidy to the lender—if we stop that and start making all of them through the government directly, will we save $87 billion? And the short answer—if you want the long answer, the letter is available—the short answer is no, you do not save $87 billion; you are likely to realize $47 billion in savings over the next 10 years.

Then, in addition to that, we have to deduct for the—I see the Senator from Oklahoma. Is he ready to speak on his amendments?

Mr. COBURN. In a moment after we are set up.

Mr. ALEXANDER. I will be through in about 4 or 5 minutes. I welcome him and look forward to his comments.

Instead of saving $87 billion, we save $47 billion. Then we have to deduct the administrative costs. Remember, instead of making some of the loans, the Department of Education is going to make 19 million loans. The Department estimates it might cost it $7 billion over the 10 years to do that. Others think it might cost $30 billion. So the real savings—the real savings are either $47 billion or more like $20 billion or $23 billion in savings over 10 years.

In order to do that, of course, we are going to have to raise the Federal debt. We are going to have to borrow $1 billion a year for the next 5 years. So at a time when we are concerned that we are adding $9 trillion to the debt over the next 10 years, we are going to add another half trillion over 5 years so we can make student loans instead of doing it through private institutions.

Here is the real clincher. When you press and say: In order to make these loans, what is the real reason you think you can do this if the savings aren't really $87 billion but they are more like $47 billion or more like $23 billion over 10 years?

They say: Well, the real reason is the government can borrow money cheaper than the private banks can.

That is true. The government can borrow money at a quarter of a percentage point, and then it loans it to the students at 6.8 percentage points.

Well, my first point would be that I don't think the government ought to be making a profit by overcharging students for their student loans and then turn around and take credit for starting new programs. What the government is actually going to be doing is charging a student who has a job and is trying to get a student loan—is going to say: OK, we are going to borrow the money at one-quarter of 1 percent and loan it to you at 6.8, and then we are going to take that money and pay for your Pell grant or pay for someone else's Pell grant.

In other words, they are going to overcharge the student to make the Congressman look good. That is what we are doing. We are going out and announcing all of these programs. So we are spending $87 billion, when it is really between $23 and $47 billion—that is the amount we really have—and we make that money by overcharging the students.

At the very least, if we are going to take all of these loans into the government, we ought to reduce the interest rate so we don't overcharge the students.

I see the Senator from Oklahoma. I am going to defer to him and welcome him to the floor. But I hope, as we think about the issue the President so accurately described—he said: The health care debate is really a proxy for the role of government in our society. He is exactly right about that. And while some of the Washington takeovers may not have been avoidable at the beginning of the year, there is no reason in the world why Washington should take over 19 million student loans, eliminate 2,000 lenders, stop students on 6,000 campuses from having a choice in competition, and say: The

government is the best banker in America; line up outside the Department of Education, all 19 million of you, in January and get your student loan.

So I am thinking of introducing an amendment that is called a truth-in-lending amendment if this legislation were to pass, and it would say to every one of the 19 million students: Truth in lending—beware. Your government is overcharging you so your Congressman and your Senator can take credit for starting a new program.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I wanted to spend a few minutes—I guess I would inquire of the chairman and ranking member, we are not allowing amendments to be brought up at this time; is that correct?

Mrs. FEINSTEIN. That is correct, through the Chair. There is a disagreement with the Senator from Louisiana and there is a hold on anything coming before this body.

Mr. COBURN. I have germane amendments, most of which will be germane postcloture.

Mrs. FEINSTEIN. The Senator can certainly talk about his amendments.

Mr. COBURN. We cannot call them up and make them pending.

Mrs. FEINSTEIN. That is correct.

Mr. COBURN. I thank the Chair.

I wanted to spend a little time talking about the appropriations process before I speak on the amendments. I have seven amendments, maybe eight. All are commonsense amendments. Most people in America would agree with them.

But this first chart I am showing shows that what we are doing this year is, out of every dollar the Federal Government spends, we are borrowing 43 cents against our kids, against our grandkids. That is even true in this bill. This bill we have before us—a large portion of the money to pay for this Interior appropriations bill is going to come from our children.

So one of the things you say is, well, what is the inflation out there in terms of what are the costs that are actually increasing and how do we compare to what everyone else is facing in terms of spending based on increased costs? And in 2008, 2009, during that fiscal year, we actually had a minus three-tenths of 1 percent inflation. That is called deflation. And so far this year, we have had 1.6 percent, and it is probably going to go lower than that when we see the end of the fiscal year. So let's say 1.6 percent is the cost we are seeing in terms of inflation this year.

Well, one of the first bills we passed was the Legislative Branch appropriations bill, and when we had a minus three-tenths of 1 percent increase, we increased our expenses in the Congress by 10.88 percent. This year, we have already passed the bill, and we increased it three times what the rate of inflation is. So just even in our own budget, running our own offices, running the Congress, we are increasing what we spend three times faster than the rate of inflation.

If we look at the Homeland Security appropriations—all these numbers, by the way, don't include the billions of dollars each of these agencies received with the stimulus package—from 2008 to 2009, Homeland Security was increased 9.97 percent. That is a number of infinity in terms of inflation because we had no inflation. So a 9.97-percent increase, almost 10 percent, as compared to no inflation, we grew the government in this area. This year what we have passed already is another 7.22 percent growth, despite tens of billions of dollars going to the Department of Homeland Security with the stimulus package.

Then we had the Agriculture appropriations bill. For the 2008–2009 fiscal year, we increased it 13 percent. This year we are increasing it 12.68 percent. At this rate, we will double the size of Homeland Security and the Agriculture Department in 4.75 years, if we take the multiple of this, if we continue at this rate. The Transportation-HUD appropriations, which we passed last week, 13.31 percent in the 2008–2009 fiscal year. This year we have 22 percent we have increased it, fully 15 times more than inflation. And in transportation, the costs have actually gone down in terms of what it costs to build a road or to repair a bridge because of the economy.

Then we have this bill. Last year we increased Interior 4.13 percent. Now we are increasing it again 16.28 percent. Does anybody out there have anything on which they are seeing those kinds of increases in income in America? Remember, 43 percent of this is borrowed from our children's futures.

To sum up, look at what we have done so far. Legislative branch, increased 4.75 percent; Homeland Security, 7.2; Energy and Water, 1.41—we actually did one that is at inflation—Agriculture, 12.68; Transportation and HUD, 22.54; Interior, 16.28—all the time when we have an inflation rate of 1.6 percent. What is going on? The American people ought to be highly concerned with the appropriations bills flowing through here. It is all borrowed money. All the increases are borrowed against our children and grandchildren.

Here is what we have done so far in the Senate. There is no question the Interior bill will pass. The appropriators will make sure of that. They have their earmarks in it. Whether they claim to be a fiscal conservative or not doesn't matter. They will vote for the bill to protect their earmarks. We can see what kind of growth we are experiencing in the last 2 years in this country in expanding the size of the Federal Government. These aren't small increases. They are gigantic. Nothing in the 8 years preceding this came anywhere close to it. We have this ballooning Federal Government that at the rate we are going this year will double in less than 5 years. The size of the Federal Government, if we continue this trend, will double in the next 5 years.

That doesn't count a health care bill that will add another 150,000 Federal employees and another $1 trillion of expenditure. We ought to be worried about our future. We ought to be paying attention to what the Chinese are saying, the biggest purchaser of our bonds and bills: You are spending too much money.

They are right. They are absolutely right.

How is it, in a time of economic decline and almost nonexistent inflation, we can justify rates of increase that will double the size of the Federal Government in 5 years? I don't understand that. I don't believe 80 or 90 percent of the American people understand that, unless they are not paying any taxes and don't care. But their grandchildren will care.

Let me translate what will happen. What is going to happen with this kind of explosive government growth, with an almost $12 trillion debt we have now that will double in the next 5 years and triple in the next 10 years, according to the budget plan passed by those on the other side of the aisle, is that our children and grandchildren will see a standard of living 30 percent below what we have today. That is the consequence of borrowing 43 percent of everything we do. Interest rates are not always going to be as low as they are. In 2013, this government is going to pay over $1 trillion in interest costs per year. That is $1 trillion we are taking from the American people that is not going to help anybody. It is just going to offset this terrible precedent we are setting on spending. We can't afford it. If we want the dollar to sink and we want inflation to come roaring back, all we have to do is keep doing what we are doing.

Then the value of our homes, the value of retirements, although already hit by the decline, will erode even further. We cannot create wealth by trying to borrow our way out of trouble.

What I see, as I look at my five grandchildren, is we are acting totally irresponsibly. There is no other thing we could do to describe what we are going to do. Yet tomorrow, when we get into cloture on this bill and we finally pass the bill, what are we going to do? We are going to mortgage the future of this country.

Let me explain. That means stealing hope, the propensity to think about tomorrow being better, when, in fact, we, the Members of Congress, have ensured it will not be. We are taking away the hard-earned assets, not only through taxes but through inflation, of the American worker. We have a real problem in front of us. We have an irresponsible Appropriations Committee that continues to send bills out that are growing the government at a rate that is absolutely unsustainable.

What is the answer? The answer is to ask Congress to start making hard

choices. Just like every other family is doing out there today, make the hard choice of prioritizing. What is most important? What is next most important? What is superfluous? What is not absolutely necessary now that we want to steal from our grandchildren to be able to have today? The heritage of this country, the thing that created American exceptionalism, the thing that built the most powerful, most successful economic model in the history of the world was a heritage of one generation saying: We will sacrifice to create opportunity for the next generation. These bills and this one, in particular, abandon that heritage. What we are saying is: We want for us now, and we don't care about our children and grandchildren. These are indisputable numbers. These are CBO numbers. At a minimum, this is what we are going to do. At a maximum, it is going to be much worse.

Next year we are going to borrow more than 43 percent. We are going to approach 50 percent of everything we spend based on the budget plan. We are going to have another $1.6 trillion deficit. That is Washington accounting, Enron accounting. The real deficit, when we take all the money stolen from all the trust funds, will put it closer to $1.9 trillion. Do the math: 300 million people into $1.9 trillion; we are spending $6,000 more for every man, woman, and child than we are taking in.

I carry with me, based on last year's numbers, what the Federal Government does per family, per household. The year that ends this month, we will spend $34,000 of your money—not counting the States, not counting municipalities—$34,000 per household through Federal Government programs; 43 percent of which, which comes out to about $15,000 per household, is borrowed. We will spend $9,000 on Medicare and Social Security; $5,800 on defense; antipoverty programs, almost $5,000; this year per family $1,210; in 3 years, $850 per family. Federal employee retirement benefits per family, you are paying $1,000 per family for Federal employees' generous retirement benefits. We are paying $800 for veterans benefits. For regulation and research, we are paying $700 per family. For highways, we are paying $500 per family; for justice administration, $452; and for unemployment benefits, $900 per family.

If we total all that—all the others count $1,361 per family—we come up with $33,800 per family. That is going to be $40,000 next year per family that comes through the Federal Government, of which almost 50 percent will be borrowed.

We can't continue to do what this bill purports to do. It is not only unconscionable that we would not make the tough choices, and the reason we don't make the tough choices is politicians don't want to offend anybody. It is not only unconscionable that we will not make the tough choices; what we are doing is immoral. We are stealing opportunity. We are stealing the potential American dream of our children and grandchildren because we are going to shackle them with a debt they cannot get out of.

I delivered babies for a living before I came up here. I have delivered thousands of babies. When I deliver a baby now, it is a mixed blessing. It is a wonderful thing to see that new life come into the world, to look at the parents' faces, to see the glow and to think about all their hopes and dreams for that young child. But the downside is, if you are born today, you have the responsibility to pay off the interest of over $480,000 of expenditures that are coming that we haven't provided the revenues for.

Now, think about your grandchildren and your children. Do you really want to load them down with that kind of number? Just paying the interest—if interest is 5 percent—you are talking about they have to make up $20,000, at least, before they are even just carrying the debt service on that kind of load.

We are destroying this country through the lack of discipline and the cowardice of not making the hard choices that need to be made right now—not tomorrow, not next week, right now.

For us to bring a bill to the Senate floor that increases the Interior spending by 16 percent, in a time when we have 1.6 percent inflation, and to not make the hard choices about priorities and getting it to where we do not spend any more right now so we start creating that hope of opportunity for our next generations, I do not understand.

I walk off this floor and beat my head against the wall because I do not think the Senate gets it. They do not understand what the average family is doing today in terms of making these hard choices. They are making the hard choices at home, only to see us not make the hard choices, and to offset the tremendous difficulties you have in making those hard choices by making sure your kids are going to have to make even tougher ones.

Even when the economy turns around, this does not go away. America is the longest surviving Republic in the history of the world. If we look at the history of the republics—all of them that have ever been created—what happened to them? They all collapsed. Do you know why they collapsed? Some of them were defeated externally, but the reason they were defeated externally is because they became a fiscal mess, much like we are, and they all ultimately collapsed over the lack of fiscal discipline and limiting the size of the government's take in terms of the size of the economy.

It is projected that in America, in 10 years—if things keep going the way they are—the Federal Government will consume 40 percent of our GDP. When it gets to 50 percent, we are over, we are gone. What we have today is a situation that is not irreversible. But all prophetic indications would say, if we keep doing this, it is going to be irreversible.

I know those are tough things, but let me tell you how Senators think. Senators think in the short term because it seems too often the most important thing is getting to the next election. So we do the short-term, expedient things that make us look good to a group of people in one State by sacrificing the greater good of the country.

What is needed today in America is people with long-term visionary thought, combined with the courage to lose an election to do what is best for the American public in the long run. What is best is for us to get back to the roots and our oath that is outlined in the Constitution of the United States.

This bill strays a long way from that, and my amendments will show some of that. We no longer have a limited Federal Government. We have an overly expansive Federal Government. It is not going to be long when we will not need States because the Federal Government is going to be involved in everything and telling the States what to do on everything anyway—and there comes the collapse of our Republic.

These are just little warning symptoms that say we do not have our eye on the ball, that we have our eye on the wrong ball, that we do not believe in the oath we took to honor the Constitution and its prescribed method of maintaining a limited Federal Government, with everything else, as depicted in the 10th amendment, left and reserved for the States and the people of this country.

When we are growing the Department of Interior by 16 percent, what we are doing is abandoning that. There is no justification. If you read this appropriations bill and the report that goes along with it—if the American people were to read it, they would throw up. They would throw up at the lack of priorities. They would throw up at the tremendous parochialism that says we put our State ahead of our country. They would throw up at the waste, and they would throw up at the earmarks. They would be literally sick.

So we find ourselves with multiple appropriations bills that are inexcusable, given the situation we find ourselves in, and, more importantly, the sacrifices that American families are having to make now in their own budgets. But, more importantly, it is inexcusable to steal the hope and future from the next two generations, and this bill does that, and so do the rest of them.

We are stealing. We are selfish. We are saying: I would rather be reelected to the Senate than do what is best for America. I would rather protect my parochial interests than do what is better for America. I would rather not have to make the hard choices of eliminating some things that are not a priority rather than do what is in the best long-term vision for this country.

It is discouraging. It is disappointing. The only way it changes is if the American people demand that it start changing. There should not be 10 votes for this bill, but it will get 60 or 70 because there is no backbone. There is no backbone to do the right, best thing for the country, even if it costs us. Serving your country means sacrificing. Service without sacrifice is not service at all. If it is not costing you something, you are not doing anything, and we shun the responsibility of doing the best and the right thing for America.

Let me talk for a minute, if I may, about the amendments I have. I will preview those amendments and will not spend a lot more of the chairman's and ranking member's time. I have a total of seven amendments—actually eight. Let me talk about them since I cannot call them up.

One amendment is on transparency. My friend, President Obama, wants us to be a transparent government. Throughout this bill are tons of reports that you, as American citizens, will never get to see. As a matter of fact, I will not even get to see them because they are directed only to the Appropriations Committee. What is that all about? As a Member of the Senate I cannot see reports that are committed by this bill in terms of reporting back from agencies. Yet only the Appropriations Committee can see them? More importantly, you cannot see them to be able to hold us accountable to see whether we are doing our job? So one of the amendments just says, if there are reports required, and they do not compromise national security interests, everybody in America ought to get to see them.

In the last appropriations bill that amendment was accepted. But I will tell you what will happen to it. They will take it out in conference. They will say: Oh, it did not make it through conference. The American people cannot see this. They will not come out and say it. I will have to publicize it. But they will deny the ability for you to see the very reports they are asking for in this bill.

There is an earmark in this bill for a building less than two blocks from here called the Sewall-Belmont House. That house is used for a multitude of things. They have $4 million cash in the bank right now, and we are going to give them another $1 million. They have money in the bank, but we are going to give it to them anyway. Mostly what happens over there is fundraisers for Members of Congress, for which they charge $5,000 to use. They make money. Yet we have decided we are going to give them $1 million. Tell me that is a priority right now in this country.

So what we do is we take that $1 million and send that $1 million to the National Park Service because right now we have an $11 billion backlog in our national parks, and they are falling down. But we refuse to fund them because we are doing things like this.

There is another amendment I have. We now have a conflict between agencies where the Fish and Wildlife Service and the Department of Interior will not allow Homeland Security to protect our southern border because they are afraid it will mess up the environment. So what we have done is we have said protecting wilderness areas is more important than protecting our border.

This amendment says none of the funds in this bill can be used to prohibit or impede the Department of Homeland Security from protecting us on the southern border. Yet it is happening every day. We have testimony. We have internal documents that show the Department of Interior is limiting the ability of Homeland Security to protect our southern border. It makes sense that we should not do that. We should protect the environment, but we will not have that environment if we do not protect our southern border.

What we do know is, those areas where our Border Patrol cannot get to are where all the infiltration is coming today. It is where the drug trafficking is coming today. It is where multiple, multiple people are being raped by the people who are transporting illegal aliens through those wilderness and fish and wildlife areas.

So what this amendment says is, you cannot use money in the Department of Interior to preclude Homeland Security and the Border Patrol from doing their job, which is to protect us from the illegal transport of people and drugs and weapons into this country.

I have another amendment. We want to try to become more energy independent. We have all the renewable we are trying to do—whether it is wind or solar—yet the Department of the Interior is blocking the ability to create the transmission lines from where we have renewable sources. They will not allow the transmission lines to go across those areas. We want to get off foreign oil. We want to decrease our carbon use. Now we have started to develop alternative, renewable sources, and we have an agency that is blocking the ability to get that power to us. It makes no sense.

We can do that in an environmentally friendly way. So we cannot allow the Department of the Interior to block that and the ultra-environmentalists, who say they want us to have renewable energy but, by the way, they do not want us to be able to use it. So we will develop it and not have a way to use it.

There is several hundred million dollars in this bill to be used for the Federal Government to acquire more land. The Federal Government owns about 35 percent of all the land in the country today, but we cannot take care of the land we have. I mentioned earlier the backlog at the national parks. The National Mall has a backlog. The Statue of Liberty has a $600 million backlog. Some of our biggest and best parks—the Grand Canyon, Mount Rushmore, several others—have hundreds of millions of dollars in backlog.

All the national park backlog grew $400 million last year. In other words, we are letting what we have crumble as we go and spend almost $360 million more on buying more land. This amendment says: Do not buy the land. Put the money in fixing our national parks, bringing them up. They are falling down. We actually have testimony where we are putting visitors at risk because our maintenance backlog is so great.

Third from the last is an amendment to require a report so we know what we actually own. We don't know what we own. The last time we had any estimate it was of 658 million acres and that was 2005. Nobody has done anything to know what we own, prioritize what we own, or say what is important. What do we need to protect the most? What do we need to get the backlogs straight on? How do we manage what we own? You can't manage what you own if you don't know what you own. All it does is require a report on the total land owned by the Federal Government and the cost to maintain the land so we can make coherent judgments about how to make priorities of what is important and what is not. This appropriations bill shoots from the hip, because they don't have the facts with which to make the decisions on how to prioritize.

Finally, we have this idea of national heritage areas. We now have four times more than was ever authorized in the original bill. What happens is we create a national heritage area and pretty soon you are out there on your farm or in your neighborhood and because it is a national heritage declaration, we fund special interest groups that come in to lobby to make sure what happens to your land is what they want to happen, not what you want to happen with your land. So what we say with this amendment is if we are going to create a national heritage area, all the landowners ought to be notified. If they want to be included in that, allow them to opt in. Allow them to choose to be in the national heritage area. But if they don't want to be, their property rights ought to be secure. So what we say is allow them to decide whether they want in or out and they have to opt in if they want in.

Our Bill of Rights guarantees our right to our property, an unfettered right. The national heritage areas destroy that and allow groups with an interest that is funded by the Federal Government—you didn't get any of the money—to come in and have the power and the money to lobby to change the restrictions and land codes against your will. Most people who have found themselves in a heritage area don't know it until they get ready to do something with their own land and find out that: Oh, my goodness, the Federal Government has caused somebody to change my ability to do what I want to do with my land. I am not talking crazy; I am talking responsible action by a landowner. So what we are doing

is denying a fundamental right guaranteed under the Bill of Rights as we create all of these heritage areas.

It is fine if you want to be in one, but if you don't want to be in one, you ought to have the ability to not be in it and it shouldn't be assumed you are in it because we in Washington say you should. You ought to be able to say you should and you ought to have the knowledge with which to make that decision. That is called real transparency. That is called protecting freedom. That is called letting people be responsible for their property rather than us mandating from Washington what will and won't happen with our property.

Then, finally, an amendment I offer on every appropriations bill. It comes from what President Obama said he wanted to do, and that is to mandate competitive bidding on everything we buy—no more well-connected, well-heeled inside deals but competitively bid so that the American taxpayers truly get value for the dollars they are sending here and, even more importantly, the 43 percent our kids are going to be paying for, that they get value. Since we are borrowing their money, we are borrowing their future, at least when we borrow it, we ought to—and we are going to do misguided priorities and we are going to overspend and we are going to grow the government and double it in the next 5 years—the least we could do is to get real value when we go to spend your money and your kids' money.

As my colleagues can see, I am not a very big fan of this bill. As a matter of fact, I am not a big fan of any of the appropriations bills, because the whole premise under which they operate is: Here is what we had last year and we are going to start from there, without ever looking at: Here are how many billions we are spending and is it being spent properly? Is there great oversight? No, there is not. There is terrible oversight. Is there duplication? We don't even care; we don't even look. We don't make the hard choices that the next two generations need us to make.

The most powerful committee in the Senate and the most powerful committee in the House is the Appropriations Committee, and $400 billion of your money will be appropriated this year that is not even authorized. The appropriators don't even pay attention to the authorizing language because they are going to appropriate $400 billion of things that aren't authorized. So then we have this parliamentary rule that says you can't legislate on an appropriations bill. Yet they legislate all the time by funding things that have never been authorized or have expired authorizations for spending. So we can eliminate $400 billion tomorrow by following the rules of the Senate and the rules of the Constitution, but we play the game and people come to kiss the rings, to get what they want at home, to look good at home. Consequently, we are extorted to pay with a vote for a bill that is like this one—this big 16.28 percent increase—so we can look good at home.

I want to tell my colleagues the American people are waking up. There is a rumble out there like I have never seen. It is a rumble I have been praying for. This country needs to be taken back by the people. This country needs to hold the Members of this body absolutely accountable. The only way that happens is if the citizens stay informed.

I will end with this. There was a President named Ronald Reagan. My little 3-year-old daughter at the time called him President Raisin because she couldn't say Reagan. He said one of the most profound things I have ever heard said. He said: Freedom is a precious thing. It is not ours by inheritance. It is never guaranteed to us. It has to be fought for and defended by each and every generation.

I am telling you in the last 20 years, our generations haven't come up to defend it. He wasn't talking about our military; he was talking about us being well informed citizens, holding us accountable, creating the pressure for us to be transparent so that you can, in fact, know and count on us doing the right, best thing every time and that we put ourselves second and the country first. That is what he was talking about.

The rumble that is occurring in this country can't come soon enough or big enough to change both the Senate and the Congress. It is not partisan. It is sick on both sides of the aisle. What we need is a real revolt against the status quo and an engagement and an enlistment by the average American to speak out, to come out and hold us accountable to do what is best for the generations that follow and cause us to reembrace what built this country, which is a heritage of sacrifice today to create opportunity for the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

The Senate is on H.R. 2996.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak in morning business for up to 18 minutes.

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

FINANCIAL MARKET INNOVATION

Mr. KAUFMAN. Mr. President, Wall Street has undergone a radical transformation in recent years. We saw the rise of high-frequency trading where buy and sell orders move in milliseconds. We saw the emergence of so-called dark pools which permit confidential trading in growing volumes to take place away from the public eye. We now see some trading firms' computer servers enjoying the advantage of onsite location, a practice known as colocation. We have seen the creation of flash orders which allow certain traders to see orders before anyone else. There have been new developments in payments for order flow, a practice that permits market centers to pay a broker to route a trade its way. These and myriad other practices, almost too complicated to describe, have fundamentally changed how our markets operate. We now have a high-tech, profit-driven arms race, which continues to escalate every day, that has transformed the ways and the places and the speeds in which stocks and other securities are traded.

There are at least two questions that must be posed—questions we must look to the markets' regulators to answer. First, have these opaque, complex, increasingly sophisticated trading mechanisms been beneficial for retail investors, helping them to buy at the lowest possible price and sell at the highest price with the lowest possible transaction costs or have they left them as second-class investors, pushed aside by powerful trading companies able to take advantage of small but statistically and financially significant advantages? And second, do these high-tech practices and their ballooning daily volumes pose a systemic risk? To take just one example, is anyone examining the leverage these traders use in committing their capital in such huge daily volumes? What do we really know about the cumulative effect of all these changes on the stability of our capital markets?

The proponents of these technological developments tell us this transformation has benefited all investors. But how can we know—truly, how can we know that—when so much of the market is opaque to the public and to the regulators? How can we be confident when the measurement and enforcement techniques used by regulators for ensuring best execution seem stuck in the past and when so many trade in milliseconds across fragmented markets to take advantage of so-called market latencies? And why should we assume it all operates in the public interest when these changes have not been fully analyzed, individually or collectively, to determine and protect the interests of long-term investors?

That is why, on August 21, I wrote to SEC Chairman Mary Schapiro calling for ''a comprehensive, independent, 'zero-based regulatory review' of a broad range of market structure issues, analyzing the current market structure from the ground up before piecemeal changes built on the current structure increase the potential for execution unfairness.'' I told her then that ''we need a thorough review . . .

so that our laws and regulations can keep pace with market developments.'' In a written response to me on September 10, Chairman Schapiro announced that not only was the SEC reviewing dark pools and flash orders, studies it had begun earlier this year, but that it would broaden its review to include regulation ATS threshold levels, direct market access, high-frequency trading, and colocation, which I explained earlier.

Adding action to these words, last week the SEC unanimously approved a proposal to ban the use of flash orders in our financial markets. Flash orders undermine the credibility of our markets by giving a select group of market participants a sneak peek at stock quotes. As Chairman Schapiro noted, ''Flash orders provide a momentary head start in the trading arena that can produce inequities in the market.'' I applaud the SEC for this action. The proposal must be put out for public comment which the SEC will review before making a final decision.

I am hopeful that last week's action was a true beginning. Banning flash orders is only a small, though significant—very significant—step in the review of recent market developments.

Accordingly, I was also very pleased last week to hear Chairman Schapiro, the Commissioners, and the SEC staff voice their support not just for a flash order ban but also for the need for a comprehensive, ground-up review at the Commission of current market structure issues.

Chairman Schapiro asserted last Thursday that ''other market practices may have . . . opaque features'' and that she expects the Commission to ''consider initiatives in the near future'' that address ''forms of dark trading that lack market transparency.''

James Brigagliano, Co-Acting Director, Division of Trading and Markets, added:

> I want to emphasize that today's recommended proposal is a first step in an ongoing review of market structure issues. The securities markets have experienced extraordinary changes over the last few years in trading technology and practices. Some of these changes have led to serious concerns about whether the regulatory structure remains up to date. The division is examining a wide range of market structure issues, including certain practices with respect to undisplayed or ''dark trading interests'' in addition to flash orders that are the subject of today's proposal. We anticipate making additional recommendations to the Commission in the coming months for proposals to address discreet issues, such as flash orders, that warrant prompt attention. There is also a spectrum of broader market issues and practices that affect the interests of investors and need to be examined closely.

I cannot tell you how pleased I am to hear that the Commission is taking the review seriously. I say bravo to the SEC. The agency tasked with upholding the integrity of our markets should actively review the rapid technological developments of the past few years and analyze their costs and benefits to long-term investors.

Eugene Ludwig, former Comptroller of the Currency, recently reminded us that each of the financial crises of the past 25 years—the collapse of the savings and loan industry, the Internet stock bust a decade later, and last year's credit market meltdown—was the result of inadequate regulation.

Another former regulator, Brooksley Born, a former Chairman of the CFTC, warned us of the opaqueness of the derivatives markets at a time when they were becoming big enough to cause trouble. Earlier this year, she recalled her warnings:

> I was very concerned about the dark nature of these markets.

And further:

> I didn't think we knew enough about them. I was concerned about the lack of transparency and the lack of any tools for enforcement and the lack of prohibitions against fraud and manipulation.

Unfortunately, history proved Brooksley Born right—unchecked, unexamined innovation severely weakened our markets and, as we all know, ultimately led to our financial disaster. Sometimes small, apparently technical innovations in our vast and complicated financial system can generate great benefits for all, and other times they can generate disastrous unintended consequences.

It is also fair to say that well-intentioned regulation in a complex market can also have unintended consequences. That is why we need regulators on the job, undertaking a thoughtful and reasoned analysis so we can have a clear view of where innovations may be taking us and whether wise regulations can help curb abuses. Regulators must keep pace with the latest market developments, and we in Congress must give regulators the tools they need to observe and stay abreast of the sophisticated financial players they are charged with regulating. I say that again. We in the Congress must give regulators the tools they need to observe and stay abreast of the sophisticated financial players they are charged with regulating.

Three examples from the current debate are especially illustrative of this need: colocation of servers at the exchanges, flash orders, and direct market access.

When the exchanges first began to permit traders to place computers onsite, giving these traders a few microseconds' advantage, the SEC did not insist on regulatory approval. The Commission simply let it occur. There was no active consideration then, as I have called for now, of the means by which fair access can be preserved.

The same is true for flash orders. In May, the SEC permitted the NASDAQ and BATS exchanges to introduce flash-order offerings even though both admitted that the practice was of dubious value and that they simply were being driven to adopt it by the loss of market share to competitors. Both exchanges later reversed those decisions voluntarily, which is commendable, but let's not forget that this was a telling example of rote, piecemeal review by the SEC staff applying outdated floor-based precedents to electronic-age developments.

Direct market access is another practice that deserves closer examination. Such agreements allow high-frequency traders to use their broker's market participant identification to interact directly with market centers. In order to maximize speed of execution, many sponsored access participants may neglect important pretrade credit and compliance checks that ensure faulty algorithms cannot send out erroneous trades.

According to John Jacobs, chief operations officer at Lime Brokerage, this risk is quite significant. He says:

> At 1,000 shares per order and an average price of $20 per share, $2.4 billion of improper trades could be executed in this short timeframe . . . The next long term capital meltdown would happen in a five-minute time period.

When did direct access begin, and has the SEC ever considered its ramifications from a comprehensive standpoint?

Some are now saying that colocation and flash orders are very old-fashioned concepts and perhaps colocation, for its part, will ultimately be practiced better in the automated environment than it has been on the floors. I am sure some old hands can tell hair-raising stories about the old days and floor space out of the Chicago pits.

But that is the point: Colocation and flash are two of many transformational changes this decade that have been considered piecemeal and only in the context of existing policies. Like direct access, these changes may have been found equal or even superior to their floor-based antecedents, but in an automated age these changes need to be subjected to a holistic analysis of their collective impact on the markets and our regulatory infrastructure.

The same is true for high-frequency trading, dark pools, payment for order flow, liquidity rebates, and other market structure issues.

The rapid rise of high-frequency trading and dark execution venues has quite simply left our regulatory agencies playing catch-up. High-frequency traders can execute over 1,000 trades in a single second. Let me say that again—1,000 trades in a single second. According to the TAB Group, these traders are now responsible for over 70 percent of all daily U.S. equity trades—70 percent; that is 7–0 percent.

We are learning more about high-frequency trading every day. According to one industry expert:

> Most high-frequency shops have huge volumes but few transactions. About 95 to 97 percent of trades are orders sent and canceled.

What does all this mean for the long-term investor? Trading is not only faster, it is also quickly becoming less transparent. Twelve percent of trades are now conducted in dark pools, compared to less than 1 percent 6 years

ago, and substantial percentages of trades are internalized at broker-dealers, never reaching a public exchange.

Maybe in the old days there were block trades happening in the dark too. I don't doubt it. But many commentators have raised concerns about whether the darkening trends today truly threaten to undermine public price discovery. The strength of a free market is in its public display of price quotes to all market participates.

These recent developments quite simply need to be better understood.

Yet still, after all the disasters, the billions of dollars lost, the homes foreclosed, the jobs lost—after all the pain that has been caused across this country—some on Wall Street reject even the notion of regulatory scrutiny.

They become defensive about the politicization of the process when Congress asks basic questions. They say Congress and the media can never understand high-frequency trading. They point to the benefits of high-frequency trading—narrowed spreads, added liquidity, and faster executions—and ask everyone to trust there will be no side effects, no unintended consequences. Some still argue that the market operates best without any regulation; that changes in market structure are the natural consequence of the innovative and competition and there is nothing good to be gained from regulators or Congress studying possible sources of inequity.

To their credit, not everyone on Wall Street has reacted this way. Others have said that now is the right time for a comprehensive review of market structure developments. These Wall Street leaders—true leaders—acknowledge there are indeed many valid questions being raised about dark pools, payment for order flow, other market innovations, and enforcement of best execution.

Indeed, some high-frequency traders have said they welcome a regulatory examination of high-frequency trading because they are confident high-frequency trading will pass the test with flying colors. That is the correct attitude. We need a regulatory review with Wall Street's cooperation.

It is in the nature of our financial markets to push the envelope, to take on more and more risk, and to exploit any crack in the wall when there are profits to be won. There is nothing wrong with this. But to have a full accounting, we also need to add up the costs to the long-term investor, to financial stability, to innocent bystanders of each new generation of innovation.

In years past, without a sufficient regulatory presence, an aura of invincibility developed at many financial institutions. We failed to ask questions, we failed to ensure regulators were on the field with the tools they need to do their jobs, and the results are clear: Millions of Americans have lost their jobs, their homes, and their savings. We must not repeat that mistake. We must be sure that when financial markets push the envelope, take on more and more risk, and exploit any crack in the wall, they are monitored and regulated to assure it is in the public good.

It is time for Congress and the regulators to ask questions and for Wall Street to step forward responsibly and answer them with the data to back up those answers. We cannot simply react to problems after they have occurred. We need the information and resources to identify problems before they arise and stop them in their tracks.

Our goal is not to stop high-frequency trading. We don't want to slow it down. Liquidity, innovation, and competition are critical components of our financial markets. But at the same time, we cannot allow liquidity to trump fairness, and we cannot permit the need for speed to blind us to the potentially devastating risks inherent in effectively unregulated transactions.

We cannot forget that fair and transparent markets are the cornerstones of our American system. As I have said before, fairness in the financial markets may be an elusive and ever-evolving concept, but it must be defined and then vigorously defended by our regulators. The credibility of the markets and investor confidence simply demand that regulators be ever watchful, sophisticated, and tough against those who would breach the rules.

I am not demanding an immediate, wide-ranging regulatory overhaul. I will not place symbolic action over prudent investigation. That would be impulsive and irresponsible. But it is only prudent, given the risks of the past, that I will not allow potentially risky market practices to go on unexamined. I will ask questions and strive to improve my understanding of these opaque market practices and, if necessary, push appropriate reforms. I am very pleased the SEC has agreed to do the same.

If we fail to learn from past mistakes, we can be sure history will repeat itself.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the time until 4:15 p.m. be for debate with respect to the Vitter motion to recommit and McCaskill amendment No. 2514, with the time divided as follows: 5 minutes each, Senators FEINSTEIN, ALEXANDER, VITTER, and MCCASKILL or their designees, with no amendments in order to the motion or the amendment prior to the vote in relation thereto; that prior to the second vote there be 2 minutes of debate, equally divided and controlled; that once this consent is granted, the majority manager be recognized to call up the McCaskill amendment; further, that the votes occur in the order listed.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. No objection.

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

AMENDMENT NO. 2514

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 2514.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mrs. MCCASKILL, proposes an amendment numbered 2514.

Mrs. FEINSTEIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the earmarks for the Save America's Treasure program and to provide criteria for the distribution of grants under that program)

On page 135, line 2, before the period at the end, insert the following: '', of which, notwithstanding the chart under the heading 'Save America's Treasures' on page 30 of Senate Report 111–38, the entire amount shall be distributed by the Secretary of the Interior in the form of competitive grants on the basis of the following criteria: (1) the collection or historic property must be nationally significant; (2) the collection or historic property must be threatened or endangered; (3) the application must document the urgent preservation or conservation need; (4) projects must substantially mitigate the threat and must have a clear public benefit; (5) the project must be feasible; and (6) the application must document adequately the required non-Federal match''.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I rise in opposition to the amendment proposed by the distinguished Senator from Missouri, Mrs. MCCASKILL. This amendment would eliminate 16 congressionally directed spending items in the National Park Service's Save America's Treasures Program. I would like to say what these are: in Alabama, Swayne Hall, Talladega; in California, Mission Santa Barbara, Santa Barbara; in Florida, Freedom Tower, Miami; Iowa, Des Moines Art Center, Des Moines; Kansas, Colonial Fox Theater, Pittsburgh; Michigan, Big Sable Lighthouse, Luddington; Madison County Courthouse, Mississippi; Mississippi, Medgar Evers site, Jackson; Nevada, the Lincoln County Courthouse, Pioche; New York, the Strand Theater, Plattsburgh; New York, the Richard Olmstead Complex, Buffalo; Oregon,

the Wallowa County Courthouse, Enterprise; Rhode Island, the Warwick City Hall, Warwick; the State Theater, Sioux Falls, SD; the Blount Mansion, Knoxville, TN, and the Capitol Theater, Wheeling, WV.

Those are the 16 that would be eliminated.

The underlying argument is that this bill continues business as usual when it comes to earmarking funds, and this is hardly the case. The Senate leadership and the chairman and ranking member of the Appropriations Committee have built on the reforms established by the last Congress when it comes to congressionally directed spending. To offer more opportunity for public scrutiny of Member requests, Members are now required to post detailed information concerning their earmark requests on their official Web sites at the time the request is made. Each Senator must explain the purpose of the earmark and why it is a valuable use of taxpayer funds.

A list of every congressionally directed spending item in this bill has been on the Internet for public scrutiny since June 17, 2009, when it was first marked up by the Interior Subcommittee. For every congressionally directed spending item contained in this bill, the Senator has certified that he or she or his or her immediate family has no financial interest in the item requested. These letters of certification are available to the public on the Internet.

These reforms are not the status quo. They represent significant improvements in the transparency and accountability for the spending decisions contained in the various appropriations measures being brought before this body.

Let me now explain the process used to evaluate these specific Save America's Treasures earmarks. As Senator ALEXANDER and I have reviewed each of the 128 funding requests the Interior Subcommittee has received, we applied the same criteria that has been applied for the past 10 years and that has been codified in the program's authorization. When we did that, only 16 projects passed muster.

For example, if the project received funding in the past it was ineligible for a grant this year. If the project was a building and the building was not listed on the National Register of Historic Places, then it was ineligible for a grant this year. If the local authorities did not have the required one-to-one matching funding in hand, then it was ineligible for a grant this year.

Then, even if the project cleared those hurdles, we still set aside those requests that were not considered the highest priority by the requesting Members.

When that process was complete, what we ended up with were the 16 very good and credible projects that I have just read. So I urge a ''no'' vote on the McCaskill amendment.

Mr. President, I move to table the amendment.

The PRESIDING OFFICER (Mr. BURRIS). The motion will be in order at the appropriate time.

Who yields time?

Mrs. FEINSTEIN. Mr. President, I believe there is a time agreement so I cannot move to table at this time. I withdraw my motion to table.

The PRESIDING OFFICER. The Senator is correct.

Who yields time?

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time during the quorum call be equally divided.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MOTION TO RECOMMIT WITH AMENDMENT NO. 2508

Mrs. FEINSTEIN. Mr. President, it is my understanding that there is 2 minutes equally divided on the Vitter motion to recommit. I ask unanimous consent to speak for 1½ minutes on the amendment.

Mr. VITTER. Reserving the right to object, I ask unanimous consent to have equal time on the amendment.

Mrs. FEINSTEIN. I have no objection to equal time.

Mr. VITTER. I have no objection to the modified request.

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

Mrs. FEINSTEIN. Mr. President, I oppose this motion to recommit because it would prevent the Obama administration from presenting its oil and gas development plan in favor of a draft plan issued by the Bush administration on its last business day in office. The amendment would overturn Interior Secretary Salazar's decision to extend the public comment period over a 5-year plan for oil and gas development on the Outer Continental Shelf by 180 days. The amendment would make the last-minute Bush draft binding. The Bush plan only allowed for a 60-day deadline for public comment. That is not enough time. The Interior Department received 350,000 public comments during the extended comment period. The Department should not be prevented from studying these comments and proposing the best plan it can.

In addition, there is currently insufficient data on available resources for the Atlantic seaboard where the Bush plan would extend drilling.

We should not make decisions to sell off taxpayer resources based on old information.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, of course, nothing in my amendment prevents the Interior Department from reading all those comments, from digesting them. My amendment is simple and straightforward. It says: Remember last summer where almost all of America said this is ridiculous, drill here, drill now, let's use our own resources and not be held captive to foreign interests. Remember that. My amendment is about whether we listen to that or whether we will ignore it. Right now this administration and this Interior Department have pledged to ignore that and have pledged to forestall and put off the OCS development plan previously developed that is on the books and about to move forward. This question is simple: Did we listen to the American people when they spoke so loudly, so clearly, or is Congress going to ignore the clear will of the American people yet again?

Mrs. FEINSTEIN. Mr. President, I move to table the motion to recommit and 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 to table the motion to recommit.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

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

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 293 Leg.]

YEAS—56

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

NAYS—42

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

NOT VOTING—1

Byrd

The motion to table was agreed to.

Mrs. FEINSTEIN. Mr. 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. 2514

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided between each side to discuss the McCaskill amendment No. 2514.

Who yields time? The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, this amendment is a very small step. It restores a competitive grant program—a small competitive grant program. Over the last decade, competitive and formula grant programs have been decimated by earmarking. Earmarks have become more transparent under reforms that have been made, and that is great. Is the process still fair? No, probably not. The lion's share of the earmarks in this bill, in this program, and in all of the appropriations bills go to the very few Members who serve on one committee. This will allow us to put this money back into a competitive process so all the States in the Nation have an equal opportunity to participate.

Thank you, Mr. President.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, regrettably, I wish to speak against the amendment. There has been a rigorous vetting process of these projects. We looked at 128 requests. Only 16 of those passed muster. Earlier, I outlined the criteria which were strictly observed in selecting these projects. I outlined what the projects are. We applied the same criteria that is in the law. These are all excellent projects. I urge my colleagues to support the committee bill and oppose this amendment.

I move to table the McCaskill amendment, and 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.

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

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 294 Leg.]

YEAS—72

Akaka	Cochran	Kerry
Alexander	Collins	Klobuchar
Baucus	Conrad	Kohl
Begich	Dodd	Landrieu
Bennet	Dorgan	Lautenberg
Bennett	Durbin	LeMieux
Bingaman	Feinstein	Leahy
Bond	Franken	Levin
Boxer	Gillibrand	Lieberman
Brown	Graham	Lincoln
Brownback	Gregg	Lugar
Burris	Hagan	McConnell
Cantwell	Harkin	Menendez
Cardin	Hatch	Merkley
Carper	Inouye	Mikulski
Casey	Johnson	Murkowski
Murray	Sanders	Udall (CO)
Nelson (NE)	Schumer	Udall (NM)
Nelson (FL)	Shaheen	Voinovich
Pryor	Shelby	Warner
Reed	Snowe	Webb
Reid	Specter	Whitehouse
Roberts	Stabenow	Wicker
Rockefeller	Tester	Wyden

NAYS—26

Barrasso	DeMint	Kaufman
Bayh	Ensign	Kyl
Bunning	Enzi	McCain
Burr	Feingold	McCaskill
Chambliss	Grassley	Risch
Coburn	Hutchison	Sessions
Corker	Inhofe	Thune
Cornyn	Isakson	Vitter
Crapo	Johanns	

NOT VOTING—1

Byrd

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, it is my understanding that we have to vacate the Chamber at 5:30 p.m. so the room can be swept for the ceremony. I know Senator ENSIGN wishes to speak. I have stated to him that he could speak, so I would like to have the floor open to him to speak for the remaining time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, tomorrow, from what I understand, I will have a motion to recommit this bill with instructions that hopefully will be part of the unanimous consent agreement. Let me describe exactly what my motion to recommit says.

Last week, I did a similar motion to recommit on the T-HUD appropriations bill because that bill was dramatically increased. And this week's appropriations bill on Interior has yet another huge increase. In 2008 to 2009, the increase was 4 percent. This year, the increase is 16.28 percent.

Every local government, State government, probably almost everyone in the United States is cutting their budgets. Almost every business is cutting its budget. Most households in America are cutting their budgets because of these difficult economic times. But what do we do in Washington, DC? We print money and we dramatically increase spending.

The National Taxpayers Union has agreed with me, and they are asking the Senate to vote ''YES'' on my motion to recommit, which I will be offering tomorrow. They are saying we need to have fiscal discipline at this time. And we just cannot keep running up spending around here. That is what we are doing.

If we look at each one of the appropriations bills so far this year, Legislative Branch, last year was an 11-percent increase, this year it is about a 5-percent increase; Homeland Security, almost 10-percent last year, and it is going up by 7 percent this year; Energy and Water had the smallest increase; Agriculture had about a 13-percent increase last year and about the same percentage increase this year; T-HUD, Transportation and Housing and Urban Development appropriations, had a 13-percent increase last year and almost a 23-percent increase this year; and, of course, the bill we have before us now, which is Interior, a 4-percent increase last year, and over a 16-percent increase this year.

By the way, here is the inflation rate. Last year was negative inflation. This year, there is almost no inflation. Yet around here we keep running up our deficits.

So far this year we have $1.56 trillion in deficits. This says it pretty well: 43 percent of every dollar we are spending this year is deficit spending. We are borrowing from future generations so we can give us what we want, so we can get reelected, so we can go back home and pass out the goodies. That is what a lot of these appropriations bills are—they are passing out the goodies, they are increasing spending on the backs of future generations.

When are we going to get serious in this body about fiscal restraint? The other side of the aisle criticized us during the last 7–8 years for spending too much money. In some regards, they were right. But compared to what they are doing right now, we were fiscal conservatives by a large degree. What they are doing is dramatically raising Federal spending.

The problem with this increase we have before us today in this spending bill, over 16 percent, is if we keep these kinds of spending increases up, it will double the spending within 5 to 6 years. What happens this year is we spend more money. That gets put in the baseline budget for next year, so any increase next year is on top of the increase this year. And so each year is increased and increased and then increased some more. We never seem to go backward or reduce spending in this body. We only go higher and higher as far as spending levels are concerned. It seems there is no limit to our appetite for spending around here.

The American people have woken up. And I am actually the most encouraged I have been, I think, in my entire political career, watching people getting involved, hearing from them from all over my State of Nevada, and seeing them all over the country getting involved, saying: It is time that we think about the greater good in America; that we do not think about pet projects or pet programs or any of these massive spending increases. It is time we show fiscal responsibility and we start getting back to what the Framers of our Constitution envisioned when they saw a limited Federal Government, not this expansive Federal Government.

Tomorrow, when we vote, I urge hope this Chamber will say: Now is the time

that we are going to start showing some fiscal restraint. We are going to say: Yes, we will tighten our belts. We will snug it up a little bit. We will make some of the tougher votes. We will say NO to some of the special interest groups around the country that come to our offices every year for more and more money. Let's make priorities. Let's look at things that are working and some that are not. Let's take the money away from the ones that are not and reduce the deficit. That is what we need to be thinking about in this body.

I hope my words do not fall on deaf ears. I hope people in this body will actually start thinking about future generations instead of just thinking about their favorite projects that they want to fund and their special interest groups to whom they want to pay attention.

Mr. President, I have concluded my remarks. I yield the floor.

Mr. BEGICH. Mr. President, I rise to speak about 3 amendments. The first provides funding of an environmental impact statement important to the future of residents of my State.

On March 30, 2009, the President signed the Omnibus Public Lands Act, Public Law 111–11. That bill enacted many important conservation provisions including the first major new wilderness areas in many years.

That bill also provides a path for a major land exchange in Alaska which would lead to the designation of the first new wilderness in Alaska in a generation. A part of the act directs the Secretary of Interior, through the U.S. Fish and Wildlife Service, to perform an environmental analysis and then for the Secretary to determine if the land exchange tentatively approved in the Omnibus Public Lands Act should be executed.

My amendment provides necessary funding, in the amount of $1 million, for the EIS which this Congress has ordered. Because the bill was only enacted in March, there was no time for the regular budget process to take into account the requirements of this important study.

The Fish and Wildlife Service is also seeking funding in the fiscal year 2010 budget process, but Alaskans have waited long enough for resolution on this issue. Not only is the land exchange critical to provide key new wilderness and refuge additions, it is the path for a group of my Alaska Native constituents, 800 residents of the village of King Cove, to get safe access to the Cold Bay Airport.

Because this issue was debated in the Halls of Congress for a number of years, I will not go into great detail here. In short, however you feel about this land exchange, whether you favor the interests of the indigenous people with roots in the area going back 4,000 years or more or if you do not approve of the land exchange and the road corridor it facilitates, the people of King Cove deserve the answer that the government has promised them.

They suffer from some of the worst weather on the planet. Anytime of the year, residents with emergency medical needs can risk their lives either flying over or crossing Cold Bay to get to Alaska's third largest airport at Cold Bay, AK. Over the last 20 years, a number of my constituents have been killed trying to make this trip. The only safe alternative is a road.

The land exchange to be studied is of monumental importance. It provides 61,723 acres of new wilderness and refuge lands for a mere 206 acres to be used as a road corridor.

Ultimately, the decision on whether this exchange is to be executed rests with Secretary Salazar after completion of the EIS. All my amendment does is fund that EIS and keep the Congress's promise to the Aleut residents of King Cove that this process will move forward expeditiously.

Mr. President, I have drafted this amendment so it will have no budget impact. It will not add new spending. Instead, it provides that funding should come from the overall bill. This should not be subject to any budget point of order.

The next amendment would allow the Chugach National Forest, in the Alaska region of the U.S. Forest Service, to retain receipts from a proposed sale of gravel and other minerals further development of a popular hiking and tourism enhancement program.

It has become a tired cliché to say that we should run government like a business. But in the best sense of the phrase we imply that, like the private sector, we should reward individual management decisions that creatively solve problems and make good use of limited resources. The amendment in front of you does just that.

The National Forest System is based on a theory of managing for multiple uses. The gravel resource at Spencer Mountain is sought after commodity for building projects around Southcentral Alaska and can be easily developed and sent to market via the Alaska Railroad. This amendment proposes to allow the Chugach National Forest System to retain the revenue from that gravel operation to enhance the wildly popular Chugach Whistle Stop Project, a joint initiative of the Forest Service and the Alaska Railroad.

The Whistle Stop Partnership uses efficient self-propelled railcars called DMUs—diesel multiple unit—to transport smaller groups of passengers to track side destinations developed by the Chugach National Forest. These destinations include hiking trails, picnic grounds, rental cabins and no-fee campgrounds, and guided rafting and canoeing operations run by private outfitters.

Begun in 2007, the program has proved overwhelming popular and provides unique and appropriate access to backcountry destinations, allowing residents and tourist alike to enjoy remote parts of the Chugach National Forest. When complete, the experience will allow hut-to-hut hiking and other personalized recreational opportunities. The estimated remaining cost to complete the project is $13 million. This includes an additional self-propelled rail car, 4 additional Whistle Stop locations, 30 miles of trail with associated bridges, 6 public-use cabins, and 24 backcountry campsites.

Despite the combination of mineral resource development and tourism promotion into one project, the Whistle Stop Project and this budget request have no significant opposition. At a time when the tourism industry in Alaska is suffering a 25-percent drop in visitors, this project would immediately provide an important, if targeted, shot in the arm.

Mr. President, I ask for your assistance in rewarding good management, allowing residents and visitors to enjoy the Alaska backcountry, and promoting an important industry in Alaska.

The third amendment provides full and adequate funding for the subsistence management budget for the Alaska region of the U.S. Forest Service.

The United States settled its lands claims agreement with the Native people of Alaska with the passing of the Alaska Native Claims Settlement Act, ANCSA, by Congress in 1971. Through ANCSA, Congress promised Alaska Natives that they would retain their right to subsistence harvest of the fish and game in Alaska. Congress made good on that promise through title VIII of the 1980 Alaska National Interest Lands Conservation Act, ANILCA. Title VIII provides rural Alaskan residents a subsistence priority to harvest fish and wildlife on Federal lands over sport and commercial uses.

That Federal statute is now in direct conflict with the Alaska State Constitution, which does not allow a priority based on residency. As a result, the Federal Government assumed responsibility for subsistence management on Federal public lands in 1990 and expanded its responsibility to federally reserved navigable waters in 1999. Federal subsistence is a joint effort of the Departments of the Interior and Agriculture, with management on National Forest System lands the responsibility of the Forest Service.

Three main aspects of the Federal program are regulatory, law enforcement and education, and information gathering. The regulatory program includes establishing the basic rules for fish and wildlife harvest and seasonal and in-season adjustments to address immediate conservation issues. Information gathering includes the fish and wildlife monitoring necessary for regulatory purposes. This generally consists of stock assessments that are often contracted out to local groups, primarily Alaska tribal organizations. The final general category is law enforcement and education to make subsistence hunters and fishers aware of the regulations and enforce them.

In fiscal year 2009, the Alaska Region Forest Service funding level for subsistence management activities in the two largest forests in the National Forest System—the 17 million acre Tongass National Forest—an area roughly the size of West Virginia—and the 5.6 million acre Chugach National Forest—totaled $5 million. The current bill before you would only fund half this amount, $2,582,000.

The need has not suddenly changed, and I hope Congress has not suddenly forgotten its obligation to the Alaska Native people. I can only hope that the fiscal year 2010 amount resulted from the innocent ignorance of an incoming administration about the obligation the Federal Government has to the Alaska Native people.

Subsistence hunting, fishing, and gathering is about more than simple economics. It is about the survival of a way of life and identity of Alaska's Native peoples. However, its economic importance is central to rural Alaska life and cannot be overstated. Rural Alaska residents harvest approximately 44 million pounds of fish and wildlife for food, the replacement value of which is $220 million.

Subsistence is a major source of employment and sustenance for families in rural Alaska; subsistence participants work to feed and clothe their families. Wild foods supply one-third of the caloric requirements of rural Alaskans, in many remote communities it can total 75 percent or more.

One in every five Alaskans lives in a rural area, about 125,000 people in more than 250 communities. Most rural settlements are off the road network and are comprised of fewer than 500 people, the majority made up of Native villages. In a State where approximately 15 percent of the population is Alaska Native, nearly half of all rural Alaskans are Alaska Native.

Of subsistence foods taken by Alaskans, 60 percent of the catch is made up of fish, land mammals make up 20 percent, marine mammals make up 14 percent, birds, shellfish, plants, and berries make up the remaining 6 percent of the rural harvest of wild food.

Mr. President, I ask for your assistance in helping the Federal Government honor its commitment to the Alaska Native people and fully fund the Alaska Region Forest Service subsistence management budget.

MORNING BUSINESS

Mrs. FEINSTEIN. 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.

TRIBUTE TO VIVIA MOTSINGER

Mr. REID. Mr. President, I rise today to honor a good friend, Vivia Motsinger, on the recent celebration of her 90th birthday. A longtime resident of Washington, DC, Vivia's 90 years may best be characterized by her incredible work ethic, as well as her undying devotion to public service.

Vivia Motsinger was born the daughter of a shipbuilder in Portsmouth, VA, on September 20, 1919. Years later, Vivia's father moved the family to our Nation's Capital in order to work in the construction of government buildings. She went to school at Roosevelt High, where she graduated in 1935 at the age of 16. Tragically, 2 years later her father died, making teenaged Vivia the only breadwinner in her family. Grateful to have the aid of Social Security to supplement her meager earning power, Vivia started out her career working hard to assist her mother and younger sister.

Vivia's professional career saw her begin as a clerk at a naval gun factory during WWII. Later, she found employment as a stenographer and an administrative assistant at the U.S. Department of State. Mrs. Motsinger's final position, before she retired, was that of a Foreign Service worker. She is very proud of the accomplishments that she has made and grateful for her years of service to the Federal Government.

Vivia has been blessed with a loving family. She married a remarkable husband, who worked as an officer for the Central Intelligence Agency, and raised a son who is now employed by NASA. She loves her church, the Church of Jesus Christ of Latter Day Saints, and is proud to have become a member some 34 years ago. She has spent her years of retirement studying her heritage, a hobby which has driven her to become avidly involved with genealogy and research.

With her optimism and strong work ethic, Vivia represents the spirit of America. Despite challenging circumstances, she has achieved great things. I congratulate Vivia Motsinger on this her 90th birthday.

GOLD STAR MOTHER'S DAY

Mr. DURBIN. Mr. President, this Sunday marks Gold Star Mother's Day, a day for us to honor the mothers of servicemembers lost while serving in our Armed Forces.

This Sunday, the last Sunday in September, is a day that is part of a larger Gold Star tradition, one that brings together all family members who have lost a son or daughter in uniform.

The gold star has its roots in World War I, when families would display in the windows of their homes a blue star for every family member who was serving and a gold star for every family member who had died in the war. In 1936, Congress established the last Sunday in September as Gold Star Mother's Day.

America has been home to hundreds of thousands of Gold Star Mothers, each of whom has lost a child. They often choose to become part of an organization of other Gold Star Mothers, one that—in the words of one mother—''none of us ever wanted to become eligible to join but we are grateful to have.'' It is a testament to their strength that so many continue to volunteer and to remember, long after they learn of their own loss.

On Sunday, the American people are encouraged to display our flag and also to hold meetings to publicly express the love, sorrow, and reverence we have for Gold Star Mothers.

Gold Star Mothers from across the country will visit our Nation's capital, to remember. They will visit the Vietnam Veterans Memorial Wall, a short distance from this place, where many will lay wreaths for their sons or daughters. They will travel to Arlington National Cemetery and view the Tomb of the Unknown Soldier.

In Illinois, Gold Star Mothers will be recognized in ways big and small, from the Governor's annual ceremony in Chicago, to a barbeque held in their honor at the Middle East Conflicts Wall Memorial in Marseilles, Il, to commemorations in townhalls and on radio shows.

Gold Star Mothers affect every community in this country. Their presence is another reminder that in the Senate, the vote for war is among the most significant votes a Senator will ever take.

I hope all Americans will take a moment out of their day this Sunday to honor Gold Star Mothers, their families, and their children who died while serving our country.

PUBLIC OPTION LITE

Mr. KYL. Mr. President, a September 17, 2009, editorial in the Wall Street Journal, ''Public Option Lite,'' clearly and concisely describes how the Finance Committee chairman's health care plan would result in a near total government takeover of the health care industry.

Because it does not include the public option, the chairman's plan has been touted as a more moderate proposal than other bills before Congress. But, as the Journal writes, the absence of the public option ''is a political offering without much policy difference. His plan remains a public option by other means.''

Near total government control would be achieved through the bill's two main mechanisms: an individual mandate for all Americans to purchase government-approved insurance and the regulatory insurance ''exchange.'' The inevitable outcomes of these mechanisms would be ''vast new insurance regulation'' and ''a vast increase in the government's share of U.S. health spending, forcing doctors, hospitals, insurance companies, and other health providers to serve politics, as well as, or even over and above patients.'' Thus, power would be centralized with politicians and bureaucrats, rather than patients and doctors.

Along the way, as the editorial points out, the bill would increase the

cost of insurance through new taxes and mandates, reduce consumer choice, and ultimately ration health care in an attempt to keep costs under control.

The editorial also explains that most of the Medicare cuts used to help pay for this plan ''come from supposedly automatic cuts that a future Congress is unlikely to ever approve, that is, until this entitlement spending swamps the entire federal budget.'' Then, ''The government will have no choice but to raise taxes to European welfare-state levels or impose drastic restrictions on patient care. Or likely, both.''

The article concludes that this plan is ''a recipe to ruin healthcare'' and ''bankrupt the country.''

I ask unanimous consent to have this article printed in the RECORD and urge my colleagues to consider the facts and arguments contained in this editorial.

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

[The Wall Street Journal, Sept. 17, 2009]

PUBLIC OPTION LITE

Senate Finance Chairman Max Baucus finally unveiled his health-care plan yesterday to a chorus of bipartisan jeers. The reaction is surprising given that President Obama all but endorsed the outlines of the Baucus plan last week But the hoots are only going to grow louder as more people read what he's actually proposing.

The headline is that Mr. Baucus has dropped the unpopular ''public option,'' but this is a political offering without much policy difference. His plan remains a public option by other means, imposing vast new national insurance regulation, huge new subsidies to pay for the higher insurance costs this regulation will require and all financed by new taxes and penalties on businesses, individuals and health-care providers. Other than that, Hippocrates, the plan does no harm.

The centerpiece of the Obama-Baucus plan is a decree that everyone purchase heavily regulated insurance policies or else pay a penalty. This government mandate would require huge subsidies as well as brute force to get anywhere near the goal of universal coverage. The inevitable result would be a vast increase in the government's share of U.S. health spending, forcing doctors, hospitals, insurance companies and other health providers to serve politics as well as or even over and above patients.

The plan essentially rewrites all insurance contracts, including those offered by businesses to their workers. Benefits and premiums must be tailored to federal specifications. First-dollar coverage would be mandated for many services, and cost-sharing between businesses and employees would be sharply reduced, though this is one policy that might reduce health spending by giving consumers more skin in the game. Nor would insurance be allowed to bear any relation to risk. Inevitably, costs would continue to climb.

Everyone would be forced to buy these government-approved policies, whether or not they suit their needs or budget. Families would face tax penalties as high as $3,800 a year for not complying, singles $950. As one resident of Massachusetts where Mitt Romney imposed an individual mandate in 2006 put it in a Journal story yesterday, this is like taxing the homeless for not buying a mansion.

The political irony here is rich. If liberal health-care reform is going to make people better off, why does it require ''a very harsh, stiff penalty'' to make everyone buy it? That's what Senator Obama called it in his Presidential campaign when he opposed the individual mandate supported by Hillary Clinton. He correctly argued then that many people were uninsured not because they didn't want coverage but because it was too expensive. The nearby mailer to Ohio primary voters gives the flavor of Mr. Obama's attacks.

And the Baucus-Obama plan will only make insurance even more expensive. Employers will be required to offer ''qualified coverage'' to their workers (or pay another ''free rider'' penalty) and workers will be required to accept it, paying for it in lower wages. The vast majority of households already confront the same tradeoff today, except Congress will now declare that there's only one right answer.

The subsidies in the Baucus plan go to people without a job-based plan and who earn under three times the federal poverty level, or about $66,000 for a family of four. Yet according to a Congressional Budget Office analysis we've seen, the plan isn't much of an improvement over the current market.

Take a family of four making $42,000 in 2016. While government would subsidize 80% of their premium and pay $1,500 to offset cost-sharing, they'd still pay $6,000 a year or 14.3% of their total income. A family making $54,000 could still pay 18.1% of their income, while an individual earning $26,500 would be on the hook for 15.5%, and one earning $32,400 for 17.3%. So lower-income workers would still be forced to devote huge portions of their salaries to expensive policies that they may not want or be able to afford.

Other Democrats want to make the subsidies even bigger, but Mr. Baucus told reporters on Monday that, ''We're doing our very best to make an insurance requirement as affordable as we possibly can, recognizing that we're trying to get this bill under $900 billion total.'' Another way of putting this is that he is hiding the real cost of his bill by pinching pennies to meet a less politically toxic overall spending number. In that sense, the House health bill which clocked in at $1.042 trillion because it was more generous upfront was more honest, though not by much.

Like the House bill, Mr. Baucus uses 10 years of taxes to fund about seven years of spending. Some $215 billion is scrounged up by imposing a 35% excise tax on insurance companies for plans valued at more than $21,000 for families and $8,000 for individuals. This levy would merely be added to the insurers' ''administrative load'' and passed down to all consumers in higher prices. Ditto for the $59 billion that Mr. Baucus would raise by taxing the likes of clinical laboratories and drug and device makers.

Mr. Baucus also wants to cut $409 billion from Medicare, according to CBO, though the only money that is certain to see the budget ax is $123 billion from the Medicare Advantage program. Liberal Democrats hate Advantage because it gives 10.2 million seniors private options. The other ''savings'' come from supposedly automatic cuts that a future Congress is unlikely to ever approve that is, until this entitlement spending swamps the federal budget. Then the government will have no choice but to raise taxes to European welfare-state levels or impose drastic restrictions on patient care. Or, most likely, both.

To sum up, the Baucus-Obama plan would increase the cost of insurance and then force people to buy it, requiring subsidies. Those subsidies would be paid for by taxes that make health care and thus insurance even more expensive, requiring even more subsidies and still higher taxes. It's a recipe to ruin health care and bankrupt the country, and that's even before liberal Democrats see Mr. Baucus and raise him, and then attempt to ram it all through the Senate.

HONORING OUR ARMED FORCES

SERGEANT WILLIAM CAHIR

Mr. LIEBERMAN. Mr. President, I rise to honor the exceptional life and service of SGT William Cahir of Alexandria, VA, who died last month while serving with the Fourth Civil Affairs Group in Afghanistan's Helmand Province. Sergeant Cahir was a patriot, wholly committed to the values and principles of the United States. We will remember Bill Cahir for his courage, his generosity of spirit, and his commitment to the very best ideals of this country.

In the last 8 years since 9/11, our homeland has not been attacked. For this, we owe deep gratitude to brave men and women like Sergeant Bill Cahir who made the heroic commitment to defend our liberty and security. In the aftermath of the horrific attacks of September 11, 2001, Sgt. Cahir left his job as a journalist and enlisted in the U.S. Marine Corps Reserves. At 34 years old, he was certainly not the youngest reserve officer, but he ranked among the most skilled and effective. I would like to include in the record a tribute to Sergeant Cahir written by Dan Gerstein who worked with me here in the Senate for years; Dan's piece eloquently captures the tremendous service, character, and spirit of Bill Cahir.

By all accounts, Sergeant Bill Cahir was a talented and loyal member of the Marine Corps. His fellow marines remember him as a man who would have risked his life for anyone on their team and did on countless occasions. His positive attitude and commitment to the challenging job at hand inspired his colleagues, even in the most difficult of circumstances. Bill Cahir was, without question, a force for good in the country that he loved.

Sergeant Cahir served two tours in Iraq during some of the most challenging periods of the war for U.S. forces. He was one among those brave men and women who took part in the ''surge'' strategy in Anbar Province in 2007. It was the courage and skill of marines like Sergeant Cahir that helped transform the security situation in Iraq and put the U.S. mission there on the track toward success.

Each day, countless Americans offer their service so that we might enjoy freedom and security. It is our duty to remain dedicated to the causes for which men and women like Sergeant Cahir have given their last full measure of devotion—the cause of freedom, the cause of security, and the cause of victory in our necessary war against terror.

We have lost a true patriot and a great American, but his life and service will never fade from our memory. My condolences and prayers are with Sergeant Cahir's wife, Rene Browne, and the entire Cahir family.

A REAL PATRIOT ACT

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the article titled ''A Real Patriot Act'' by Dan Gerstein be printed in the RECORD.

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

[From Forbes.com, Aug. 19, 2009]

DANGEROUS THOUGHTS—A REAL PATRIOT ACT

(By Dan Gerstein)

In this hothouse season of health care hollering, the most popular rallying cry seems to be ''Read the bill!'' But I would suggest that every politician—and, really, every American—would be better off taking a break from the accusations and acrimony of the moment to read about Bill. That would be Marine Corps Sgt. Bill Cahir, who was killed in action in Afghanistan last week, and whose immense sense of service stands out as a one-man antidote to the cynicism and selfishness that pervades our politics.

You almost have to read Bill's story to believe it. The son of two civic-minded parents from outside State College, Pa., Bill went to Washington right out of college to work on Capitol Hill (where I met him about a dozen years ago). When the partisanship and shallowness became too much to bear, he opted for another form of public service, taking a job as a reporter covering his home region of Pennsylvania from D.C. But after the terrorist attacks of Sept. 11, 2001, something gnawed at him. He did not feel right sitting on the sidelines. His country had been attacked, as one friend told me, and he felt the overriding need to do something about it.

So after a long internal struggle over how to heed this calling, and fairly soon after meeting the woman he would marry, Bill Cahir, at age 34, joined the Marine Corps Reserves.

''We all thought he was crazy,'' said another friend. So did the Corps commanders. They were so incredulous that a 34-year-old reporter would give up his cushy life for a sure ticket to Iraq that they made him take a psychological test to prove he was of sound mind. His drill instructors at Parris Island were equally suspicious. They thought he was there to write an exposé, or that he might have a hero complex. So they punished him with special fervor, trying to break him. But they misjudged Bill.

''People kept asking him, 'You know what you're doing, right?' '' one of the friends I interviewed said. ''But he knew exactly what he was doing. He knew he was going to Iraq. He not only knew it, he embraced it.''

And the Marines who served with Bill on his two tours in Iraq, including a highly dangerous stretch in Fallujah and the Anbar province as part of the ''surge'' strategy, embraced him in return. None of them questioned his motives (or that he once worked for Ted Kennedy).

''All I know [is] that he loved his Marines and we loved him,'' said Jason Brezler, Bill's team commander in Fallujah in 2006 and 2007. ''I'm sure you've heard the whole notion that it isn't necessarily the U.S. flag that calls Marines to duty, but the love for their fellow Marines. I know that he would have risked life and limb for any of us on the team, because I watched him do it on countless occasions. And I know that the relationship was reciprocated by us in return.''

''What amazed me about Bill was his consistent positive attitude,'' said Maj. Dan Whisnant, a former company commander in the 24th Marines. ''Bill and I spent hours talking to Sheiks, children and the locals, and his sense of service to these people was infectious. He personally was going to create a better life for these folks. I remember him playing with one of the Sheiks' young sons, and you could sense that the two had connected. Bill's sense of service, attitude and example to the younger Marines was something to behold.''

Brezler noted that Bill's maturity was also a tremendous asset to their unit's mission. ''Bill was a smart and compassionate warrior. There were instances where he could have employed his weapon against a group of kids who had attacked our convoy with grenades, but he exercised tremendous discipline and did not engage them, because he knew that the second- and third-order effects outweighed the immediate results.'' Brezler says he often tells this story when explaining effective counterinsurgency. ''Many Americans—and even some in uniform—just don't get it,'' he said.

That was vintage Bill. He always did things the right way. A colleague of his at the Lehigh Valley Express-Times, Tony Rhodin, wrote that his favorite memory of Bill was from election night 2000, when Bill came down from Washington to help cover the campaigns on the ground. While everyone was riveted by the unresolved presidential race, Bill was still working the phones at 5 a.m., trying to get the latest results of an equally close congressional contest in the area. ''He was here. There was news. It was the right thing to do.''

So was running for Congress. When Bill returned from his second tour in 2007, he could have easily returned to journalism and settled down with his wife, René, to start a family. But he still burned to serve. He decided to go back to his hometown region and compete for the Democratic nomination in the Fifth District. His heroism in Iraq and his family's deep roots in the community were well-known to voters. But Bill was still concerned about being labeled a carpetbagger. To show his commitment to the community, he bought a home there. ''This is important,'' he said to friends.

So too was going to Afghanistan in March with his unit, the Fourth Civil Affairs Group. After losing the congressional primary last fall, Bill went to work as a consultant. When he got called up again by the Marines, he could have avoided going to a hot spot. Instead, he sought it out. ''This is what I signed up to do,'' he explained in an e-mail he sent out to his disbelieving friends.

I read about Bill last Friday, the day after he was killed by enemy fire in the Helmand province, a Taliban stronghold and the site of some of the heaviest fighting in Afghanistan, less than a week before the country's national election. It hit me in a deeply personal, visceral way. Bill was one of the most decent, genuine people I had ever known in Washington, and I remember speaking with him last summer about his campaign. I was crushed to hear that his wife was pregnant with twin girls, and that they would never get to know their honor-defining father.

But more than that, it made me truly realize, in a way that only the death of a friend and peer can, just how much we in politics take for granted the men and women who fight our wars for us. Not all of us, and certainly not all the time. But unless you have lost someone close to you, our recent military actions—especially the ''forgotten war'' in Afghanistan that took Bill's life—rarely and barely touch us. They are at best debate subjects, and at worst political footballs.

It also made me think about how the word ''patriotism'' has been demeaned and cheapened by blind partisans on both sides questioning their opponents' ''American-ness.'' Perhaps if our leaders read about Bill, and learned more about what love of country really means from his example, they would think twice before casually hurling these hurtful accusations again.

Fortunately, word about Bill's remarkable story is spreading—he was the subject of a moving segment on Hardball Monday. And his family and friends have paid tribute to his memory by setting up a memorial fund to help assist his wife and their twins.

I heard from many of Bill's loved ones (some of them mutual friends, some of whom I had never met) in preparing this tribute, and none of them could fully explain where his overwhelming commitment to service came from. Bill was not one to toot his own horn. ''He would probably be embarrassed by all this attention and being called a hero,'' one friend told me.

But while they may not have understood its source, they more than appreciated his impact, the lives he saved and the lives he touched. Perhaps the most fitting elegy came from Bill's brother Bart. ''I won't offer any anecdotes,'' he said, ''but rather a quote that I think summarized his life from Ben Franklin: 'If you would not be forgotten as soon as you are gone, either write things worth reading or do things worth writing.' My view is that my brother did both.'' Semper fi, indeed.

25TH ANNIVERSARY OF THE AAO—CODE OF ETHICS

Mr. KOHL. Mr. President, I would like to congratulate the American Academy of Ophthalmology as this year marks the 25th anniversary of their groundbreaking ethics code. One of the first of its kind in the medical world, the Academy Code of Ethics represents a milestone. This self-initiated code of ethics paved the way and set the standard for numerous other codes of conduct within professional medical organizations. Since the code's inception in 1983, the academy's Ethics Committee has reviewed over 3,500 inquiries about ethical behavior and concerns about member conduct.

The American Academy of Ophthalmology is the largest national membership association of ophthalmologists, with 430 in Wisconsin alone. Its members are committed to advancing the highest standards of comprehensive eye care and are dedicated to enhancing the quality of life for every patient they serve. The academy uses its code of ethics, a consensus of the members' views on the ethical issues encountered in ophthalmology, to do just that.

I would also like to note the AAO's commitment to educating its members about unintended influence from the drug industry that can result from the acceptance of excessive gifts and payments. Since 1991, its Ethics Committee has encouraged its members to disclose potential conflicts to patients, the public, and colleagues. AAO's internal policies on this matter, which have been continually updated through the years, are very much in line with the Physician Payments Sunshine Act, S. 301, of which I am a lead sponsor.

Because so many complex ethical dilemmas affect nearly every facet of our

health system, the fact that the academy was one of the very first organizations in professional health care to develop an ethical code is truly commendable. Therefore, I once again express my congratulations to the American Academy of Ophthalmology on the 25th anniversary of their code of ethics.

ADDITIONAL STATEMENTS

REMEMBERING IRVING KRISTOL

• Mr. LIEBERMAN. Mr. President, I wish to pay tribute to the exceptional life, character, and work of Irving Kristol. Irving was an inventive entrepreneur of ideas who was boundless in his wit, creativity, and insight. Though we have lost an intellectual giant, we will continue to cherish and learn from Irving Kristol's rich legacy for years to come.

Irving understood that ideas have consequences—and his immense influence was the result of his unique ability to shape the American political landscape with the power of creative thought. He harnessed this power most impressively in his writing, editing, and publishing. Beginning in 1942 when he cofounded his first magazine—Enquiry: A Journal of Independent Radical Thought—this began a tradition of launching small magazines with immense influence. He became instrumental in opinion journals like Commentary, Encounter, the New Leader, the National Interest, and, of course, the Public Interest, which he founded with Daniel Bell. Though these publications did not enjoy large numbers of subscriptions, Irving Kristol valued the quality of his readership over the quantity and maintained that he could change the world with a circulation of a few hundred. And he did.

He lived the life of the creative mind and inspired many aspiring thinkers and writers to join him in this pursuit. One among them, the noted scholar James Q. Wilson, wrote that ''Irving Kristol not only helped changed the country, he changed lives. He certainly changed mine.'' Irving inspired in many Americans a desire for honest inquiry and a healthy dose of skepticism that humbled and better prepared us to accept the immense difficulty of making useful changes in public policy.

Though he was a force in intellectual circles around the world, Irving was also a champion for the well-being of ordinary Americans. His mission as a neoconservative, he once said, was to ''explain to the American people why they are right, and to the intellectuals why they are wrong.'' Irving was a genuine patriot who served bravely in the Second World War and eloquently and forcefully defended America's values and principles. It came as no surprise to me that President George W. Bush awarded Irving Kristol the nation's highest civilian honor, the Presidential Medal of Freedom, in 2002.

Hadassah and I offer our condolences and prayers to Irving's wife Gertrude, his children, Bill and Elizabeth, and the entire Kristol family.•

TRIBUTE TO FRANK M. MCDONOUGH

• Mr. MENENDEZ. Mr. President, today I wish to recognize a man from New Jersey who, through his leadership and commitment to service, has given much back to the country and to his community. This month Frank McDonough is retiring as president of the New York Shipping Association where his leadership will be sorely missed. Frank still speaks with a native, no-nonsense Boston accent, but he is—through and through—a New Jerseyan at heart and in spirit. He has had three accomplished careers. His first was with the U.S. Marines where he spent 21 proud and glorious years. He enlisted in 1957 and rose to the rank of major in 1976. Major McDonough served in Vietnam in combat and combat service support units. In 1968, during the siege at Khe Sanh, he was communications officer of the 1st Battalion, 13th Marines. He was appointed acting battery commander for Headquarters Battery until the headquarters was lost to enemy rocket fire.

He served as communications officer for the 2nd Battalion 26th Marines and for the 1st Reconnaissance Battalion. He was company commander of Echo Company, 2/26 and completed his tour as battalion operations officer under Marine legends COL ''Wild Bill'' Drumwright and LTC Bill Leftwich. In October, 1970, he was assigned to the United States Army Signal Center and School at Fort Monmouth where he graduated with honors and became the officer-in-charge of the Marine detachment and a distinguished instructor in the officer school. Major McDonough retired in 1978.

Frank McDonough's second career was in law. He completed his undergraduate degree magna cum laude at Boston University and then earned a juris doctorate in 1983. He returned to the Garden State and joined the Monmouth County Prosecutor's Office. Before long he became director of the Environmental Crimes Task Force. Then, as now, Frank McDonough had a strong sense of environmental responsibility. Frank's particular interest has been New Jersey's coastal environment.

In 1986 he entered private practice. He was a member of the bar in New Jersey and the District of Columbia and was admitted to practice before the Third Circuit Court of Appeals and the U.S. Supreme Court.

Frank McDonough's third career got its start courtesy of Governor Christine Todd Whitman. Governor Whitman knew that Frank was the right person to help the State through a developing crisis that threatened the larger bistate region served by the Port of New York/New Jersey. The Governor appointed him to the dredged materials management team that was formed to resolve the ''mudlock,'' as the New York Times described the unprecedented dredging crisis. Early in my service as a Member of Congress I also focused efforts to find dredged material management solutions that would enable navigation dredging to resume.

In 1995 Governor Whitman appointed Frank McDonough the State's first executive director of maritime resources. He worked with me and others to help arrive at workable solutions. Resolution was achieved by 1996 with the help of the Clinton White House and the active involvement of Vice President Al Gore.

Frank McDonough must have liked the challenges of the port world because that is where he made his third career. In 2000, he retired from the State and was appointed executive director of the advocacy organization, Nation'sPort, and served as a visiting professor and advisory board member of the Center for Maritime Systems at Stevens Institute of Technology.

In 2001, Frank was elected president of the New York Shipping Association, the position from which he is now retiring. He has been the principal advocate for the marine terminal operators and steamship lines that call on the Port of New York/New Jersey, the third largest in the country. He has been responsible for negotiating and managing the labor contracts, comanaging the various welfare and pension programs, and hiring, training and dispatching the workers.

Frank McDonough's watch at the port has been a dynamic and challenging period. Cargo experienced double digit growth for much of that time until last year when the trade market fell as the global economy went into recession. During this period the port has been at the forefront of port security initiatives in response to a more dangerous world and new Federal mandates developed to combat it. Frank's role has included serving as vice chairman of the New York Harbor Area Maritime Security Committee.

Throughout this tumultuous time, Frank McDonough has been a steady figure on the business side of the port. He led his member companies to undertake important initiatives to reduce the port's environmental imprint even as cargo flow increased. He worked to reduce the port's dependency on trucking and increase the use of congestion-relieving rail and marine transportation for moving cargo between points in the U.S.

Frank McDonough's contributions to his community and State's natural resources are a matter of record, including serving as president of the New Jersey Jaycees, president of the Monmouth-Ocean Development Council, founding president of the Friends of the Monmouth County Parks, and trustee of the New Jersey Marine Sciences Consortium. He also has been chairman of the New Jersey Tidelands Resource Council where he has served for 14 years under five Governors.

Frank and his wife Rita have lived in Monmouth County, NJ. They have four

sons and six grandchildren. I extend my sincere congratulations and thanks to Frank McDonough for making his State of New Jersey a better place to live and work.●

REMEMBERING RONALD EUGENE RAIKES

● Mr. NELSON of Nebraska. Mr. President, today I pay tribute to a good friend who touched the lives of many Nebraskans. Ronald Eugene Raikes of Lincoln passed away tragically at the age of 66 after a farming accident on September 5, 2009, at his farm in Saunders County, NE.

As Nebraska's Governor, I had the honor of appointing Ron to my home State's unique one-house legislature in 1997 to finish the term of the late Senator Jerome Warner. I chose Ron for this legislative seat because he was a brilliant and dedicated individual, and because he shared many other of the wonderful qualities of Senator Warner who was a storied lawmaker in his own right. The choice turned out to be inspired, as Ron quickly won the respect of his fellow state senators.

Ron served in the Nebraska Unicameral as the representative from District 25 in southeast Lincoln. He was elected to two 4-year terms before retiring in 2008 due to term limits. As chair of the Legislature's Education Committee, he was a tireless advocate for children and helped develop a number of major initiatives aimed at addressing the needs of minority and underprivileged youth.

The life of Ronald Eugene Raikes, both in public and private, was one filled with quiet dignity and integrity. He always said that our aim, whether as elected officials or individuals, should be to make a contribution. Ron succeeded in that endeavor and, as such, is sorely missed by his fellow Nebraskans. Our hearts go out to his wife Helen; his children Heather, Abbie and Justin; his brother Jeff; and his sisters Ann, Susan and Mary Jo, as well as all those who knew and worked with him. The life of Senator Ron Raikes leaves behind a legacy in Nebraska for many generations to come.●

TRIBUTE TO THE HEATWOLE FAMILY

● Mr. ROCKEFELLER. Mr. President, I am a proud member of the Congressional Coalition on Adoption Institute, and each year I participate in the Angel of Adoption program to recognize a family, caseworker, or judge who works in my State to promote adoptions and permanency for vulnerable children.

Throughout my career in the U.S. Senate, I have worked hard on Federal legislation to promote adoptions and permanency, and to invest in the child welfare system to improve our care and services. I am truly motivated by the families and dedicated professionals I meet thanks to the Angels in Adoption event.

This year, I was proud to accept the nomination of the West Virginia Children's Home Society of the family of Dawn and Dave Heatwole as the 2009 West Virginia Angel in Adoption.

This award is used to recognize those who reach out to vulnerable children and provide them with a safe and loving home. David and Dawn have an amazing story that has touched the lives of so many needy children, and I would like to share their story with you now.

Dawn and David had been married several years when they were told that it was unlikely they would be able to have children. Rather than becoming discouraged, the couple decided that they would like to adopt a young boy from Russia who they had found out about through their church. While waiting for the lengthy international adoption process to go through, Dawn and David decided to become foster parents.

In April 2005 the Heatwoles undertook the challenge of caring for a 7-month-old boy with serious medical problems. Less than a year later the child was placed on a donor list because he required a liver transplant. As his condition continued to worsen, Dawn's sister volunteered to be tested and proved to be an appropriate donor match. The surgery was successful and their adopted son, Adam, is now a healthy 4 year old.

Shortly after bringing Adam into their home, David and Dawn took in another infant foster child, Ethan. Nine months later they welcomed Ethan's brother Asa into their growing family. In January of 2007, the Heatwoles were able to adopt Pasha from Russia, and they did not stop there. In May of 2008, they also accepted Adam's sister as another precious child in their home.

Over the past 5 years, the Heatwoles have provided a safe and loving environment for nine children. They have opened their home to children in need, and have fought to ensure that children are the top priority in the foster care system. Dawn and David have endured the challenges that accompany ailing and drug dependent infants, as well as the challenge of helping a non-English speaking child adapt to a new culture.

Mr. President, I have been delighted to share the Heatwole family's touching story with you. It is my firm belief that the people of West Virginia possess a great compassion to help those in need. The Heatwoles are an inspiration to us all.●

MESSAGES FROM THE HOUSE

At 12:53 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 860. An act to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

H.R. 1080. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, and for other purposes.

H.R. 2265. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, and for other purposes.

H.R. 2522. An act to raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, and for other purposes.

H.R. 2741. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes.

H.R. 2802. An act to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes.

H.R. 2971. An act to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the ''Dr. Martin Luther King, Jr. Post Office''.

H.R. 3113. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

At 1:15 p.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, without amendment:

S. 1677. An act to reauthorize the Defense Production Act of 1950, and for other purposes.

At 4:18 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 3607. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3614. 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.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 860. An act to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1080. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2265. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater

recharge project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2522. An act to raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2741. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2802. An act to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2971. An act 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''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3113. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

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–3109. A communication from the Administrator, Cooperative State Research, Education, and Extension Service, U.S. Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Competitive and Noncompetitive Non-Formula Federal Assistance Programs—Specific Administrative Provisions for the Beginning Farmer and Rancher Development Program'' (RIN0524–AA59) received in the Office of the President of the Senate on September 22, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3110. A communication from the Administrator, Cooperative State Research, Education, and Extension Service, U.S. Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Competitive and Noncompetitive Non-Formula Federal Assistance Programs—General Award Administrative Provisions and Program-Specific Administrative Provisions for the Specialty Crop Research Initiative'' (RIN0524–AA28) received in the Office of the President of the Senate on September 22, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3111. A communication from the Administrator, Cooperative State Research, Education, and Extension Service, U.S. Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Competitive and Noncompetitive Non-Formula Federal Assistance Programs—Specific Administrative Provisions for the New Era Rural Technology Competitive Grants Program'' (RIN0524–AA60) received in the Office of the President of the Senate on September 22, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3112. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Halosulfuron—methyl; Pesticide Tolerances'' (FRL No. 8436–7) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3113. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metolachlor, S—Metolachlor, Bifenazate, Buprofezin, and 2,4—D; Tolerance Actions'' (FRL No. 8438–9) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3114. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Certain Money Market Fund Portfolio Holdings'' (RIN3235–AK33) received in the Office of the President of the Senate on September 17, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3115. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards and Test Procedures for Commercial Heating, Air-Conditioning, and Water-Heating Equipment'' (RIN1904–AB83) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Energy and Natural Resources.

EC–3116. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to the implementation of Energy Conservation Standards Activities; to the Committee on Energy and Natural Resources.

EC–3117. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lead (Pb) Maintenance Plan Update for Marion County'' (FRL No. 8961–6) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Environment and Public Works.

EC–3118. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Revisions to the Alabama State Implementation Plan; Birmingham and Jackson County; Correction Notice'' (FRL No. 8960–1) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Environment and Public Works.

EC–3119. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometer (PM2.5); Final Rule to Stay the Grandfathering Provision for PM2.5'' (FRL No. 8961–1) received in the Office of the President of the Senate on September 22, 2009; to the Committee on Environment and Public Works.

EC–3120. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 47'' (FRL No. 8961–3) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Environment and Public Works.

EC–3121. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Hospital/Medical/Infectious Waste Incinerators'' (FRL No. 8959–9) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Environment and Public Works.

EC–3122. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 2 on Super Completed Contract Method'' (LMSB–4–0209–0006) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Finance.

EC–3123. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 National Pool'' (Rev Proc 2009–40) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Finance.

EC–3124. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier III — Industry Director Directive — Field Directive on the Planning and Examination of IRC Section 263A Issues in the Auto Dealership Industry'' (LMSB–04–0909–035) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Finance.

EC–3125. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates — October 2009'' (Rev. Rul. 2009–33) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Finance.

EC–3126. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2009–0162–2009–0164); to the Committee on Foreign Relations.

EC–3127. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles to support maintenance and reconstitution of Prepositioned War Reserve Material on behalf of U.S. Air Force Central Command to Oman and the United Arab Emirates in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–3128. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of technical

data, defense services, and defense articles related to firearms for end-use by firearms manufacturers located in the countries or governments of the United States, United Kingdom, NATO, Japan, Australia, New Zealand, and Switzerland in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

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. BURRIS:

S. 1695. A bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ:

S. 1696. A bill to require the Secretary of Energy to conduct a study of video game console energy efficiency; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN:

S. 1697. A bill to require that household cleaning products and similar products bear labels that state completely and accurately all of the ingredients of such products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself, Mr. REID, Mr. DODD, Mrs. MURRAY, Mr. REED, Mr. BROWN, Mr. CASEY, Mr. MERKLEY, and Mr. FRANKEN):

S. 1698. A bill to provide grants to the States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. KERRY, Mr. KOHL, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN, Mr. CASEY, Mr. WHITEHOUSE, and Mr. BURRIS):

S. 1699. A bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; to the Committee on Finance.

By Mr. LUGAR (for himself, Mr. CARDIN, Mr. SCHUMER, Mr. WICKER, Mr. FEINGOLD, and Mr. WHITEHOUSE):

S. 1700. A bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 1701. A bill to amend title 23, United States Code, to require corrosion mitigation and prevention plans for bridges receiving Federal funding, and for other purposes; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado (for himself and Mr. RISCH):

S. 1702. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain states; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. DURBIN):

S. Res. 281. A resolution supporting the goals and ideals of ''National Campus Safety Awareness Month.''; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. Res. 282. A resolution remembering the 20th anniversary of Hurricane Hugo, which struck Charleston, South Carolina on September 21 through September 22, 1989; considered and agreed to.

By Mr. REID (for himself, Mrs. FEINSTEIN, Mr. ENSIGN, and Ms. LANDRIEU):

S. Res. 283. A resolution expressing support for the goals and ideals of the first annual National Wild Horse and Burro Adoption Day taking place on September 26, 2009; considered and agreed to.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 284. A resolution expressing support for the designation and goals of ''National Health Information Technology Week'' for the period beginning on September 21, 2009, and ending on September 25, 2009; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. SHELBY):

S. Con. Res. 41. A concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama; considered and agreed to.

ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 305

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 305, a bill to amend title IV of the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 451

At the request of Ms. MIKULSKI, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 451, supra.

S. 546

At the request of Mr. REID, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 653

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 727

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 883

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and

Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1008

At the request of Mrs. SHAHEEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1008, a bill to amend title 10, United States Code, to limit requirements of separation pay, special separation benefits, and voluntary separation incentive from members of the Armed Forces subsequently receiving retired or retainer pay.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1065

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. WICKER) 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. 1156

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1158

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1158, supra.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1361

At the request of Mr. LEAHY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1361, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1382

At the request of Mr. DODD, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1481

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1481, a bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1576

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1576, a bill to require the Secretary of Agriculture to establish a carbon incentives program to achieve supplemental greenhouse gas emission reductions on private forest land of the United States, and for other purposes.

S. 1649

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1649, a bill to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, and for other purposes.

S. 1671

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1671, a bill to enhance the reporting requirements on the status of the Arab League trade boycott of Israel and other trade boycotts of Israel.

S. 1672

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1672, a bill to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1682

At the request of Ms. CANTWELL, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1682, a bill to provide the Commodity Futures Trading Commission with clear antimarket manipulation authority, and for other purposes.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1687

At the request of Mr. JOHANNS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1687, a bill to prohibit the Federal Government from awarding contracts, grants, or other agreements to, providing any other Federal funds to, or engaging in activities that promote the Association of Community Organizations for Reform Now.

S. CON. RES. 40

At the request of Mr. SPECTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 40, a concurrent resolution encouraging the Government of Iran to grant consular access by the Government of Switzerland to Joshua Fattal, Shane Bauer, and Sarah Shourd, and to allow the 3 young people to reunite with their families in the United States as soon as possible.

AMENDMENT NO. 2454

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2454 intended to be proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2471

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2471 proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2474

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2474 intended to be proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2493

At the request of Mr. BINGAMAN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 2493 intended to be proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2498

At the request of Ms. COLLINS, the name of the Senator from Missouri

(Mr. BOND) was added as a cosponsor of amendment No. 2498 proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2507

At the request of Mr. TESTER, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of amendment No. 2507 intended to be proposed to H.R. 2996, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRANKEN:

S. 1697. A bill to require that household cleaning products and similar products bear labels that state completely and accurately all of the ingredients of such products, and for other purposes, to the Committee on Commerce, Science, and Transportation.

Mr. FRANKEN. Mr. President, today I am introducing my second bill, the Household Product Labeling Act. This legislation will enable consumers to determine whether potentially harmful chemicals are present in the household cleaning products they use every day. I want to first thank my colleague in the House, Representative ISRAEL of New York's 2nd District, for his leadership on this issue and for the tremendous work he put into helping to craft this bill.

In many households across the country, the entire family pitches in on household cleaning chores. The effort is obviously intended to keep everyone healthy by cutting down on germs, bacteria, and mold. But unfortunately, many of the ingredients in commonly used cleaning products may be dangerous themselves. Current law requires that product labels list immediately hazardous ingredients, but there is no labeling requirement for ingredients that may cause harm over time.

Many chemicals contained in household products have been shown to produce harmful health effects. Consumers have a right to know which of these potentially harmful chemicals might be present in their kitchen and bathroom cupboards. This information is particularly important to families with small children, who as we all know have more direct contact with floors and household surfaces. This legislation simply makes that information readily available to consumers, giving them the opportunity to make an informed choice about the chemicals they bring into their homes.

How many times have you heard on the news or read in the paper about a new drug or chemical that has been recently linked to health or environmental hazards? It happens all the time. An ingredient that a company claims is ''perfectly safe'' today could be reclassified as ''dangerous'' tomorrow. And an ingredient that is safe for most people could be a major irritant for a child with asthma. Eventually, I hope that manufacturers will take preemptive action and eliminate potentially harmful chemicals from their products. In the meantime, this legislation is a common sense step in the right direction.

I urge my colleagues to support the ''Household Product Labeling Act'' and give consumers the right to shield their families from potentially harmful household products.

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 orderd to be printed in the RECORD, as follows:

S. 1697

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 ''Household Product Labeling Act of 2009''.

SEC. 2. LABELING REQUIREMENT FOR CERTAIN HOUSEHOLD PRODUCTS.

(a) DEFINITIONS.—In this Act:

(1) CONSUMER PRODUCT.—The term ''consumer product'' has the meaning given the term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052).

(2) COVERED PRODUCTS.—The term ''covered products'' consists of the following consumer products:

(A) Household cleaning products.
(B) Air fresheners and deodorizers.
(C) Floor and furniture polish.
(D) Dishwashing soap.
(E) Drain cleaners.
(F) Laundry detergent and dryer sheets.
(G) Epoxies.
(H) Paints or stains.
(I) Any other similar consumer product designated by the Consumer Product Safety Commission for purposes of this Act.

(3) INGREDIENTS.—The term ''ingredients'', with respect to a covered product, includes any fragrance, dye, or preservative, and any component of such fragrance, dye, or preservative, included in such product.

(4) INTERSTATE COMMERCE.—The term ''interstate commerce'' has the meaning given the term in section 2 of the Federal Hazardous Substances Act (15 U.S.C. 1261).

(5) LABEL.—The term ''label'' has the meaning given such term in such section 2.

(b) LABELING REQUIREMENT.—

(1) IN GENERAL.—Each covered product introduced or delivered for introduction into interstate commerce shall bear a label that states completely, accurately, and legibly all of the ingredients of such product.

(2) STANDARD LIST OF INGREDIENTS.—The Consumer Product Safety Commission shall prescribe in the rules required by subsection (d) a standardized list of the ingredients known to be included in covered products in order to ensure the uniform statement of ingredients on covered products in labels on covered products under this Act.

(c) ENFORCEMENT.—Beginning on the date that is 540 days after the date of the enactment of this Act, any covered product that is introduced or delivered for introduction into interstate commerce in violation of subsection (b) shall be treated as a misbranded hazardous substance within the meaning of section 2(p) of the Federal Hazardous Substances Act (15 U.S.C. 1261(p)).

(d) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Consumer Product Safety Commission shall prescribe rules to carry out this Act.

By Mr. BINGAMAN (for himself, Mr. REID, Mr. DODD, Mrs. MURRAY, Mr. REED, Mr. BROWN, Mr. CASEY, Mr. MERKLEY, and Mr. FRANKEN):

S. 1698. A bill to provide grants to the States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I rise today, along with Senators REID, DODD, MURRAY, REED, BROWN, CASEY, MERKLEY, and FRANKEN, to introduce the Graduation Promise Act of 2009, or GPA. This bill would create Federal-State-local partnerships to improve this nation's graduation rates, and to help transform our lowest-performing high schools.

Twenty years ago, the Nation's governors met with the first President Bush in Charlottesville, Virginia, for a groundbreaking education summit. They agreed to set high expectations for education for the coming decade, including an increase in the national high school graduation rate to 90 percent by the year 2000. Today, we are not even close to achieving that goal.

Indeed, the Nation's high school graduation rate has stagnated at around 70 percent. Graduation rates for students of color are even lower. In my own home state of New Mexico, the graduation rate is only 54 percent. Yet Federal education policy and funding have focused primarily upon elementary and postsecondary education. Only about 8 percent of all Title I dollars go to high schools.

The economic cost of the high school dropout crisis is significant. According to the Alliance for Excellent Education, if the students who dropped out of the Class of 2009 had graduated, the nation's economy would have benefited from nearly $335 billion in additional income over the course of these students' lifetimes. Failing to address the nation's dropout crisis fails our students and our country because too few young Americans are prepared to enter the workforce, which harms our economy and our standing in the world. If we don't improve our graduation rates, we will lose our competitive edge.

But low graduation rates are only one broad indicator of the crisis affecting our Nation's high schools. Even if a student makes it to graduation, only a third of all students who enter the 9th grade will graduate with the skills and knowledge necessary to succeed in college or the modern workplace. They are not receiving the kind of quality education that permits a seamless transition to a job or postsecondary education.

Fortunately, research is available to help us better understand the factors behind low graduation rates and poor student performance in high school. We can use research-based tools to identify the high schools that are producing the majority of dropouts across the country. These high schools, roughly 2,000 in all, or 15 percent of all high schools, have persistently low rates of grade promotion and graduation. If you look at the typical senior class at one of these high schools, it will have decreased in size by at least 40 percent since these students entered the school 4 years earlier.

Research has also shed light on the specific risk factors that predict who will drop out of high school. We can identify future dropouts with a high degree of certainty by looking at such predictors as course failure, poor attendance, behavior problems, and retention in earlier grades. Students who enter high school significantly lagging behind in their academics and who show clear signs of disengagement are likely to drop out unless additional supports are put in place.

Research-based solutions, with solid evidence of success, are transforming high schools with low graduation rates. Restructuring schools into smaller, more personalized learning environments ensures that students become engaged from the time they enter 9th grade. Sustained efforts to boost attendance ensure that they don't fall further behind. Partnerships with community-based and education organizations help facilitate successful school transformations.

Schools that have combined these efforts with high-quality curriculum and instructional improvements have been successful in improving student achievement and increasing graduation rates: transitional math and English to 9th graders helps them catch up; challenging curricula and tangible, contextual applications of learning rekindle their interest; and teaching teams and professional development targeted to the needs of the school bolster teachers' effectiveness in identifying, managing, and engaging students at risk of dropping out. In combination, these interventions are proven to improve student achievement and increase graduation rates.

In essence, we know which schools have the highest dropout rates; we know the risk factors that predict to a high degree of certainty which students will drop out; and we know which sets of interventions work to turn around failing schools and failing students. The task before us is to partner with states and local school districts to enhance and expand these efforts. By appropriately extending its education focus to include the needs of students in middle and high schools, the Federal Government can move the nation from ''no child left behind'' to ''every student a graduate.''

To meet this critical goal, I am introducing, along with my colleagues Senators REID, DODD, MURRAY, REED, BROWN, CASEY, MERKLEY, and FRANKEN, the Graduation Promise Act of 2009.

The Graduation Promise Act will help build state and local capacity for secondary school improvement by providing states and local school districts with resources to identify and target high schools with the greatest needs. GPA recognizes that high school reform needs to start with experts on the ground—in the states and local districts where struggling high schools exist.

It also recognizes that reform efforts must be targeted to address the unique challenges each school faces in raising achievement and graduation levels. As such, GPA would provide resources to states to establish differentiated high school improvement systems and ensure that locally-driven school improvement actions are based upon the amount and type of supports necessary to turn such schools around.

In order to be eligible to receive funds to implement these school improvement plans, local school districts would work with the school improvement teams to assess the capacity of the high school to implement the plan, as well as identify the existing resources available to the district and the school. These assessments would be used to determine the amount of resources and technical assistance needed to successfully implement the high school improvement plan.

GPA also emphasizes transparency and accountability. Both state applications and local school improvement plans would be subject to a rigorous peer-review process. Schools needing targeted interventions, whole school reform, or replacement would be required to meet measurable and meaningful benchmarks of improvement.

The cost of raising student performance and graduation rates at our chronically underperforming high schools is considerable, yet it is a necessary investment in our Nation's future economic strength. The Graduation Promise Act authorizes $2.5 billion per year to meet this challenge, with the bulk of funding directed to states and local school districts to help turn around the high schools with the lowest student achievement and lowest graduation rates.

I submit that we cannot afford to let struggling high schools continue to push students off the path to prosperity. We must ensure the continued prosperity of our country by promising each high school student a chance to gain the skills and knowledge necessary to pursue their dreams and succeed.

I want to thank my Senate cosponsors for their commitment to improving high schools and increasing graduation rates in this country, and I am pleased to be working with them and other Senate colleagues on this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1698

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Graduation Promise Act of 2009''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—HIGH SCHOOL IMPROVEMENT AND DROPOUT REDUCTION FUND

Sec. 101. Findings.
Sec. 102. Purposes.
Sec. 103. Definitions.
Sec. 104. Grants authorized.
Sec. 105. Secretarial peer review and approval.
Sec. 106. State plan to develop differentiated high school improvement system.
Sec. 107. Use of grant funds.
Sec. 108. Statewide differentiated high school improvement system.
Sec. 109. Subgrants to local educational agencies.
Sec. 110. Local educational agency implementation of school improvement system.
Sec. 111. School improvement activities.
Sec. 112. Evaluation and reporting.
Sec. 113. Authorization of appropriations.

TITLE II—DEVELOPMENT OF EFFECTIVE SCHOOL MODELS

Sec. 201. Purposes.
Sec. 202. Definitions.
Sec. 203. Grants authorized.
Sec. 204. Application.
Sec. 205. Secretarial peer review and approval.
Sec. 206. Use of funds.
Sec. 207. Evaluation and reporting.
Sec. 208. Authorization of appropriations.

SEC. 2. DEFINITIONS.

In this Act:

(1) IN GENERAL.—The terms ''distance learning'', ''educational service agency'', ''highly qualified'', ''local educational agency'', ''secondary school'', and ''State educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) GRADUATION RATE.—The term ''graduation rate'' has the meaning given the term in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)), as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations.

(3) HIGH SCHOOL.—The term ''high school'' means a secondary school in which the—

(A) entering grade of the school is not lower than grade 6; and

(B) highest grade of the school is—

(i) grade 12; or

(ii) in the case of a secondary school approved by a State to issue a regular diploma concurrently with a postsecondary degree or with not more than 2 years' worth of postsecondary academic credit, grade 13.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

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

(6) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

TITLE I—HIGH SCHOOL IMPROVEMENT AND DROPOUT REDUCTION FUND

SEC. 101. FINDINGS.

The Senate finds the following:

(1) About a third of our Nation's high school students fail to graduate in 4 years, and another third graduate without the skills and knowledge needed to succeed in college or the workplace. The outcomes for minority students are even worse: only 50 percent of American Indian, 51 percent of Black, and about 55 percent of Hispanic students graduate on time, compared to 76 percent of white students.

(2) Approximately half of the Nation's dropouts attend a school where 40 percent or more of the freshman class has dropped out by the time the students reach their senior year. These schools, which are located in nearly every State, disproportionately serve minority and poor students, and have fewer resources and less qualified teachers than schools in more affluent neighborhoods. Almost half of African American students and nearly 40 percent of Latino students—compared to only 11 percent of white students—attend high schools in which graduation is not the norm.

(3) A high school diploma is increasingly important for success in the 21st century economy. In fact, nearly 90 percent of the fastest-growing, highest-paying jobs require some sort of education beyond high school.

(4) For decades, Federal funding has largely been spent on prekindergarten through grade 6 education and higher education, with dramatically less given the middle and high school grades. While children in their early years must build a strong foundation for learning, research also clearly demonstrates the need to continue the investment at each stage of the education process or risk losing much of the benefit of the early effort.

(5) High schools receive only 10 percent of funds under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), leaving millions of title I eligible, high school students in low-performing schools without the focused support, external assistance, and resources for improvement that title I was created to provide. Because title I funds serve as the trigger for school improvement requirements in the Elementary and Secondary Education Act of 1965, this also means that most low-income, low-performing high schools are not required to (or supported to) implement school improvement activities.

(6) While the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) includes a strong focus on identifying low-performing schools, America still needs a comprehensive strategy to support and improve chronically low-performing schools and local educational agencies. School improvement strategies should be tailored based on a variety of indicators and data, so that educators can create and implement successful school improvement strategies to address the needs of the individual schools.

(7) Most local educational agencies and State educational agencies do not necessarily have the capacity or infrastructure to guide, support, and fund school improvement strategies where they are needed, but good models for turning around low-performing high schools do exist. Federal support should be used to build this capacity based on evidence from successful high schools.

(8) If the Nation is to maintain and increase its competitiveness in the global economy, it must invest in a systemic approach to improving its high schools so that every child graduates from high school prepared for success.

SEC. 102. PURPOSES.

The purposes of this title are to—

(1) improve high school student academic achievement and graduation rates and prepare all students for postsecondary education and the workforce;

(2) help States and local educational agencies develop high school improvement systems to deliver support and technical assistance to high schools identified for whole school reform or replacement, as described in clause (ii) and (iii) of section 106(b)(2)(B);

(3) ensure students graduate from high school with the education and skills necessary to compete in a global economy; and

(4) help build the capacity to develop and implement research-based, sustainable, and replicable high school improvement models and interventions that are for high schools in whole school reform and replacement and that engage the whole community.

SEC. 103. DEFINITIONS.

In this title:

(1) ADEQUATE YEARLY PROGRESS.—The term ''adequate yearly progress'' has the meaning given the term in section 1111(b)(2)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)).

(2) EXTERNAL PARTNER.—The term ''external partner'' means an entity—

(A) that is an organization such as a nonprofit organization, community-based organization, local education fund, service organization, educational service agency, or institution of higher education; and

(B) that has demonstrated expertise and effectiveness in providing targeted support such as data analysis, professional development, or provision of nonacademic support and integrated student services to local educational agencies, schools, or students that leads to improved teaching, learning, and outcomes for students, including for those students who are failing to make sufficient progress to graduate in the standard amount of years or who have dropped out of high school.

(3) LOW-INCOME LOCAL EDUCATIONAL AGENCY.—The term ''low-income local educational agency'' means a local educational agency in which not less than 15 percent of the students served by such agency are from families with incomes below the poverty line.

(4) MIDDLE GRADES.—The term ''middle grades'' means any of grades 5 through 8.

(5) POVERTY LINE.—The term ''poverty line'' means the poverty line described in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) SECONDARY SCHOOL REFORM PARTNER.—The term ''secondary school reform partner'' means an organization, such as a school reform organization, community-based organization, local education fund, educational service agency, or institution of higher education, with expertise in analyzing school performance data and a track record of success in improving student achievement and graduation rates in low-performing high schools.

SEC. 104. GRANTS AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized to make grants, through allotments under subsection (b), to State educational agencies with approved State plans that will—

(1) improve student achievement and graduation rates; and

(2) effectively target resources and technical assistance to high schools in whole school reform or replacement, as described in clause (ii) or (iii) of section 106(b)(2)(B).

(b) DETERMINATION OF ALLOTMENTS.—

(1) RESERVATION OF FUNDS.—From the total amount appropriated under section 113, the Secretary shall reserve not more than—

(A) the lesser of 3 percent or $50,000,000, to—

(i) provide technical assistance and ongoing regional training programs that are equitably distributed—

(I) among the different geographic regions of the United States; and

(II) among State and local educational agencies serving urban and rural areas;

(ii) evaluate activities authorized under this title in order to determine the most effective strategies for improving student achievement and outcomes for students attending high schools identified for targeted intervention, whole school reform, or replacement under section 106(b)(2); and

(iii) disseminate the findings of such evaluations;

(B) the lesser of 4 percent or $75,000,000, to build the capacity of secondary school reform partners and external partners to provide services under this Act that benefit high schools and support the development or enhancement of research-based whole secondary school reform or new secondary school models, of which not less than 35 percent of such reserved funds shall be awarded, on a competitive basis, to secondary school reform partners or external partners that will provide services under this Act that benefit high schools designated with a school locale code of Fringe Rural (41), Distant Rural (42), or Remote Rural (43), as determined by the Secretary; and

(C) 2 percent to the Secretary of the Interior, to enable the Secretary to carry out the purposes of this Act for schools operated or funded by the Bureau of Indian Affairs.

(2) STATE ALLOTMENT.—From the total amount appropriated under section 113 for a fiscal year and not reserved under paragraph (1), the Secretary shall make allotments as follows:

(A) LOW-INCOME LOCAL EDUCATIONAL AGENCIES.—From such amount, the Secretary shall allot to each State an amount that bears the same ratio to 50 percent of the sums being allotted as the percentage of students enrolled in schools served by low-income local educational agencies in the State bears to the total of such percentages for all the States.

(B) LOWEST GRADUATION RATE CALCULATION.—From such amount, the Secretary shall allot to each State for which the graduation rate is within the lowest one-third of the graduation rates for all States, an amount that bears the same ratio to 25 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States with the lowest one-third graduation rates.

(C) MIDDLE GRADUATION RATE CALCULATION.—From such amount, the Secretary shall allot to each State for which the graduation rate is within the middle one-third of the graduation rates for all States, an amount that bears the same ratio to 15 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States within the middle one-third graduation rates.

(D) HIGHEST GRADUATION RATE CALCULATION.—From such amount, the Secretary shall allot to each State for which the graduation rate is within the highest one-third of the graduation rates for all States, an amount that bears the same ratio to 10 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States within the highest one-third graduation rates.

(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the

remaining States in accordance with this subsection.

(4) USING FIRST-YEAR DATA.—In calculating allotments under this subsection for the second and each subsequent year of the grant period, the Secretary shall use the data relating to low-income local educational agencies and graduation rates used for the first year of the grant period.

(5) HOLD HARMLESS.—Notwithstanding any other provision of this subsection but subject to paragraph (6), no State shall receive an allotment under this section for a fiscal year in an amount that is less than the amount the State received under this section for the first fiscal year of the grant period.

(6) RATABLE REDUCTION.—If the amount appropriated in a fiscal year is not sufficient to pay the minimum allotments to all eligible institutions under paragraph (5), the amount of the minimum allotment to each such eligible institution shall be ratably reduced.

(c) SUPPLEMENT, NOT SUPPLANT.—A State educational agency that receives a grant under this title shall use the grant funds to supplement, and not supplant, Federal and non-Federal funds available to high schools.

(d) MATCHING FUNDS.—A State educational agency that receives a grant under this section shall provide matching funds, from non-Federal sources, in an amount equal to 25 percent of the amount of grant funds provided to the State to carry out the activities supported by the grant. Such matching funds may be provided in cash or in-kind, except that—

(1) not more than 10 percent of the amount of grant funds may be provided through in-kind contributions; and

(2) any in-kind contributions shall be directed toward supporting the State educational agency's technical assistance efforts or the operation of the State's differentiated high school improvement system under section 106.

SEC. 105. SECRETARIAL PEER REVIEW AND APPROVAL.

(a) IN GENERAL.—The Secretary shall—

(1) establish a peer-review process to assist in the review and approval of State plans;

(2) appoint individuals to the peer-review process who are educators and experts in educational standards, assessments, accountability, high school improvement, dropout prevention, academic needs of English language learners, and other educational needs of high school students;

(3) approve a State plan submitted under this title not later than 120 days after the date of the submission of the plan unless the Secretary determines that the plan does not meet the requirements of this title;

(4) if the Secretary determines that the State plan does not meet the requirements of this title, immediately notify the State of such determination and the reasons for such determination;

(5) if the Secretary determines that the State does not have the capacity to carry out the school improvement activities described in sections 106(b)(2) and 108, offer technical assistance to carry out such activities for States directly or through contracts with secondary school reform partners;

(6) not deny a State's plan before—

(A) offering the State an opportunity to revise the State's plan;

(B) providing the State with technical assistance in order to submit a successful plan; and

(C) providing the State an opportunity for a hearing or accepting input from the State; and

(7) have the authority to deny a State plan for not meeting the requirements of this title.

(b) ACCURACY.—In approving a State plan, the Secretary shall ensure that—

(1) the process the State educational agency proposes for differentiating school improvement actions under sections 106(b)(2) and 108, which process will assign high schools to each of the school improvement categories described in section 106(b)(2) in such a way that accurately identifies the high school and leads to the implementation of the interventions necessary to meet the needs of the students attending the high school; and

(2) the annual growth targets proposed by the State educational agency under section 106(b)(3)(D) are meaningful and achievable, and demonstrate continuous and substantial progress.

SEC. 106. STATE PLAN TO DEVELOP DIFFERENTIATED HIGH SCHOOL IMPROVEMENT SYSTEM.

(a) IN GENERAL.—For a State to be eligible to receive a grant under this title, the State educational agency shall submit a plan to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(b) CONTENTS.—Each plan submitted under this section shall include the following:

(1) SCHOOL IMPROVEMENT PROCESS.—The State educational agency shall describe how the State educational agency will use funds authorized under this title to establish or expand a statewide differentiated high school improvement system described in section 108.

(2) STATEWIDE DIFFERENTIATED HIGH SCHOOL IMPROVEMENT.—

(A) PROCESS OF DIFFERENTIATION.—The State educational agency shall describe a data-driven process for categorizing high schools into the categories described in subparagraph (B) using—

(i) the indicators used to determine adequate yearly progress; and

(ii) data from the school performance indicators described in paragraph (3).

(B) DIFFERENTIATED HIGH SCHOOL IMPROVEMENT CATEGORIES.—The State educational agency shall describe how local educational agencies will use the process established under subparagraph (A) to categorize the high schools in the State that do not make adequate yearly progress for 2 consecutive years into one of the following school improvement categories:

(i) SCHOOLS NEEDING TARGETED INTERVENTIONS.—High schools whose performance on the school performance indicators described in paragraph (3) demonstrate a need for targeted interventions described in section 111(b) to improve student outcomes and make adequate yearly progress.

(ii) SCHOOLS NEEDING WHOLE SCHOOL REFORMS.—High schools whose performance on the school performance indicators demonstrate a need for comprehensive schoolwide reform described in section 111(c) to improve student outcomes and make adequate yearly progress.

(iii) SCHOOLS NEEDING REPLACEMENT.—High schools whose school performance indicators demonstrate a need for replacement, as described in section 111(d).

(C) SPECIAL RULE.—A State educational agency may propose in the plan under this section additional levels of differentiation within a particular school improvement category described in subparagraph (B) to further target and prioritize school needs and to align differentiation with the State's existing State accountability systems.

(D) DEMONSTRATION OF DEVELOPMENT.—The State shall demonstrate how the State plan was developed in consultation with a representative group of local educational agencies.

(E) CONTINUOUS IMPROVEMENT.—The State educational agency shall describe how the State educational agency will evaluate annually the progress of high schools to ensure that each high school is making continuous and substantial improvement in accordance with the annual growth targets described in paragraph (3)(D) and consistent with the requirements described in section 111.

(F) AUTOMATIC DESIGNATION.—The process of categorization proposed by the State educational agency shall ensure that a high school shall be automatically identified as a school in need of whole school reform or as a school in need of replacement, if the high school has a graduation rate of 50 percent or less in the most recent year for which data are available.

(3) SCHOOL PERFORMANCE INDICATORS.—

(A) IN GENERAL.—The State educational agency shall define, in consultation with representatives from urban and rural local educational agencies in the State, a comprehensive set of school performance indicators that—

(i) shall be used, in addition to the indicators used to determine adequate yearly progress, to—

(I) analyze the performance of high schools in the State;

(II) determine the amount, intensity, and type of support each high school needs; and

(III) guide the school improvement process;

(ii) demonstrate whether a high school is making substantial and continuous progress toward the goal of graduating all of the school's students prepared for success in higher education and careers; and

(iii)(I) directly measure student achievement and advancement in high school; or

(II) have been demonstrated by research to have a direct impact on high school student achievement and advancement.

(B) CATEGORIES.—

(i) IN GENERAL.—The comprehensive set of school performance indicators required by subparagraph (A) shall include indicators of—

(I) high school student engagement and effort;

(II) student advancement;

(III) educator quality; and

(IV) academic learning.

(ii) INDICATORS OF HIGH SCHOOL STUDENT ENGAGEMENT AND EFFORT.—With respect to high school student engagement and effort, the indicators—

(I) shall include student attendance rates; and

(II) may include—

(aa) the percentage of student suspensions and expulsions;

(bb) surveys of high school student engagement and effort; or

(cc) other indicators of student engagement proposed by the State educational agency and approved by the Secretary as part of the peer review process described in section 105(a).

(iii) INDICATORS OF STUDENT ADVANCEMENT.—With respect to student achievement, the indicators—

(I) shall include—

(aa)(AA) student-earned on-time promotion rates from grade to grade for all grades in the high school; or

(BB) the percentage of students who have on-time credit accumulation at the end of each grade; and

(bb) the percentage of students—

(AA) failing a core, credit-bearing, English language arts, mathematics, or science course; or

(BB) failing 2 or more courses of any type; and

(II) may include—

(aa) measures of enrollment, retention, persistence, and degree attainment in two-year and four-year institutions of higher education;

(bb) measures of the employment success of students who graduated from the high school; or

(cc) other indicators of student advancement proposed by the State educational agency and approved by the Secretary as part of the peer review process described in section 105(a).

(iv) INDICATORS OF EDUCATOR QUALITY.—With respect to educator quality, the indicators—

(I) shall include—

(aa) measures of teacher attendance, vacancies, and turnover; and

(bb) the percentage of highly qualified teachers by grade level; and

(II) may include other indicators of educator quality proposed by the State educational agency and approved by the Secretary as part of the peer review process described in section 105(a).

(v) INDICATORS OF ACADEMIC LEARNING.—With respect to academic learning, the indicators—

(I) shall include—

(aa) the percentage of students taking a college-preparatory curriculum, which may include the percentage of students taking Advanced Placement courses, International Baccalaureate courses, or postsecondary courses for dual credit;

(bb) the percentage of students reaching proficiency on the State academic assessments in reading and mathematics required under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), disaggregated by the categories of students identified in section 1111(b)(2)(C)(v) of such Act (20 U.S.C. 1111(b)(2)(C)(v); and

(cc) student success on State or local educational agency end-of-course examinations or performance-based assessments with standardized scoring rubrics aligned to State standards, where such assessments are available; and

(II) may also include—

(aa) student achievement on college entrance and placement examinations such as the ACT or SAT, or Advanced Placement examinations; or

(bb) other indicators of academic learning proposed by the State educational agency and approved by the Secretary as part of the peer-review process described in section 105(a).

(C) DEMONSTRATION OF CAPACITY TO COLLECT AND REPORT INDICATORS.—The State educational agency shall demonstrate its capacity to collect, report, and use the indicators defined and used to meet the requirements of subparagraph (A), including through the use of a statewide longitudinal data system.

(D) ANNUAL GROWTH TARGETS.—The State educational agency shall set State annual growth targets that—

(i) include a goal and a minimum percentage of expected annual growth for each school performance indicator; and

(ii) demonstrate continuous and substantial progress toward the State-defined goal and making adequate yearly progress.

(4) DEMONSTRATION OF CAPACITY TO SUPPORT SYSTEM.—The State educational agency shall demonstrate capacity to support the statewide differentiated high school improvement system, which shall include, at a minimum, the following:

(A) SYSTEM ALIGNMENT.—

(i) ALIGNMENT WITH ACCOUNTABILITY SYSTEM.—The State shall demonstrate an alignment of the State accountability system described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)) and the school improvement system under section 1116(b) of such Act (20 U.S.C. 6316(b)) with the statewide differentiated high school system described in section 108.

(ii) ADDITIONAL REQUIREMENTS.—The State educational agency shall demonstrate, if the State's statewide differentiated high school improvement system includes additional requirements not required under section 108, how such additional requirements will lead to improved student achievement and graduation rates and system alignment.

(iii) STRENGTHENING AND ALIGNING POLICIES.—The State educational agency shall demonstrate how the State educational agency will strengthen and align policies affecting—

(I) interventions in schools in whole school reform or replacement under clause (ii) or (iii) of paragraph (2)(B);

(II) new school development; and

(III) implementation of effective school improvement activities that address the education needs of high school students who are off-track or who have dropped out.

(B) DATA SYSTEMS.—The State educational agency shall demonstrate the State educational agency's use and support of a statewide longitudinal data system, including demonstrating—

(i) that such system exists, or is being developed, and includes the elements described in section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871(e)(2)(D)) and any additional elements described in section 14005(d)(3) of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 283);

(ii) a commitment to the maintenance and growth of such system;

(iii) State policies that ensure the protection of personally identifiable information in such system and authorize such system to collect, share, and link data from multiple systems for the purposes of evaluations and continuous improvement;

(iv) governance structures to guide the collection, sharing and use of the data in such system; and

(v) that such system includes linkages between kindergarten through grade 12 data systems with early learning, postsecondary education, workforce, social services and other critical State agency data systems in order to achieve interoperability with systems in other States.

(C) CAPACITY AND TECHNICAL ASSISTANCE.—The State educational agency shall demonstrate how it will support the statewide differentiated high school improvement system, including—

(i) a description of the statewide system of support, including regional support services and how schools identified under this Act can utilize such supports to improve teaching, learning, and student outcomes;

(ii) a description of how the State educational agency will review, support, monitor, and provide technical support for local educational agency plans in accordance with paragraph (5);

(iii) a description of the State educational agency staffing structure that is designed to—

(I) carry out the activities described in clause (ii);

(II) assist local educational agency school improvement teams described in section 110(b)(2), including supporting local educational agencies and school officials in developing and implementing school improvement plans, including though the provision of resources, training and technical assistance; and

(III) coordinate services across other State agencies to streamline and improve support provided to schools identified as needing targeted intervention, whole school reform, or replacement under paragraph (2)(B);

(iv) a description of how the State educational agency will develop and identify school improvement planning tools for use by the local educational agencies and schools, such as needs assessments; and

(v) a description of how the State educational agency will ensure local educational agencies with high numbers of schools in whole school reform and replacement and such schools will be prioritized and targeted with support.

(D) INCREASING LOCAL CAPACITY FOR IMPROVEMENT.—The State educational agency shall demonstrate how the State educational agency will align its resources and policies to increase State and local capacity to ensure comprehensive support for schools identified as needing targeted intervention, whole school reform, or replacement under paragraph (2)(B), including how the State educational agency will—

(i) target resources, including resources from additional funding sources, to improve teacher and principal effectiveness in such schools including using data for decision-making;

(ii) leverage resources from other funding sources, such as school improvement funds, technology and data funds, and professional development funds;

(iii) provide local educational agencies with support in finding and utilizing secondary school reform partners and other external partners;

(iv) increase access to State and regional technical assistance services;

(v) ensure an equitable distribution of teachers and principals with a demonstrated record of improving student achievement and graduation rates among the schools in the State that are identified for targeted intervention, whole school reform, or replacement under paragraph (2)(B), particularly those schools in whole school reform or replacement, as compared to schools not identified under paragraph (2)(B);

(vi) ensure access to substantially equal educational funding (for each student in the State), such as through addressing per pupil expenditures or inter-district funding disparities;

(vii) support the development of effective school leaders for high schools identified for targeted intervention, whole school reform, or replacement under paragraph (2)(B);

(viii) assist local educational agencies in developing early warning indicator systems described in section 110(b)(6)(A); and

(ix) assist local educational agencies in developing education options as described in section 110(b)(6)(B).

(5) STATE REVIEW OF LOCAL EDUCATIONAL AGENCY PLANS.—

(A) REVIEW LOCAL EDUCATIONAL AGENCY PLANS.—The State educational agency shall describe how the State educational agency will collect and review high school improvement plans described in section 110(b)(4), including a description of—

(i) how the State educational agency will measure and ensure local educational agencies have the capacity to carry out such high school improvement plans;

(ii) how a local educational agency may propose additional levels of differentiation within a particular school improvement category described in paragraph (2)(B) that are aligned with the State accountability system under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)) and the local educational agency's school improvement system under section 1116(b) of such Act (20 U.S.C. 6136(b)) existing as of the time of the plan;

(iii) how the State educational agency will allow consortia of local educational agencies, particularly those in rural areas, to collaborate to develop and implement school improvement plans;

(iv) how the State educational agency will review plans with the assistance and advice of a peer review panel that includes educators and individuals who are experts in—

(I) educational standards, assessments, and accountability;

(II) high school improvement;

(III) dropout prevention, intervention, and recovery;

(IV) parental involvement; and

(V) other educational needs of high school students;

(v) how the State, in consultation with the peer review panel, shall ensure the local educational agency has identified the school improvement category described in section 106(b)(2) for each high school served by the local educational agency that did not make adequate yearly progress for 2 consecutive years in such a way that accurately identifies the high school and leads to the implementation of the interventions necessary to meet student needs;

(vi) how the State will provide local educational agencies the opportunity to revise high school improvement plans, including, if the State educational agency, in consultation with the peer review panel described in clause (iv), determines that the local educational agency's plan does not meet the requirements of this title—

(I) immediately notifying the local educational agency of such determination and the reasons for such determination; and

(II) offering the local educational agency an opportunity to revise the plan, and technical assistance for revising the plan; and

(vii) how the State will make the school improvement plans available to the public.

(B) ALLOCATION OF SUBGRANTS.—The State educational agency shall describe how it will award subgrants to local educational agencies consistent with section 109.

(C) MONITORING OF SCHOOL IMPROVEMENT PLANS.—The State educational agency shall describe how the State educational agency will review and monitor the implementation of high school improvement plans, including how the State will analyze the implementation of the high school improvement plans of high schools that do not meet the annual growth targets set in accordance with paragraph (3)(D) and defined in the school improvement plan described in section 110(b)(4).

(D) PROVIDING TECHNICAL ASSISTANCE.—The State educational agency shall describe how it will provide technical assistance to local educational agencies and high schools that need support to develop and to implement high school improvement plans described in section 110(b)(4) and improve graduation rates and student achievement, including through the use of secondary school reform partners, where appropriate.

(6) EVALUATION OF SUCCESS.—The State educational agency shall describe how, every 5 years, the State educational agency will evaluate how the activities assisted under this title have been successful in improving student achievement and outcomes of the cohort of students whose year of entry into high school was 4 years before the evaluation, including measurement of the State educational agency's effectiveness in carrying out the activities described in the application under this subsection.

SEC. 107. USE OF GRANT FUNDS.

A State educational agency that receives a grant under this title—

(1) shall reserve not more than 10 percent of the grant funds—

(A) to carry out the activities described in the State plan under section 106; and

(B) to establish or expand a statewide differentiated high school improvement system described in section 108; and

(2) shall use not less than 90 percent of the grant funds to make subgrants to local educational agencies in accordance with section 109.

SEC. 108. STATEWIDE DIFFERENTIATED HIGH SCHOOL IMPROVEMENT SYSTEM.

A Statewide differentiated high school improvement system shall be designed by the State educational agency to—

(1) use data to identify high schools for whole school reform or replacement, as described in clause (ii) or (iii) of section 106(b)(2)(B), within the State;

(2) differentiate school improvement actions under section 106(b)(2) based on the amount and type of supports necessary to improve student achievement and graduation rates in high schools within the State;

(3) provide resources to support the evidence-based activities that school improvement teams choose, based on school performance data, to carry out under section 111;

(4) target resources and support to those high schools in the State that are identified for whole school reform and replacement;

(5) ensure that each high school identified for targeted intervention, whole school reform, or replacement that is making progress on the State's school performance indicators described in section 106(b)(3)) continues to implement effective school improvement strategies identified in the high school's school improvement plan;

(6) ensure that high schools identified for whole school reform or replacement making progress on the State's school performance indicators have the resources and supports necessary to improve high school graduation rates and student achievement;

(7) build the capacity of the State educational agency and local educational agencies to assist in improving student achievement and graduation rates in high schools identified for whole school reform and replacement; and

(8) ensure that high schools identified for whole school reform and replacement making progress on school performance indicators continue to have the resources and support necessary to further improve high school graduation rates and student achievement.

SEC. 109. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

(a) AWARD BASIS.—

(1) PRIORITY OF WHOLE SCHOOL REFORM AND REPLACEMENT.—In awarding subgrants under this section, a State educational agency shall—

(A) before awarding any subgrants to local educational agencies serving high schools identified for targeted intervention under section 106(b)(2), award subgrants to, on a competitive basis, local educational agencies serving high schools identified as needing whole school reform and replacement; and

(B) ensure that each subgrant awarded to a local educational agency provides funding adequate to fulfill the school improvement needs outlined in the local educational agency's school plan, as approved by the State educational agency.

(2) TARGETED INTERVENTIONS.—If subgrant funds remain after the application of subsection (a), then the State educational agency shall award remaining subgrant funds to local educational agencies serving high schools needing targeted interventions.

(3) COMPETITIVE BASIS.—A State educational agency that receives a grant under this title shall award subgrants, in accordance with subsections (a) and (b), to local educational agencies on the basis of—

(A) the quality of the school improvement plan to improve student graduation rates and student achievement in high schools that have not made adequate yearly progress for 2 consecutive years;

(B) the capacity of the local educational agency to implement the plan; and

(C) the need of the local educational agency, based on student high school graduation rates and the percentage of students from families with incomes below the poverty line.

(b) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a subgrant under this title, a local educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

(2) CONTENTS.—Each application submitted under this subsection shall include—

(A) a description, for each high school identified pursuant to section 110(b)(1), of how the local educational agency will carry out activities described in section 111 for the high school;

(B) a description of the local educational agency staffing structure that is designed to—

(i) carry out the activities described in section 110(a);

(ii) assist school improvement teams, including supporting local educational agency and school officials in developing and implementing high school improvement plans, by providing resources, training, and technical assistance, and through other means; and

(iii) coordinate services across other governmental agencies and nongovernmental organizations to streamline and improve support provided to schools identified for a school improvement category described in section 106(b)(2);

(C) a description of the policies and procedures the local educational agency shall implement to ensure the distribution and assignment of high-quality teachers and leaders in a manner that first fulfills the needs of the schools identified as needing targeted intervention, whole school reform, or replacement;

(D) an assurance that the local educational agency will use subgrant funds under this title first to meet the needs of high schools served by the local educational agency that are identified for whole school reform or replacement under clause (ii) or (iii) of section 106(b)(2);

(E) an assurance that the local educational agency shall provide ongoing support and resources to high schools identified for whole school reform or replacement, and are making progress on the State's school performance indicators described in section 106(b)(3), to ensure continued improvement;

(F) a description of how the local educational agency will increase its capacity to improve high schools with low student achievement and graduation rates; and

(G) an assurance that the local educational agency will conduct the capacity and needs assessment required under subsection (b)(9) and provide the results of the assessment to the State educational agency and the Secretary.

(3) USE OF DATA.—The local educational agency shall describe how data will be used, consistent with the requirements of this section, to inform the classification of high schools, and development and implementation of school improvement plans, including that data described in section 110(b)(1)(A).

(c) SUPPLEMENT, NOT SUPPLANT.—A local educational agency that receives a subgrant under this section shall use the subgrant funds to supplement, and not supplant, other Federal and non-Federal funds available for high schools served by the local educational agency.

(d) MATCHING FUNDS.—

(1) IN GENERAL.—A local educational agency receiving a subgrant under this section shall provide matching funds, from non-Federal sources, in an amount equal to not less than 15 percent of the total subgrant award for the local educational agency, which may be provided in cash or in-kind.

(2) USE OF MATCHING FUNDS.—The matching funds shall be used to provide technical assistance to high schools served by the local educational agency in—

(A) developing the high schools' high school improvement plans described in section 110(b)(4);

(B) conducting the capacity and needs assessments described in section 110(b)(9); and

(C) implementing and monitoring the implementation of the high school improvement plans.

(3) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for a local educational agency if the Secretary determines that applying the matching requirement to such local educational agency would result in serious hardship or an inability to carry out the authorized activities described in section 111.

SEC. 110. LOCAL EDUCATIONAL AGENCY IMPLEMENTATION OF SCHOOL IMPROVEMENT SYSTEM.

(a) DISTRICT-WIDE HIGH SCHOOL IMPROVEMENT.—A local educational agency that receives a subgrant under section 109 shall use subgrant funds to develop, lead, and implement a district-wide approach to high school improvement that meets the requirements of subsection (b) and carry out the activities described in section 111.

(b) SYSTEM REQUIREMENTS.—

(1) DIFFERENTIATE HIGH SCHOOLS.—The local educational agency shall—

(A) identify the category of high school improvement, as described in section 106(b)(2), using data from the school performance indicators as prescribed by the State educational agency in accordance with section 106(b), for each high school served by such agency that does not make adequate yearly progress for 2 consecutive years; and

(B) publicly identify such schools by school improvement category.

(2) SCHOOL IMPROVEMENT TEAMS.—

(A) IN GENERAL.—The local educational agency shall convene a school improvement team for each high school served by such agency that is assigned to one of the school improvement categories described in section 106(b)(2).

(B) MEMBERS.—

(i) MANDATORY MEMBERS.—The school improvement team for a high school shall include—

(I) the principal of the high school;

(II) at least 2 teachers from the high school representing different grade levels or disciplines; and

(III) local educational agency staff.

(ii) ADDITIONAL MEMBERS.—The school improvement team for a high school shall include at least one of the following:

(I) A parent of a student in the high school.

(II) A community representative, such as a representative of nonprofit organizations serving young people and the business community.

(III) A pupil service representative.

(IV) In the case of a school in whole school reform or replacement, secondary school reform partners.

(iii) OPTIONAL MEMBERS.—The school improvement team for a high school may include State educational agency staff, if requested by the local educational agency or assigned by the State educational agency.

(C) COLLABORATION.—The local educational agency shall ensure collaboration—

(i) of school improvement teams with personnel of middle grades schools served by the local educational agency whose students will attend high schools that are identified for one of the categories described in section 106(b)(2), to the extent appropriate; and

(ii) among or between school improvement teams at schools assigned to one of the school improvement categories and school leadership and other personnel at schools served by the local educational agency that have made adequate yearly progress.

(3) USE OF DATA.—Consistent with the requirements of this section, the local educational agency shall use, at minimum, data on the following to inform the classification of high schools:

(A) School performance indicators described in section 106(b)(3).

(B) Indicators used to determine adequate yearly progress.

(C) Information about incoming students in the initial grade of the high school.

(D) Information about the student population, including data provided through the early warning indicator system described in paragraph (6)(A).

(E) The schools' capacity and needs, as described in paragraph (9).

(4) DEVELOP HIGH SCHOOL IMPROVEMENT PLANS.—The school improvement team convened under paragraph (2) for each school shall use the data described in paragraph (3), and other relevant data and knowledge regarding the school, to develop a multiyear school improvement plan. Such plan shall—

(A) identify the school annual growth targets for the State's school performance indicators described in section 106(b)(3) that meet or exceed the State's annual growth targets described in such section;

(B) define the evidence-based academic and nonacademic interventions and resources necessary to meet the school annual growth targets and make adequate yearly progress;

(C) identify the roles of the State educational agency, the local educational agency, the school, and secondary school reform partners and other external partners, as appropriate, in providing such interventions and the resources necessary to meet the school annual growth targets and make adequate yearly progress;

(D) provide for the involvement of business and community organizations and other entities, including parents and institutions of higher education, in the activities to be assisted under the subgrant;

(E) describe and direct the use of—

(i) any additional funding to be provided by the State educational agency, the local educational agency, or other sources to support activities carried out under this title; and

(ii) in the case of a high school identified for whole school reform or replacement, secondary school reform partners and external partners.

(5) IMPLEMENT HIGH SCHOOL IMPROVEMENT.—The local educational agency shall use funds to—

(A) engage in a planning period of not longer than 180 days to prepare to implement the school improvement plan for each high school, including preparation activities such as—

(i) creating a skilled leadership team and providing professional development in best practice and successful school models that educate similar student populations;

(ii) working with secondary school reform partners to identify roles and responsibilities to create a comprehensive approach and effort to implementing the school improvement plan for each school identified for targeted intervention, whole school improvement, or replacement;

(iii) planning and providing professional development to high school teachers in instruction, use of data, and working in the identified schools;

(iv) appropriately identifying teachers for each grade and course;

(v) establishing and implementing use of the early warning indicator system described in paragraph (6)(A); and

(vi) establishing a school schedule that enables the implementation of the high school improvement plan; and

(B) ensure the implementation of the high school improvement plans for the high schools identified for one of the categories described in section 106(b)(2).

(6) IMPLEMENT DISTRICT-WIDE ACTIVITIES.—The local educational agency shall support successful implementation of high school improvement plans and district-wide improvement through—

(A) establishing an early warning indicator system to identify students who are at risk of dropping out of high school and to guide preventive and recuperative school improvement strategies, including—

(i) identifying and analyzing the academic risk factors that most reliably predict dropouts, such as by using longitudinal data of past cohorts of students;

(ii) identifying specific indicators of student progress and performance, such as attendance, academic performance in core courses, and credit accumulation, to guide decisionmaking;

(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

(iv) analyzing academic indicators to determine whether students are on track to graduate secondary school in the standard number of years;

(B) providing academically rigorous education options that lead to a secondary school diploma consistent with readiness for postsecondary education and the workforce, based on an analysis of data described in paragraph (3) and other student-level data and designed to meet the students' needs and interests, such as—

(i) effective research-based dropout prevention, credit and dropout recovery, and recuperative education programs for students who are not making sufficient progress to graduate high school in the standard number of years or have dropped out of high school;

(ii) providing students with post-secondary learning opportunities, such as through access to a relevant curriculum or course of study that enables a student to earn a secondary school diploma and—

(I) an associate's degree; or

(II) not more than 2 years of transferable credit toward a postsecondary degree or credential;

(iii) combining rigorous academic education with career training, including training that leads to postsecondary credentials, for students;

(iv) increasing access to Advanced Placement or International Baccalaureate courses and examinations; or

(v) developing and utilizing innovative, high quality distance learning strategies to improve student academic achievement;

(C) providing targeted research-based interventions for middle schools that feed into the high schools identified by the local educational agency as needing whole school reform or replacement;

(D) identifying and implement strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports, which may include partnership with other external partners;

(E) providing technical assistance to high schools identified for 1 of the categories described in section 106(b)(2) through—

(i) streamlining and prioritizing resources to organize support for schools in whole school reform or replacement, such as through identifying and developing categories or clusters of schools with similar school improvement needs; and

(ii) assisting schools in identifying secondary school reform partners and other external partners; and

(F) supporting the use of data to improve teaching and learning, including—

(i) improving longitudinal student data systems;

(ii) regularly analyzing and communicating data to educators, parents, and students that they can use; and

(iii) building principals' and teachers' data and assessment literacy.

(7) ENSURE CONTINUOUS HIGH SCHOOL IMPROVEMENT.—

(A) IN GENERAL.—The local educational agency shall ensure the continuous improvement of high schools by—

(i) evaluating the progress of each high school in making continuous and substantial progress based on the high school's annual growth targets identified under paragraph (4) for the school; and

(ii) determining the high school's progress and taking appropriate actions, as provided in subparagraphs (B) and (C).

(B) ON TRACK.—Each high school that is meeting the school's annual growth targets identified in the high school improvement plan for the high school, shall continue to implement school improvement activities in accordance with the high school improvement plan.

(C) NOT ON TRACK.—

(i) ANNUAL REVIEW.—For each high school that is not meeting the high school's annual growth targets, the local educational agency shall—

(I) after the first year that the high school fails to meet the high school's annual growth targets, review the high school improvement plan and develop and implement a new plan; and

(II) after the high school fails to meet the high school's annual growth targets for 2 or more consecutive years, reclassify the school as a school in need of whole school reform or replacement, as appropriate based on the State educational agency's categorization system described in section 106(b)(2).

(ii) RESUBMISSION OF SCHOOL PLAN.—For each high school that fails to meet the high school's annual growth targets for 2 or more consecutive years, the local educational agency may develop and submit to the State educational agency for review a new school improvement plan, as the local educational agency determines appropriate.

(8) ASSURANCES.—The local educational agency shall ensure that high schools receiving additional students due to other high schools being replaced under subsection (c) will have sufficient capacity, resources, and funding to deliver a high quality education to all students.

(9) CAPACITY AND NEEDS ASSESSMENT.—

(A) IN GENERAL.—Each school improvement team described in subsection (b)(2) and the local educational agency shall conduct a high school capacity and needs assessment for the high school served by the team that includes—

(i) a description and analysis of the high school's capacity to implement the school improvement activities identified in the high school improvement plan, including an analysis of—

(I) the number, experience, training level, responsibilities, and stability of existing administrative, instructional, and noninstructional staff for the high school; and

(II) a review of the budget, including how Federal, State, and local funds are being spent, as of the time of the assessment, for instruction and operations at the school level for staff salaries, instructional materials, professional development, and student support services, in order to establish the extent to which existing resources need to and can be reallocated to support the needed school improvement activities;

(ii) additional resources and staff necessary to implement the school improvement activities identified in the high school improvement plan; and

(iii) an analysis of the local educational agency's capacity to provide technical assistance, additional staff, and resources to implement the high school improvement plan and to improve the high school's performance.

(B) ASSESSMENT REQUIREMENTS.—A local educational agency shall use the information provided in the capacity and needs assessment for a high school, in coordination with the high school's school improvement plan and the understanding of the reform history of high schools, to—

(i) determine the level and direct the use of—

(I) the funds requested by the local educational agency for the high school under the subgrant under this section; and

(II) any additional funding to be provided by the State educational agency, the local educational agency, or other sources; and

(ii) to determine the number and direct the use of secondary school reform partners and external partners.

(C) TECHNICAL ASSISTANCE.—A local educational agency may request technical assistance from the State educational agency in preparing the plan and the capacity and needs assessment required under this paragraph.

(c) AUTHORITY TO INTERVENE.—The State educational agency may intervene to develop or implement the high school improvement plans, or enter into contracts with secondary school reform partners to assist local educational agencies with the development and implementation of high school improvement plans, if the State educational agency determines that—

(1) a local educational agency serving a high school in whole school reform or replacement has not submitted an application described in section 109(b); or

(2) a local educational agency does not have the capacity to implement the school improvement activities described in the school improvement plan submitted under subsection (b)(4).

SEC. 111. SCHOOL IMPROVEMENT ACTIVITIES.

(a) IN GENERAL.—The school improvement team described in section 110(b)(2) for each high school identified for a school improvement category described in section 106(b)(2) shall ensure that the school improvement activities included in the school improvement plan are implemented.

(b) TARGETED INTERVENTIONS.—A high school identified for targeted interventions under section 110(b)(1) or the local educational agency serving such high school, shall implement research-based targeted interventions, using data from the school performance indicators, the early warning indicator system, other student indicators, and the capacity and needs assessment for the high school. The targeted interventions shall be designed, at a minimum, to address the specific problems identified by the indicators, including the needs of students who are not making sufficient progress to graduate in the standard number of years.

(c) WHOLE SCHOOL REFORM.—The local educational agency or State educational agency, with technical assistance from secondary school reform partners, shall enable and assist each school identified as needing whole school reform pursuant to section 110(b)(1) to implement whole school reform based on scientifically valid research using the data described in section 110(b)(3). Such reform—

(1) shall address the comprehensive aspects of high school reform, including—

(A) schoolwide needs;

(B) students who need targeted assistance; and

(C) students who need intensive interventions, including those who are not making sufficient progress to graduate on time;

(2) shall address schoolwide factors to improve student achievement, including—

(A) setting high expectations and infusing relevance into learning for all students;

(B) personalizing the high school experience; and

(C) improving school climate, including student attendance and behavior;

(3) shall include activities that—

(A) ensure continuous improvement by—

(i) ensuring the school improvement plan is supported to the extent practicable by all school staff;

(ii) establishing clear—

(I) goals and growth targets for implementation outcomes; and

(II) school annual growth targets; and

(iii) regularly evaluating implementation of and fidelity to the high school improvement plan, such as dedicating a staff member to support implementation of the school improvement plan;

(B) organize the school to improve teaching and learning, including through—

(i) strategic use of time, such as—

(I) establishing common planning time for subject area teachers and interdisciplinary teams who share common groups of students;

(II) utilizing block scheduling or redesigning the school calendar year or day to create extended learning time in core subjects; or

(III) creating a flexible school period to address specific student academic needs and interests such as credit recovery, electives, or service learning;

(ii) alignment of resources to improvement goals, such as through ensuring that students in their initial year in the high school are taught by teachers prepared to meet their specific learning needs; and

(iii) development of effective leadership structures, supports, and clear decision-making processes, such as through developing distributive leadership and leadership teams;

(C) improve curriculum and instruction, including through—

(i) increasing access to rigorous and advanced coursework, including adoption and implementation of a college- and work-ready curriculum, and evidence-based, engaging instructional materials aligned with such a curriculum, for all students;

(ii) increasing access to contextualized learning opportunities aligned with readiness for postsecondary education and the workforce, such as—

(I) providing work-based, project-based, and service-learning opportunities; or

(II) providing a high quality, college preparatory curriculum in the context of a rigorous career and technical education core;

(iii) regularly collecting and using data to inform instruction, such as—

(I) through use of formative assessments;

(II) creating and using common grading rubrics; or

(III) identifying effective instructional approaches to meet student needs; and

(iv) emphasizing core skills instruction, such as literacy, across content areas;

(D) provide students with academic and social support to address individual student learning needs, including through—

(i) increasing personalization through learning structures that facilitate the development of student and staff relationships such as—

(I) implementing grade 9 academies or thematic smaller learning communities;

(II) establishing teams of teachers who work exclusively with small groups of students; or

(III) creating advisor positions to provide students with study, organizational, and social skills;

(ii) offering extended-learning, credit recovery, mentoring, or tutoring options of sufficient scale to meet student needs;

(iii) providing evidence-based accelerated learning for students with academic skill levels below grade level;

(iv) coordinating and increasing access to integrated services, such as providing additional counselors, social workers, and behavior and mental health providers to deliver such services; and

(v) providing graduation and postsecondary planning and transition supports, including college awareness and planning;

(E) increase teacher and school leader effectiveness, including through—

(i) professional development activities that respond to student and schoolwide needs as identified through the data described in section 110(b)(3), such as—

(I) training teachers, leaders, and administrators together with staff from high schools making adequate yearly progress that serve similar populations and in such schools; and

(II) establishing peer learning and coaching among teachers; and

(ii) facilitating collaboration, including through professional communities across subject area and interdisciplinary groups and similar high schools; and

(F) engage families and community partners, including community-based organizations, organizations assisting parent involvement, institutions of higher education, and industry, in school improvement activities through evidence-based strategies; and

(4) may include—

(A) providing enabling policies, such as additional flexibility regarding staffing and compensation, budgeting, student credit attainment, or use of school time, that support the implementation of effective school improvement activities and educational options;

(B) implementing multiple school options or effective school models that address the needs of students who are not making sufficient progress to graduate in the standard number of years or have dropped out of high school, as informed by analysis of school performance indicator data described in section 106(b)(3) and early warning indicator system data described in section 110(b)(6)(A); and

(C) other activities designed to address whole school needs, such as implementing a comprehensive reform model for the high school.

(d) REPLACEMENT.—The local educational agency, in consultation with the State educational agency, secondary school reform partners, and external partners, shall replace each high school that, using data under section 110(b)(3), is identified for replacement pursuant to section 110(b)(1). The local educational agency shall ensure successful implementation of the replacement strategy through—

(1) closing and reopening the schools or implementing multiple school options or effective school models that address the needs of students in the replaced schools, including students who are not making sufficient progress to graduate in the standard number of years or have dropped out of high school;

(2) providing enabling policies, such as additional flexibility regarding staffing and compensation, budgeting, or use of school time; and

(3) implementing activities described in subsection (c).

SEC. 112. EVALUATION AND REPORTING.

(a) LOCAL EDUCATIONAL AGENCY REPORTING.—On an annual basis, each local educational agency receiving a subgrant under section 109 shall report to the State educational agency and to the public on—

(1) the identified category of school improvement for each high school in the school that failed to make adequate yearly progress for the most recent 2 consecutive years;

(2) the school performance indicators (as described in section 106(b)(3)) for each such high school, in the aggregate and disaggregated by the subgroups described in section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II));

(3) each such high school's progress in meeting the high school's annual growth targets under section 110(b)(4)(A); and

(4) the use of funds by the local educational agency and each such school.

(b) STATE EDUCATIONAL AGENCY REPORTING.—On an annual basis, each State educational agency receiving a grant under this title shall prepare and submit to the Secretary, and make available to the public, a report on—

(1) the school performance indicators (as described in section 106(b)(3)) for each high school served by the State educational agency that receives assistance under this title, in the aggregate and disaggregated by the subgroups described in section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II));

(2) progress in meeting the annual growth targets under section 110(b)(4)(A) for each such high school;

(3) the high schools in the State that have changed school improvement categories pursuant to section 110(b)(7);

(4) the use of funds by each local educational agency and each school served with such funds;

(5) the State definition of a new school, for purposes of whole school reform or replacement;

(6) the number of schools closed for each local educational agency in the State;

(7) the number of new schools for each local educational agency in the State; and

(8) the new schools in the State that have made adequate yearly progress.

(c) REPORT TO CONGRESS.—Every 2 years, the Secretary shall prepare and submit to Congress and make available to the public—

(1) a summary of the State reports under subsection (b); and

(2) a report on the use of funds by each State under this title.

SEC. 113. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the activities authorized under this title, $2,440,000,000 for fiscal year 2011 and each of the 4 succeeding fiscal years.

TITLE II—DEVELOPMENT OF EFFECTIVE SCHOOL MODELS

SEC. 201. PURPOSES.

The purposes of this title are—

(1) to facilitate the development and implementation of effective secondary school models for struggling students and dropouts in order to raise secondary school graduation rates and more effectively prepare students for postsecondary education and the workforce; and

(2) to build the capacity of State educational agencies, local educational agencies, nonprofit organizations, and institutions of higher education to implement effective secondary school models for struggling students and dropouts.

SEC. 202. DEFINITIONS.

In this title:

(1) DROPOUT.—The term ''dropout'' means an individual who—

(A) is not older than 21;

(B) is not attending any school; and

(C) has not received a secondary school diploma or its recognized equivalent.

(2) EFFECTIVE SCHOOL MODEL.—The term ''effective school model'' means—

(A) an existing secondary school model with demonstrated effectiveness in improving student academic achievement and outcomes for off-track students or dropouts; or

(B) a proposed new secondary school model design that is based on research-based organizational and instructional practices for improving student academic achievement and outcomes for struggling students or dropouts.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a local educational agency, nonprofit organization, or institution of higher education—

(i) that proposes to enhance or expand an existing effective school model for off-track students or dropouts; or

(ii) that has a track record of serving struggling students or dropouts and proposes to develop a new effective school model for off-track students or dropouts; or

(B) a partnership involving 2 or more entities described in subparagraph (A).

(4) LATE ENTRANT ENGLISH LANGUAGE LEARNER.—The term ''late entrant English language learner'' means a high school student who—

(A) enters a school served by a local educational agency at grade 9 or higher; and

(B) is identified by the local educational agency as being limited English proficient and as having experienced interrupted formal education.

(5) STRUGGLING STUDENT.—The term ''struggling student''—

(A) means a high school-aged student who is not making sufficient progress toward graduating from secondary school with a regular diploma in the standard number of years; and

(B) includes a student who—

(i) has been retained in grade level;

(ii) is an undercredited student; or

(iii) is a late entrant English language learner.

(6) UNDERCREDITED STUDENT.—The term ''undercredited student'' means a high school student who lacks either the necessary credits or courses, as determined by the relevant local educational agency and State educational agency, to graduate from secondary school with a regular diploma in the standard number of years.

SEC. 203. GRANTS AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop and implement, or replicate, effective school models for struggling students and dropouts.

(b) PERIOD OF GRANT.—A grant awarded under this section shall be for a period of 5 years.

SEC. 204. APPLICATION.

(a) IN GENERAL.—Each eligible entity desiring a grant under this title shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) CONTENTS.—Each application submitted under this section shall include a description of—

(1) how the eligible entity will carry out the mandatory activities under section 206(a);

(2) the research or evidence concerning the effective school model that the eligible entity proposes to develop and implement or replicate, including—

(A) for an existing effective school model described in section 202(2)(A), the evidence that the model has improved academic outcomes for struggling students or dropouts; or

(B) for a proposed effective school model described in section 202(2)(B), the research that supports the key organizational and instructional practices of the proposed effective school model;

(3) the eligible entity's school design elements and principles that will be used in the effective school model, including—

(A) the academic program;

(B) the instructional practices;

(C) the methods of assessment; and

(D) student supports and services, such as the supports and services provided by the school or offered by other organizations and agencies in the community, to support positive student academic achievement and outcomes;

(4) how the eligible entity will use student data from the local educational agency or State educational agency to evaluate and improve academic outcomes for struggling students or dropouts;

(5) for each school in which the eligible entity implements or replicates an effective school model under this title, how the eligibility entity will sustain the implementation or replication of the effective school model, including the financing mechanism to be used;

(6) how the eligible entity will collect data and information to assess the performance of the effective school model and will make necessary adjustments to ensure continuous and substantial improvement in student academic achievement and outcomes; and

(7) how the eligible entity will make the performance data available to State educational agencies, local educational agencies, and schools serving struggling students or dropouts.

SEC. 205. SECRETARIAL PEER REVIEW AND APPROVAL.

The Secretary shall—

(1) establish a peer-review process to assist in the review and approval of applications submitted by eligible entities under section 204; and

(2) appoint individuals to the peer-review process who are experts in high school reform, dropout prevention and recovery, new school development for struggling students and dropouts, and adolescent and academic development.

SEC. 206. USE OF FUNDS.

(a) MANDATORY USE OF FUNDS.—An eligible entity receiving a grant under this title shall use grant funds to—

(1) enhance and expand, or replicate an existing effective school model described in section 202(2)(A), or develop a proposed effective school model described in section 202(2)(B), for struggling students and dropouts;

(2) assess the progress of the implementation or replication of the effective school model and make necessary adjustments to ensure continuous improvement;

(3) provide opportunities for professional development associated with the continuous improvement and implementation or replication of the effective school model;

(4) collect data and information on the school model's effectiveness in improving student academic achievement and outcomes for struggling students and dropouts and disseminate such data and information to State educational agencies, local educational agencies, and schools; and

(5) build the capacity of the eligible entity to—

(A) sustain the implementation or replication of the effective school model assisted under paragraph (1) after the grant period has ended; and

(B) replicate the effective school model.

(b) OPTIONAL USE OF FUNDS.—An eligible entity receiving a grant under this title may use grant funds—

(1) to identify and create partnerships needed to improve the academic achievement and outcomes of the students attending a school assisted under this title;

(2) to support family and community engagement in the effective school model; and

(3) to carry out any additional activities that the Secretary determines are within the purposes described in section 201.

SEC. 207. EVALUATION AND REPORTING.

(a) CONTENTS OF REPORT.—Each eligible entity receiving a grant under this title shall annually report to the Secretary on—

(1) the data and information being gathered to assess the effective school model's effectiveness in improving student academic achievement and outcomes for struggling students and dropouts;

(2) the implementation status of the models, any barriers to implementation, and actions taken to overcome the barriers;

(3) any professional development activities to build the capacity of—

(A) the eligible entity to sustain or replicate the effective school model; or

(B) the staff of a school assisted under this title to implement or improve the effective school model;

(4) the progress made in improving student academic achievement and outcomes in the effective school models for struggling students and dropouts; and

(5) the use of grant funds by the eligible entity.

(b) INDEPENDENT EVALUATIONS.—The Secretary shall reserve not more than $5,000,000 to carry out an independent evaluation of the grant program under this title and the progress of the eligible entities receiving grants under this title.

SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $60,000,000 for fiscal year 2011 and each of the 4 succeeding fiscal years.

Mr. REID. Mr. President, I rise today with my friend Senator BINGAMAN, a longtime champion on the issue of dropout prevention and improving graduation rates, to introduce the Graduation Promise Act—comprehensive legislation to help improve graduation rates in this country and transform some of our lowest performing high schools. I am so pleased to be joined by Senators DODD, MURRAY, REED, BROWN, CASEY, MERKLEY, and FRANKEN in introducing this legislation.

During the August recess, I was honored to welcome the Education Secretary, Arne Duncan, to Nevada. We held a meeting with education leaders, teachers, students, parents, and other stakeholders from across Nevada to discuss the issue of dropout prevention and turning around low performing schools.

In his remarks, Secretary Duncan said something that really put the issue of high school dropouts in perspective. Four years ago, he said, there were 36,000 ninth graders in Nevada. Last year, that same class of students, was down to 22,000 twelfth graders. Where, Secretary Duncan asked, did those other 14,000 students go?

Keeping those 14,000 Nevada students in school and on track to graduate from high school is why I have joined Senator BINGAMAN and my colleagues in this effort.

Of course this issue is not just a problem in Nevada; it is a nationwide crisis. Nearly one in three high school students in the U.S. fail to graduate. For African-American and Latino students, less than 50 percent complete high school on time. In total, approximately 1.3 million students drop out each year—that is more than 7,000 a day. For those that do graduate, fewer than half are fully prepared for college or the workforce.

These statistics confirm that millions of young Americans are being robbed of their best chances to succeed.

The social and economic implications of the dropout crisis are severe and lasting. Let me illustrate with data from Nevada's class of 2008—the 14,000 Nevada students that Secretary Duncan referred to—those who started school with the class of 2008 but did not graduate with their peers.

These students will cost the State's economy an estimated $5 billion in lost wages over the course of their lifetimes. They will earn an average of almost $10,000 less each year compared to their classmates who finished high school. They are also more likely to become parents before they are ready, become incarcerated, or need public assistance.

This fate is particularly true of students concentrated in those high schools where 60 percent or fewer of the entering freshmen actually graduate as seniors 4 years later. Research shows that there are currently about 2,000 high schools across the Nation that collectively produce almost half of America's dropouts. Year after year, students in these schools fall further and further behind.

Where the United States once ranked at or near the top among industrial democracies in high school graduation rates, today we are 19th. In today's global economy, a high school diploma is the minimum qualification needed for jobs in the fastest-growing sectors. This situation is not only economically untenable, it is morally unacceptable.

Tackling the dropout crisis requires a comprehensive solution. As this is a nationwide problem, it requires a more robust role for the federal government. Since the No Child Left Behind Act, federal support for education has increased significantly. Yet despite these additional resources, less than 10 percent of federal education funding goes to our nation's high schools.

The legislation we introduce today would provide that needed support to struggling high schools across the country. The Graduation Promise Act would authorize $2.4 billion to create a ''High School Improvement and Dropout Reduction Fund'' in order to turn

around America's lowest performing high schools and ensure students graduate from high school ready for college or a career. The fund would support states and school districts as they develop comprehensive high school improvement systems.

In order to help those students who are most at risk of dropping out of school, federal resources would be directed to the lowest-performing schools. These resources would support proven school improvement activities and strategies based on each school's needs.

Schools across Nevada are already implementing proven strategies in the schools that need them the most—strategies like extending the school day or year; dividing large urban schools into smaller, more personal learning academies; expanding summer learning opportunities; or partnering schools with colleges and universities to allow high school students to take and receive credit for college-level courses.

At Valley High School in Las Vegas, the school that recently hosted Secretary Duncan, strategies like extended learning time, weekend and after-school enrichment, smaller learning communities, and magnet programs, turned the school around and will most certainly help more students graduate on time and ready for college or the workforce.

In the Clark County Schools District in southern Nevada, some of the most cutting-edge career and technical academies in the country have recently opened. These programs—in engineering and design, medical occupations and media communications—have been recognized for helping to increase graduation rates.

In northern Nevada, the Washoe County School District has teamed up with one of the local community colleges. The Truckee Meadows Community College High School now allows students to take a combination of college and high school courses, and they get credit on both levels. Not only do these students complete more challenging, college-level coursework, but they are laying the groundwork for success in college and the workforce.

The bottom line is that all of these strategies keep students engaged and help prevent them from dropping out. The Graduation Promise Act will allow schools to replicate these strategies so that all students can achieve their full potential. I hope my colleagues will join me in supporting this important bill.

By Mr. REED (for himself, Mr. KERRY, Mr. KOHL, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN, Mr. CASEY, Mr. WHITEHOUSE, and Mr. BURRIS):

S. 1699. A bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; to the Committee on Finance.

Mr. REED. 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. 1699

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 ''Unemployment Compensation Extension Act of 2009''.

SEC. 2. ADDITIONAL EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following:

''(d) FURTHER ADDITIONAL EMERGENCY UNEMPLOYMENT COMPENSATION.—

''(1) IN GENERAL.—If, at the time that the amount added to an individual's account under subsection (c)(1) (hereinafter 'additional emergency unemployment compensation') is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), such account shall be further augmented by an amount (hereinafter 'further additional emergency unemployment compensation') equal to the lesser of—

''(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under the State law; or

''(B) 13 times the individual's average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

''(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if such a period would then be in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970 if—

''(A) section 203(d) of such Act—

''(i) were applied by substituting '6' for '5' each place it appears; and

''(ii) did not include the requirement under paragraph (1)(A) thereof; or

''(B) section 203(f) of such Act were applied to such State—

''(i) regardless of whether or not the State had by law provided for its application;

''(ii) by substituting '8.5' for '6.5' in paragraph (1)(A)(i) thereof; and

''(iii) as if it did not include the requirement under paragraph (1)(A)(ii) thereof.

''(3) COORDINATION RULE.—Notwithstanding an election under section 4001(e) by a State to provide for the payment of emergency unemployment compensation prior to extended compensation, such State may pay extended compensation to an otherwise eligible individual prior to any further additional emergency unemployment compensation, if such individual claimed extended compensation for at least 1 week of unemployment after the exhaustion of additional emergency unemployment compensation.

''(4) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.''.

(b) CONFORMING AMENDMENT TO NON-AUGMENTATION RULE.—Section 4007(b)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) by striking ''then section 4002(c)'' and inserting ''then subsections (c) and (d) of section 4002''; and

(2) by striking ''paragraph (2) of such section)'' and inserting ''paragraph (2) of such subsection (c) or (d) (as the case may be))''.

(c) TRANSFER OF FUNDS.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''Act;'' and inserting ''Act and the Unemployment Compensation Extension Act of 2009;''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the Supplemental Appropriations Act, 2008, except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment commencing before the date of the enactment of this Act.

SEC. 3. 0.2 PERCENT FUTA SURTAX.

(a) IN GENERAL.—Section 3301 of the Internal Revenue Code of 1986 (relating to rate of tax) is amended—

(1) by striking ''through 2009'' in paragraph (1) and inserting ''through 2010'', and

(2) by striking ''calendar year 2010'' in paragraph (2) and inserting ''calendar year 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to wages paid after December 31, 2009.

SEC. 4. REPORTING OF FIRST DAY OF EARNINGS TO DIRECTORY OF NEW HIRES.

(a) IN GENERAL.—Section 453A(b)(1)(A) of the Social Security Act (42 U.S.C. 653a(b)(1)(A)) is amended by inserting ''the date services for remuneration were first performed by the employee,'' after ''of the employee,''.

(b) REPORTING FORMAT AND METHOD.—Section 453A(c) of the Social Security Act (42 U.S.C. 653a(c)) is amended by inserting '', to the extent practicable,'' after ''Each report required by subsection (b) shall''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall take effect six months after the date of enactment of this Act.

(2) COMPLIANCE TRANSITION PERIOD.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part D of title IV of the Social Security Act to meet the additional requirements imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet such requirements before the first day of the second calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date of such amendment. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

SEC. 5. COLLECTION IN ALL STATES OF UNEMPLOYMENT COMPENSATION DUE TO FRAUD.

(a) IN GENERAL.—Subsection (f) of section 6402 of the Internal Revenue Code of 1986 is amended by striking paragraph (3) and redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to refunds payable on or after the date of the enactment of this Act.

By Mr. LUGAR (for himself, Mr. CARDIN, Mr. SCHUMER, Mr. WICKER, Mr. FEINGOLD, and Mr. WHITEHOUSE):

S. 1700. A bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress

that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LUGAR. Mr. President, I rise to introduce the Energy Security Through Transparency Act of 2009 on behalf of myself, Senator CARDIN, Senator SCHUMER, Senator WICKER, and Senator FEINGOLD. The Energy Security Through Transparency, ESTT, bill takes important steps towards reversing the resource curse by revealing payments made here and abroad to governments for oil, gas and minerals.

The Energy Security Through Transparency Act builds on the findings of a Senate Foreign Relations Committee staff report entitled the ''Petroleum and Poverty Paradox: Assessing U.S. and International Community Efforts to Fight the Resource Curse'' which noted that many resource-rich countries that should be well-off are, in fact, terribly poor. History shows that oil, gas reserves and minerals frequently can be a bane, not a blessing, for poor countries, leading to corruption, wasteful spending, military adventurism, and instability. Too often, oil money intended for a nation's poor lines the pockets of the rich, or is squandered on showcase projects instead of productive investments.

A classic case is Nigeria, the eighth-largest oil exporter. Despite half a trillion dollars in revenues since the 1960s, poverty has increased, corruption is rife, and violence roils the oil-rich Niger Delta.

The ''resource curse'' affects us as well as producing countries. It exacerbates global poverty which can be a seedbed for terrorism, it empowers autocrats and dictators, and it can crimp world petroleum supplies by breeding instability.

ESTT expresses the Sense of Congress that the administration should undertake to become an 'implementing' country of the Extractive Industry Transparency Initiative, EITI. EITI is a major international transparency effort which sets a global framework for companies to publish what they pay and for governments to disclose what they receive. EITI's revenue data is intended to provide citizens with basic but crucial information necessary to effectively monitor government stewardship of natural resource revenues; hold decision-makers accountable for the use of public funds; and signal investors that a given country offers a transparent, rule of law-based business environment. The Bush administration supported the EITI through its participation on the board through the initiative's critical first several years.

As an implementing country, the U.S. would commit to disclosing payments from companies for oil, gas and minerals extracted from federal lands. Norway has recently signed up to become an implementing country, along with thirty developing countries. The U.S. commitment to implementing EITI would add to our current commitment to EITI as a supporting country. This bill would ensure that not only was the U.S. promoting EITI with other countries, but that we were benefitting from the structured transparency here at home.

This bill commits the Department of Interior to disclosing extractive payments received for resources derived from federal lands. In a letter I received from Secretary Salazar on June 19, 2009, he wrote that ''the Department of the Interior is in agreement with the goals set forth in the EITI especially concerning transparency in the management of extraction of minerals from Federal Lands.'' He went on to add that ''the DOI is committed to an ongoing effort to improve the quality of our services by taking accountability for our actions and fulfilling our commitments to the public and all our customers in an open, transparent manner.''

ESTT requires companies listed on U.S. stock exchanges to disclose in their regular SEC filings their extractive payments to foreign governments for oil, gas and mining which builds on the EITI requirement that all extractive companies operating in an EITI implementing country must report their payments to the government. This would allow investors to better evaluate the potential country risk faced by companies. It would also allow people to have information about the funds sent to their governments in non-EITI implementing countries.

An issue has been raised over whether this would impose a burdensome reporting requirement on the companies and whether the payments made by companies to extractive countries are relevant to investors looking into finances of those companies. This bill would not require the companies to collect any new information, but to report publically financial figures they already maintain. Many oil companies who work in EITI countries already file this information in the form required by EITI. It is expected that the SEC will follow the reporting requirements established under EITI, which were developed in conjunction with the oil industry. The legislation also gives the SEC some discretion, which should ensure ease of compliance. Regarding materiality, many analysts say that among the root causes of the current financial crisis were a failure by investors to have access to sufficient information about their investments, and an excessive reliance on the judgments of the ratings agencies, which proved to be highly faulty. That experience argues strongly for more disclosure and information. Considering the well-established link between oil payments and the business climate, many investors might be interested in this information—particularly socially responsible investors.

This legislation also encourages the President to work with members of the G–8, G–20, the Organization for Economic Cooperation and Development and the Asia-Pacific Economic Cooperation to promote similar disclosure through their exchanges and jurisdictions. As Secretary Clinton noted in her questions for the record on January 12, 2009, ''President-Elect Obama has put a high priority on promoting transparency in government more broadly. I look forward to working with the President-Elect and the Treasury Department to promote greater transparency at the G–8 and now G–20 as well.''

In developing this legislation, my staff consulted with the Security and Exchange Commission, the Treasury Department, the Interior Department, energy companies, mining companies, the industry representatives, and non-governmental organizations.

When financial markets see stable economic growth and political organization in resource rich countries, supplies are more reliable and risk premiums factored into process at the gas pump are diminished. Information is critical to maintaining healthy economies and of healthy political systems. I ask for your support on passage of this bill.

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. 1700

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 ''Energy Security Through Transparency Act of 2009''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) It is in the interest of the United States to promote good governance in the extractive industries sector because good governance strengthens the national security and foreign policy of the United States, contributes to a better investment climate for businesses in the United States, increases the reliability of commodity supplies upon which businesses and people in the United States rely, and promotes greater energy security.

(2) Developing countries that derive a significant portion of revenues from natural resource extraction tend to have higher poverty rates, weaker governance, higher rates of conflict, and poorer development records than countries that do not rely on resource revenues. The consequences of what is known as the ''resource curse'' including the erosion of civil society, a rise in internal conflicts and regional violence, and the proliferation of terrorism are likely to pose a long-term threat to the national security, foreign policy, and economic interests of the United States.

(3) Transparency in revenue payments to governments enables citizens to hold their leaders more accountable.

(4) There is a growing consensus among oil, gas, and mining companies that transparency in revenue payments is good for business, since it improves the business climate in which they work and fosters good governance and accountability.

(5) Transparency in revenue payments benefits shareholders of corporations that make

such payments because such shareholders have a desire to know the amount of such payments in order to assess financial risk, compare payments from country to country, and assess whether such payments help to create a more stable investment climate. Undisclosed payments may be perceived as corrupt and as decreasing the value of the corporation.

SEC. 3. SENSE OF CONGRESS RELATING TO TRANSPARENCY FOR EXTRACTIVE INDUSTRIES.

It is the sense of Congress that—

(1) the President should work with foreign governments, including members of the Group of 8 and the Group of 20, to establish domestic requirements that companies under the jurisdiction of each government publicly disclose any payments made to a government relating to the commercial development of oil, natural gas, and minerals; and

(2) the United States Government should commit to global leadership of transparency in extractive industries by supporting—

(A) multilateral pro-transparency efforts, such as the Extractive Industries Transparency Initiative, in revenue collection, budgeting, expenditure, and wealth management;

(B) bilateral efforts to promote good governance in the extractive industries through United States missions and activities abroad;

(C) the implementation of extractive industries reporting requirements for companies under the jurisdiction of the United States similar to the requirements established under section 6 of this Act; and

(D) efforts to persuade other members of the Organization for Economic Cooperation and Development and Asia-Pacific Economic Cooperation to adopt uniform legislation to ensure a coordinated regulatory approach.

SEC. 4. SENSE OF CONGRESS RELATING TO THE EXTRACTIVE INDUSTRY TRANSPARENCY INITIATIVE.

It is the sense of Congress that the President should commit the United States to become a Candidate Country of the Extractive Industry Transparency Initiative.

SEC. 5. DISCLOSURE OF PAYMENTS TO THE UNITED STATES.

The Secretary of the Interior shall disclose to the public any payment (as that term is defined in section 13(m) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(m)), as added by section 6 of this Act) relating to the commercial development of oil, natural gas, and minerals on Federal land made by any person to the Federal Government.

SEC. 6. DISCLOSURE OF PAYMENTS BY RESOURCE EXTRACTION ISSUERS.

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(m) DISCLOSURE OF PAYMENT BY RESOURCE EXTRACTION ISSUERS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'commercial development of oil, natural gas, or minerals' includes the acquisition of a license, exploration, extraction, processing, export, and other significant actions relating to oil, natural gas, or minerals, as determined by the Commission;

''(B) the term 'foreign government' means a foreign government, an officer or employee of a foreign government, an agent of a foreign government, a company owned by a foreign government, or a person who will provide a personal benefit to an officer of a government if that person receives a payment, as determined by the Commission;

''(C) the term 'payment'—

''(i) means a payment that is—

''(I) made to further the commercial development of oil, natural gas, or minerals; and

''(II) not de minimis; and

''(ii) includes taxes, royalties, fees, licenses, production entitlements, bonuses, and other material benefits, as determined by the Commission; and

''(D) the term 'resource extraction issuer' means an issuer that—

''(i) is required to file an annual report with the Commission; and

''(ii) engages in the commercial development of oil, natural gas, or minerals.

''(2) DISCLOSURE.—

''(A) INFORMATION REQUIRED.—Not later than 270 days after the date of enactment of the Energy Security Through Transparency Act of 2009, the Commission shall issue final rules that require each resource extraction issuer to include in the annual report of the resource extraction issuer information relating to any payment made by the resource extraction issuer, a subsidiary or partner of the resource extraction issuer, or an entity under the control of the resource extraction issuer to a foreign government for the purpose of the commercial development of oil, natural gas, or minerals, including—

''(i) the type and total amount of such payments made for each project of the resource extraction issuer relating to the commercial development of oil, natural gas, or minerals; and

''(ii) the type and total amount of such payments made to each foreign government.

''(B) INTERNATIONAL TRANSPARENCY EFFORTS.—To the extent practicable, the rules issued under subparagraph (A) shall support the commitment of the United States Government to international transparency promotion efforts relating to the commercial development of oil, natural gas, or minerals.

''(C) EFFECTIVE DATE.—With respect to each resource extraction issuer, the final rules issued under subparagraph (A) shall take effect on the date on which the resource extraction issuer is required to submit an annual report relating to the fiscal year of the resource extraction issuer that ends not earlier than 1 year after the date on which the Commission issues final rules under subparagraph (A).

''(3) PUBLIC AVAILABILITY OF INFORMATION.—

''(A) IN GENERAL.—To the extent practicable, the Commission shall make available online, to the public, a compilation of the information required to be submitted under the rules issued under paragraph (2)(A).

''(B) OTHER INFORMATION.—Nothing in this paragraph shall require the Commission to make available online information other than the information required to be submitted under the rules issued under paragraph (2)(A).

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this subsection.''.

By Mr. UDALL of Colorado (for himself and Mr. RISCH):

S. 1702. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain states; to the Committee on Environment and Public Works.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Target Practice and Marksmanship Training Support Act. I am introducing this bill with the support of Senator RISCH, and I thank my colleague for joining me in this bipartisan effort.

This bill would provide funding flexibility to the States to help construct and maintain needed shooting ranges—safe and designated areas where people can sharpen their marksmanship and enjoy recreational shooting.

For a variety of reasons, the number of places where people can safely engage in recreational shooting and target practicing has steadily dwindled. This includes areas on our national public lands. In an effort to establish, maintain and promote safe and established areas for such activities, this legislation would allow States to allocate a greater proportion of their Federal wildlife funds for these purposes.

Currently, states are allocated funds for a variety of wildlife purposes under the Pittman-Robertson Act. This Act, which established a 10 percent excise tax on sporting equipment and ammunition, distributes these funds to States for specific purposes. One of these purposes includes hunter safety programs and the development and maintenance of shooting ranges. However, the Act currently contains certain limitations on the use of these funds for the purpose of shooting ranges.

The Target Practice and Marksmanship Training Support Act would amend the Pittman-Robertson Act by adjusting the funding limitations so that States have more funds available for the creation and maintenance of shooting ranges. Specifically, the bill would do a number of things.

First, it would authorize States to charge up to 90 percent instead of the current 75 percent of the costs for acquiring land for, expanding, or constructing a public target range on Federal or non-federal land to its allotted Pittman-Robertson allocations, and therefore States would only need to find 10 percent match, as opposed to 25 percent.

Second, it would allow the Pittman-Robertson funds allotted to a State to remain available for 5 fiscal years, instead of the current 1 fiscal year, for use in acquiring land for, expanding, or constructing a public target range on Federal or non-federal land.

Third, it would limit the liability exposure to the Federal land agencies, the Forest Service and the Bureau of Land Management, regarding the use of Federal land for target practice or marksmanship training.

Fourth, it would encourage the Federal land agencies, the Forest Service and the Bureau of Land Management, to cooperate with State and local authorities to maintain target ranges on Federal land so as to encourage their continued use.

To be clear, the bill would not allocate any new funding to the construction of shooting ranges, it would not raise any fees or taxes, nor would it require States to apply their allocated Pittman-Robertson funds to shooting ranges. Instead, by reducing the State matching requirements—and allowing States to ''bank'' these funds for 5 years, the bill allows States to use their Pittman-Robertson funds as they think best while also allowing them to

extend their existing license fee revenue and other State generated funds on other important programs, such as wildlife habitat.

I would like to thank the following groups who have expressed support for this legislation: the National Rifle Association, the National Governing Body for the Olympic Shooting Sports, the Colorado Firearms Coalition, the Colorado Wildlife Federation, the Colorado Backcountry Hunters and Anglers, and the Rocky Mountain Bighorn Society.

I believe that hunting and recreational shooting are legitimate activities—activities that also are appropriate where not prohibited on our public lands. This bill is designed to maintain these activities in a save and convenient manner. It is my hope that the public lands agencies continue to work with the States, sportsmen and hunters, the recreational shooting interests, nearby communities, and others so that these opportunities are safe and available.

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. 1702

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 ''Target Practice and Marksmanship Training Support Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the use of firearms for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this Act, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this Act, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States funds that can be used for construction, operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this Act is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 3. DEFINITION OF PUBLIC TARGET RANGE.

In this Act, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate rifle, pistol, or shotgun shooting.

SEC. 4. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate rifle, pistol, or shotgun shooting;''.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(2) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(3) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(4) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL FUNDS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(2) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided by paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(c) shall not exceed 90 percent of the cost of the activity.''; and

(3) in subsection (c)(1)—

(A) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

SEC. 5. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act''), any action by an agent or employee of the United States to authorize the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 6. SENSE OF CONGRESS REGARDING COOPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range in order to encourage continued use of that land for target practice or marksmanship training.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 281—SUPPORTING THE GOALS AND IDEALS OF ''NATIONAL CAMPUS SAFETY AWARENESS MONTH''

Mr. SPECTER (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 281

Whereas people on college and university campuses are not immune from the potential acts of crime that the rest of society in the United States faces;

Whereas, pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. 1092(f)), colleges and universities reported that from 2005 to 2007, 117 murders, 10,563 forcible-sex offenses, 16,632 aggravated assaults, and 3,226 cases of arson occurred on or around college and university campuses;

Whereas criminal experts estimate that between 20 to 25 percent of female undergraduate students become victims of rape or attempted rape;

Whereas the aggressor in a sexual assault is usually an acquaintance or friend of the victim;

Whereas less than 5 percent of the victims of sexual assaults report those assaults to law enforcement;

Whereas each year 13 percent of female students enrolled in an undergraduate program at a college or university will be victims of stalking;

Whereas approximately 1,825 college and university students between the ages of 18 and 24 die each year from unintentional, alcohol-related injuries, including motor vehicle accidents;

Whereas Security On Campus, Inc., a national nonprofit group dedicated to promoting safety and security on college and university campuses, has designated September as National Campus Safety Awareness Month;

Whereas, each September since 2005, Security On Campus, Inc. has partnered with colleges and universities across the United States to offer educational programming on sexual assault, alcohol and drug abuse, hazing, stalking, and other critical campus safety issues; and

Whereas National Campus Safety Awareness Month provides an opportunity for campus communities to become engaged in efforts to improve campus safety: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Campus Safety Awareness Month; and

(2) encourages colleges and universities throughout the United States to provide campus safety and other crime awareness and prevention programs to students throughout the year.

Mr. SPECTER. Mr. President, I have sought recognition today to submit a resolution supporting the goals and ideals of a National Campus Safety Awareness Month. Educational institutions should be safe havens where we send our children to learn and grow without fear for their protection and wellbeing, but unfortunately this is not always the case. On April 5, 1986, in the early morning hours, Jeanne Clery, a 19-year-old Lehigh University student was brutally raped and murdered in her dormitory room. This heinous crime in Bethlehem, Pennsylvania opened the nation's eyes to the true extent of crime on college and university campuses.

When I was District Attorney of Philadelphia, I dealt with many incidents of campus crime and I learned firsthand of its severity. However, I believe that many would be surprised by the extent of the problem. Colleges and universities have reported that from 2005 to 2007, 117 murders, 10,563 forcible-sex offenses, 16,632 aggravated assaults, and 3,226 cases of arson have occurred on or around college and university campuses. Criminal experts estimate that between 20 and 25 percent of female undergraduate students become victims of rape or attempted rape. And each year 13 percent of female students enrolled in an undergraduate program at a college or university are victims of stalking. Additionally, approximately 1,825 college and university students between the ages of 18 and 24 die each year from unintentional, alcohol-related injuries, including motor vehicle accidents.

Since their daughter's death, Connie Clery and her late husband Howard worked tirelessly in their daughter's memory to protect the lives of college students by warning them of these aforementioned dangers. They founded Security On Campus, Inc., a national nonprofit based in King of Prussia, Pennsylvania, which is dedicated to promoting safety and security on college and university campuses. Security On Campus, Inc. has found that the beginning of each new school year can be a dangerous time for students, especially for first-year students who are in a new environment and on their own for the first time. For this reason, Security On Campus, Inc. has designated September as National Campus Safety Awareness Month.

Each September since 2005, Security On Campus, Inc. has partnered with colleges and universities across the United States to offer educational programming on critical campus safety issues. In 2008, Security On Campus, Inc. partnered with more than 350 institutions across the country, including 29 from Pennsylvania, to participate in National Campus Safety Awareness Month during September. Campuses offered a wide array of safety programming throughout the month covering everything from the most serious issues of sexual assault and the risks of alcohol abuse to how to protect personal property from burglary. Additionally, Security On Campus, Inc. offers educational videos on sexual assault, alcohol abuse, hazing and stalking that are often integrated into NCSAM programming. Other programming includes safety carnivals set up in high pedestrian traffic areas like student centers or cafeterias, door hangers with safety tips in residence halls, residence hall floor programs, fire safety presentations, Fatal Vision goggles for DUI's, and the Rape, Abuse & Incest National Network's Get Carded Day.

When the Clerys approached me shortly after their daughter's murder, I worked with them to develop the Crime Awareness and Campus Security Act of 1989, which became law in 1990. This Act was modified and included in the Higher Education Act of 1998, as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Since this legislation was enacted, the issue of campus crime has become a routine part of the college selection process, and crime statistics are readily available on the internet so families can compare colleges. It is clear that this legislation has had a positive impact on college and university campus safety. In fact, the U.S. Department of Justice reported that between 1994 and 2004 there was a 9 percent drop in violent crime on campus and a 30 percent drop in property crime. However, it is important to remember that while the law has significantly changed the landscape of campus security for the better, it is evident that more work remains to be done. That is why I continue to advocate for the goals of the National Campus Safety Awareness Month.

Throughout the past several years, I have worked together with the Clerys, Security On Campus, Inc., and crime prevention professionals on campus across the country to help raise much needed awareness about these dangers. Thus, I urge my colleagues to join me in this effort by supporting the goals and ideals of a National Campus Safety Awareness Month.

SENATE RESOLUTION 282—REMEMBERING THE 20TH ANNIVERSARY OF HURRICANE HUGO, WHICH STRUCK CHARLESTON, SOUTH CAROLINA ON SEPTEMBER 21 THROUGH SEPTEMBER 22, 1989

Mr. GRAHAM (for himself and Mr. DEMINT) submitted the following resolution; which was considered and agreed to:

S. RES. 282

Whereas September 21 through September 22, 2009, marks the 20th anniversary of Hurricane Hugo, one of the most destructive storms in United States history, making landfall in South Carolina;

Whereas Hurricane Hugo, with a storm surge that rose as high as 20 feet along the South Carolina coast, killed 57 people in the mainland United States and 29 people in the United States Caribbean islands and left an estimated 65,000 people homeless;

Whereas Hurricane Hugo resulted in 4 presidential disaster declarations, for the United States Virgin Islands, Puerto Rico, South Carolina, and North Carolina;

Whereas Hurricane Hugo inflicted an estimated $7,000,000,000 in total damages within the United States and an additional $3,000,000,000 in damages to the United States Virgin Islands;

Whereas Hurricane Hugo set a record as the most expensive hurricane to strike the United States up until that time;

Whereas Hurricane Hugo underscored the critical value of early evacuation, bold leadership, and personal and regional preparation and planning;

Whereas the people of South Carolina rose to meet Hurricane Hugo, working tirelessly to prepare for the storm and to assist their fellow citizens in its aftermath;

Whereas Hurricane Hugo was a reminder of the kindness and compassion of people, as help came from all parts of the Nation to assist in the areas damaged by Hugo;

Whereas the magnitude of the Hurricane Hugo disaster and difficulties with the Federal response led to important changes to the preparedness and response efforts of the Federal Government with respect to hurricanes in the United States; and

Whereas September is National Preparation Month and the President has emphasized the responsibility of all people of the United States to take time to prepare for potential emergencies by preparing an emergency supply kit and a family emergency plan, and to educate themselves about potential disasters: Now, therefore, be it

Resolved That the Senate—

(1) recognizes the historical significance of the 20th anniversary of Hurricane Hugo; and

(2) remembers the victims of Hurricane Hugo.

SENATE RESOLUTION 283—EXPRESSING SUPPORT FOR THE GOALS AND IDEALS OF THE FIRST ANNUAL NATIONAL WILD HORSE AND BURRO ADOPTION DAY TAKING PLACE ON SEPTEMBER 26, 2009

Mr. REID (for himself, Mrs. FEINSTEIN, Mr. ENSIGN, and Ms. LANDRIEU)

submitted the following resolution; which was considered and agreed to:

S. RES. 283

Whereas, in 1971, in Public Law 92-195 (commonly known as the ''Wild Free-Roaming Horses and Burros Act'') (16 U.S.C. 1331 et seq.), Congress declared that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West;

Whereas, under that Act, the Secretary of the Interior and the Secretary of Agriculture have responsibility for the humane capture, removal, and adoption of wild horses and burros;

Whereas the Bureau of Land Management and the Forest Service are the Federal agencies responsible for carrying out the provisions of the Act;

Whereas a number of private organizations will assist with the adoption of excess wild horses and burros, in conjunction with the first National Wild Horse and Burro Adoption Day; and

Whereas there are approximately 31,000 wild horses in short-term and long-term holding facilities, with 18,000 young horses awaiting adoption: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of a National Wild Horse and Burro Adoption Day to be held annually in coordination with the Secretary of Interior and the Secretary of Agriculture;

(2) recognizes that creating a successful adoption model for wild horses and burros is consistent with Public Law 92-195 (commonly known as the ''Wild Free-Roaming Horses and Burros Act'') (16 U.S.C. 1331 et seq.) and beneficial to the long-term interests of the people of the United States in protecting wild horses and burros; and

(3) encourages citizens of the United States to adopt a wild horse or burro so as to own a living symbol of the historic and pioneer spirit of the West.

SENATE RESOLUTION 284—EXPRESSING SUPPORT FOR THE DESIGNATION AND GOALS OF ''NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK'' FOR THE PERIOD BEGINNING ON SEPTEMBER 21, 2009, AND ENDING ON SEPTEMBER 25, 2009

Ms. STABENOW (for herself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 284

Whereas the Healthcare Information and Management Systems Society has collaborated with more than 5 dozen stakeholder organizations for almost 50 years to transform health care by improving information technology and management systems;

Whereas the Center for Information Technology Leadership estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to health care each year;

Whereas health care information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the health care system;

Whereas Congress has made a commitment to leveraging the benefits of the health care information technology and management systems, including through the adoption of electronic medical records that will help to reduce costs and improve quality while ensuring patients' privacy and codification of the Office of the National Coordinator for Health Information Technology;

Whereas Congress has emphasized improving the quality and safety of delivery of health care in the United States; and

Whereas since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the health care system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the value of information technology and management systems in transforming health care for the people of the United States;

(2) designates the period beginning on September 21, 2009, and ending on September 25, 2009, as ''National Health Information Technology Week''; and

(3) calls on all stakeholders to promote the use of information technology and management systems to transform the health care system in the United States.

SENATE CONCURRENT RESOLUTION 41—PROVIDING FOR THE ACCEPTANCE OF A STATUE OF HELEN KELLER, PRESENTED BY THE PEOPLE OF ALABAMA

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following concurrent resolution which was considered and agreed to:

S. CON. RES. 41

Whereas Helen Keller was born in Tuscumbia, Alabama on June 27, 1880, and at the age of 19 months lost her sight and hearing as a result of meningitis;

Whereas Helen was liberated from the ''double dungeon of darkness and silence'' by her teacher, Anne Sullivan, when she discovered language and communication at the water pump when she was 7 years old;

Whereas Helen enrolled in Radcliffe College in 1900 and graduated cum laude in 1904 to become the first deaf and blind college graduate;

Whereas Helen's life served as a model for all people with disabilities in America and worldwide;

Whereas Helen became friends with many American Presidents and was the recipient of some of our Nation's most distinguished honors;

Whereas Helen became recognized as one of Alabama's and America's best known figures and became ''America's Goodwill Ambassador to the World'';

Whereas Helen pioneered the concept of ''talking books'' for the blind;

Whereas LIFE Magazine hailed Helen as ''one of the 100 most important Americans of the 20th Century—a national treasure''; and

Whereas Helen Keller will become the first person with disabilities enshrined in the Capitol and will become an even greater inspiration for people with disabilities worldwide: Now, therefore, be it

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

SECTION 1. ACCEPTANCE OF HELEN KELLER, FROM THE PEOPLE OF ALABAMA, FOR PLACEMENT IN THE CAPITOL.

(a) IN GENERAL.—The statue of Helen Keller, furnished by the people of Alabama for placement in the Capitol, in accordance with section 1814 of the Revised Statutes of the United States (2 U.S.C. 2131), is accepted in the name of the United States, and the thanks of Congress are tendered to the people of Alabama for providing this commemoration of one of Alabama's most eminent personages.

(b) PRESENTATION CEREMONY.—The State of Alabama is authorized to use the Rotunda of the Capitol on October 7, 2009, for a presentation ceremony for the statue. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) DISPLAY IN ROTUNDA.—The Architect of the Capitol shall provide for the display of the statue accepted under this section in the Rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be displayed in the Capitol, in accordance with the procedures described in section 311(e) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 2132(e)).

SEC. 2. TRANSMITTAL TO GOVERNOR OF ALABAMA.

The Secretary of the Senate shall transmit an enrolled copy of this concurrent resolution to the Governor of Alabama.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2511. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2512. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2513. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2514. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra.

SA 2515. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2516. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2517. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2518. Mrs. FEINSTEIN (for herself, Mr. JOHNSON, Mr. SHELBY, Mr. BOND, Mr. BROWNBACK, and Mr. ROBERTS) submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2519. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2520. Mrs. FEINSTEIN (for herself, Mr. REID, Mrs. BOXER, and Mr. ENSIGN) submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2521. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2522. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2523. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2524. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2525. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2526. Mr. HATCH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2527. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2528. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2529. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2530. Ms. MURKOWSKI (for herself and Mr. THUNE) submitted an amendment intended to be proposed by her to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2531. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2532. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2533. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2534. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2535. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2536. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2537. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2538. Mr. BINGAMAN (for himself, Mr. CRAPO, Mr. WYDEN, Mr. RISCH, Mr. BAUCUS, Ms. MURKOWSKI, Mrs. MURRAY, Mr. UDALL, of Colorado, Mr. BENNET, Mr. AKAKA, Mr. UDALL, of New Mexico, Mr. BEGICH, Mr. MERKLEY, Ms. CANTWELL, Mr. TESTER, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2539. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2540. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2541. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2542. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2543. Mr. TESTER (for himself, Mr. CRAPO, Mr. BAUCUS, Mr. JOHANNS, Mr. BARRASSO, Mr. WYDEN, Mr. DORGAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2544. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2545. Mr. WEBB submitted an amendment intended to be proposed by him to the bill H.R. 2996, supra; which was ordered to lie on the table.

SA 2546. Mr. BINGAMAN proposed an amendment to the bill H.R. 1035, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.

SA 2547. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2511. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON NO-BID CONTRACTS AND GRANTS.

(a) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be—

(1) used to make any payment in connection with a contract not awarded using competitive procedures in accordance with the requirements of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253), section 2304 of title 10, United States Code, and the Federal Acquisition Regulation; or

(2) awarded by grant not subjected to merit-based competitive procedures, needs-based criteria, and other procedures specifically authorized by law to select the grantee or award recipient.

(b) This prohibition shall not apply to the awarding of contracts or grants with respect to which—

(1) no more than one applicant submits a bid for a contract or grant; or

(2) Federal law specifically authorizes a grant or contract to be entered into without regard for these requirements, including formula grants for States.

SA 2512. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 127, strike line 11 and all that follows through page 129, line 7, and insert the following:

resources, $1,245,786,000, to remain available until September 30, 2011, except as otherwise provided herein: *Provided*, That not less than $1,900,000 of that amount shall be for research on, and monitoring and prevention of, white nose bat syndrome: *Provided further*, That $2,500,000 is for high-priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed $22,103,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)) of that section, of which not to exceed $11,632,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3) of that section, excluding litigation support, for species listed pursuant to subsection (a)(1) of that section prior to October 1, 2009: *Provided further*, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: *Provided further*, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $39,741,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 through 4601–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $81,390,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 7 of that Act (16 U.S.C. 4601–9), not more than $1,500,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004 (Public Law 108–421; 118 Stat. 2375), and not more than $1,400,000 shall be for the Wallkill National Wildlife Refuge: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

SA 2513. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 185, line 21, after ''*Provided*,'' insert ''That, notwithstanding section 603(d) of the Federal Water Pollution Control Act (33 U.S.C. 1383(d)) or section 1452(f) of the Safe Drinking Water Act (42 U.S.C. 300j–12(f)), in the case of the funds appropriated under this heading, each State shall use 30 percent of the amount of the capitalization grants of the State to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans, or

grants (or any combination of those forms of assistance): *Provided further*,''.

SA 2514. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 135, line 2, before the period at the end, insert the following: '', of which, notwithstanding the chart under the heading 'Save America's Treasures' on page 30 of Senate Report 111–38, the entire amount shall be distributed by the Secretary of the Interior in the form of competitive grants on the basis of the following criteria: (1) the collection or historic property must be nationally significant; (2) the collection or historic property must be threatened or endangered; (3) the application must document the urgent preservation or conservation need; (4) projects must substantially mitigate the threat and must have a clear public benefit; (5) the project must be feasible; and (6) the application must document adequately the required non-Federal match''

SA 2515. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 129, line 7, insert before the period at the end the following: ''*Provided further*, That $1,000,000 of the funds made available for specific land acquisition projects shall be made available to implement section 6402 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1178)''.

SA 2516. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 197, line 1, strike ''$2,582,000'' and insert ''$5,000,000''.

SA 2517. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 423. PROHIBITION ON USE OF FUNDS.

None of the funds made available under this Act may be used to apply the permit program under part C of title I, or under title V, of the Clean Air Act (42 U.S.C. 7440 et seq., 7661 et seq.) to any stationary source, on the basis of its emissions of greenhouse gases, that—

(1) is a farm, as the term is defined in section 6420(c)(2) of the Internal Revenue Code of 1986; or

(2) is not subject to the requirement to report greenhouse gas emissions under the final Environmental Protection Agency rule entitled ''Mandatory Reporting of Greenhouse Gases'' and numbered 2060–A079.

SA 2518. Mrs. FEINSTEIN (for herself, Mr. JOHNSON, Mr. SHELBY, Mr. BOND, Mr. BROWNBACK, and Mr. ROBERTS) submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, line 10, insert before the period at the end the following: '': *Provided further*, That, notwithstanding House Report 107–272, the amount of $1,000,000 made available to the Southeast Alabama Regional Water Authority for a water facility project and the amount of $2,500,000 made available to the Alabama Regional Water Authority for the Southwest Alabama Rural/Municipal Water System may, at the discretion of the Administrator, be made available to the city of Thomasville for those projects: *Provided further*, That, notwithstanding House Report 108–10, the amount of $450,000 made available to the Southwest Alabama Regional Water Authority for water infrastructure improvements may, at the discretion of the Administrator, be made available to the city of Thomasville for that project: *Provided further*, That, notwithstanding House Report 108–401, the amount of $450,000 made available to the Southwest Alabama Regional Water supply District for regional water supply distribution in Thomasville, Alabama, may, at the discretion of the Administrator, be made available to the city of Thomasville for that project: *Provided further*, That, notwithstanding House Report 108–401, the amount of $2,000,000 made available to the Tom Bevill Reservoir Management Area Authority for construction of a drinking water reservoir in Fayette County, Alabama, may, at the discretion of the Administrator, be made available to Fayette County, Alabama, for water system upgrades: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $500,000 made available to the San Bernardino Municipal Water District for the Inland Empire alternative water supply project (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to the city of San Bernardino municipal water department for that project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1844), from funds made available by that Act for the State and Tribal Assistance Grants program, $170,800 may, at the discretion of the Administrator, be made available to the city of Prescott for a wastewater treatment plant construction project and $129,200 may, at the discretion of the Administrator, be made available to the city of Wichita for a storm water technology pilot project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 524), the amount of $185,000 made available to the city of Manhattan for the sewer mainline extension project (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to the city of Manhattan for a water mainline extension project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 524), the amount of $290,000 made available to the Riley County Board of Commissioners for the Konza Sewer Main Extension project (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to the city of Manhattan for the Konza Water Main Extension project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $1,300,000 made available to the City of Warrensburg, Missouri for a drinking water and wastewater infrastructure project (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to Johnson County, Missouri for that project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $ 1,000,000 made available to the City of Gravois Mills for wastewater infrastructure (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to the Gravois Arm Sewer District for that project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $500,000 made available to McDonald County, Missouri for a wastewater infrastructure expansion project (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to PWSD #1 of McDonald County, Missouri for that project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 110–161 (121 Stat. 1844), the amount of $150,000 made available to the City of Hayti, Pemiscot Consolidated Public Water Supply District 1 for a Water Storage Tank (as described in the section entitled 'STAG Infrastructure Grants/Congressional Priorities' on page 1264 of the joint explanatory statement) may, at the discretion of the Administrator, be made available to Pemiscot Consolidated Public Water Supply District 1 for a drinking water source protection infrastructure project: *Provided further*, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $400,000 made available to the City of Lake Norden, South Dakota, for wastewater infrastructure improvements (as described in the table entitled 'Congressionally Designated Spending' contained in section 430 of that joint explanatory statement) may, at the discretion of the Administrator, be made available to the City of Lake Norden, South Dakota, for drinking water infrastructure improvements''.

SA 2519. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 179, strike line 7 and all that follows through page 180, line 9, and insert the following:

SEC. 120. Prior to the expiration on November 30, 2012 of the Drake's Bay Oyster Company's Reservation of Use and Occupancy and associated special use permit (''existing authorization'') within Drake's Estero at Point Reyes National Seashore, notwithstanding any other provision of law, the Secretary of the Interior is authorized to issue a special use permit with the same terms and conditions as the existing authorization, except as provided herein, for a period of 10 years from November 30, 2012: *Provided*, That such extended authorization is subject to annual payments to the United States based on the fair market value of the use of the Federal property for the duration of such renewal. The Secretary shall take into consideration recommendations of the National Academy of Sciences Report pertaining to shellfish mariculture in Point Reyes National Seashore before modifying any terms and conditions of the extended authorization.

SA 2520. Mrs. FEINSTEIN (for herself, Mr. REID, and Mrs. BOXER, and Mr. ENSIGN) submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, line 10, before the period at the end, insert the following: ''*Provided further*, That of the amount provided for aquatic invasive species, up to $800,000 shall be used for study, construction, staffing, and other expenses necessary to conduct vessel inspection and decontamination at stations to be located away from boat and vessel ramps at Lake Tahoe, Echo Lake, and Fallen Leaf Lake in the State of California''.

SA 2521. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, line 10, insert before the period at the end the following: '': *Provided further*, That, notwithstanding section 422, of the funds made available under this heading, $500,000 shall be for the city of Eureka, California, for the Martin Slough interceptor project and $500,000 shall be for Lake County, California, for wastewater system improvements''.

SA 2522. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 4___. Section 404(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7624(c)) is amended—

(1) in paragraph (1), by striking ''Agricultural Research Service'' and inserting ''Department of Agriculture''; and

(2) by adding at the end the following:

''(3) AUTHORITY OF SECRETARY.—To carry out a cooperative agreement with a private entity under paragraph (1), the Secretary may rent to the private entity equipment, the title of which is held by the Federal Government.''.

SA 2523. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FUNDS TO IMPEDE OPERATIONAL CONTROL.

None of the funds made available by this Act may be used to impede, prohibit, or restrict activities of the Secretary of Homeland Security on public lands to achieve operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367) over the international land and maritime borders of the United States.

SA 2524. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, line 10, insert before the period at the end the following: '': *Provided further*, That, notwithstanding House Report 107–272, the amount of $1,000,000 made available to the Southeast Alabama Regional Water Authority for a water facility project and the amount of $2,500,000 made available to the Alabama Regional Water Authority for the Southwest Alabama Rural/Municipal Water System shall be made available to the city of Thomasville for those projects: *Provided further*, That, notwithstanding House Report 108–10, the amount of $450,000 made available to the Southwest Alabama Regional Water Authority for water infrastructure improvements shall be made available to the city of Thomasville for that project: *Provided further*, That, notwithstanding House Report 108–401, the amount of $450,000 made available to the Southwest Alabama Regional Water supply District for regional water supply distribution in Thomasville, Alabama, shall be made available to the city of Thomasville for that project''.

SA 2525. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, line 10, insert before the period at the end the following: '': *Provided further*, That, notwithstanding House Report 108–401, the amount of $2,000,000 made available to the Tom Bevill Reservoir Management Area Authority for construction of a drinking water reservoir in Fayette County, Alabama, shall be made available to Fayette County, Alabama, for water system upgrades''.

SA 2526. Mr. HATCH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

IMPLEMENTATION OF RULES

SEC. 4___. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to carry out, finalize, or implement the proposed rule of the Administrator entitled ''Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'' (74 Fed. Reg. 18886 (April 24, 2009)) or the proposed rule of the Administrator and the Secretary of Transportation entitled ''Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards'' (Document No. EPA–HQ–OAR–2009–0472 (September 15, 2009)) until such time as Congress enacts a Federal law authorizing those actions.

SA 2527. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 4___. Section 1971(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note; Public Law 111–11) is amended by striking ''December 18, 2008'' and inserting ''September 20, 2009''.

SA 2528. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 190, line 10, insert before the period at the end the following: '': *Provided further*, That, notwithstanding any other provision of this Act, no funds made available under this heading shall be used for water infrastructure improvements for the City of Safford, Arizona''.

SA 2529. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes;

which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SECTION 4___. CHUGACH WHISTLE STOP PARTNERSHIP FUND.

(a) DEFINITIONS.—In this section:

(1) FUND.—The term ''Fund'' means the Chugach Whistle Stop Partnership Project Fund established by subsection (c)(1).

(2) NATIONAL FOREST.—The term ''National Forest'' means the Chugach National Forest.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) SPENCER MINERAL MATERIALS PROJECT FUNDS.—The Secretary shall deposit into the Treasury each amount received by the Secretary through the contract for the sale of mineral materials described in the notice of intent to prepare an environmental impact statement entitled ''Chugach National Forest, Glacier Ranger District, Alaska—Spencer Mineral Materials Project'' and published by the Secretary on March 2, 2007 (72 Fed. Reg. 9501).

(c) CHUGACH WHISTLE STOP PARTNERSHIP PROJECT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the ''Chugach Whistle Stop Partnership Project Fund'', consisting of such amounts as are appropriated to the Fund under paragraph (2).

(2) TRANSFERS TO FUND.—There are appropriated to the Fund, out of funds of the Treasury not otherwise appropriated, amounts equivalent to the amounts deposited by the Secretary into the Treasury under subsection (b).

(3) EXPENDITURES FROM FUND.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary such amounts as the Secretary determines are necessary to carry out activities under paragraph (5).

(B) ADMINISTRATIVE EXPENSES.—An amount not exceeding 10 percent of the amounts in the Fund shall be available for each fiscal year to pay the administrative expenses necessary to carry out this Act.

(C) PRIORITY REGARDING USE OF FUNDS.—Any amounts made available through an appropriations Act for use by the Secretary to carry out an activity under paragraph (5) shall be expended before the Secretary may request an amount under subparagraph (A) to carry out the activity.

(4) TRANSFERS OF AMOUNTS.—

(A) IN GENERAL.—The amounts required to be transferred to the Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(5) USE OF FUNDS.—The Secretary shall use amounts transferred to the Secretary under paragraph (3)(A) to carry out—

(A) the administration of the mineral materials contract described in subsection (b); and

(B) the implementation of the Whistle Stop partnership project in the National Forest, including—

(i) the restoration and enhancement of natural resources in the National Forest;

(ii) the construction, enhancement, repair, and maintenance of—

(I) recreation and rail facilities;

(II) trails, associated infrastructure, and transportation equipment; and

(III) visitor services; and

(iii) the interpretation and provision of any other visitor information or service.

(d) EFFECT.—Nothing in this Act affects the responsibility of the Secretary to comply with applicable environmental laws (including regulations).

(e) TERMINATION OF AUTHORITY.—The authority provided by this Act terminates on the date on which the mineral materials contract described in subsection (b) terminates.

SA 2530. Ms. MURKOWSKI (for herself and Mr. THUNE) submitted an amendment intended to be proposed by her to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 192, between lines 6 and 7, insert the following:

GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

CARBON DIOXIDE

SEC. 201. (a) No action taken by the Environmental Protection Agency using funds made available under this Act shall have the effect of making carbon dioxide a pollutant subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.) for any source other than a mobile source as described in section 202(a) of that Act (42 U.S.C. 7521(a)).

(b) Nothing in this section prohibits the expenditure of funds by the Environmental Protection Agency—

(1) to undertake studies or conduct reasonable information-gathering that is preparatory to the regulation of carbon dioxide under the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) to implement the renewable fuels standard requirements of section 211(o) of that Act (42 U.S.C. 7545(o));

(3) to continue to issue permits for the construction or modification of any sources other than a mobile source (as described in section 202(a) of that Act (42 U.S.C. 7521(a))) in areas for which the Administrator of the Environmental Protection Agency has jurisdiction, including certain portions of the outer Continental Shelf;

(4) to issue regulations governing the injection of carbon dioxide underground to enable the development of clean coal power generation facilities, including facilities eligible for funding under the Clean Coal Power Initiative of the Department of Energy and the American Recovery and Reinvestment Act of 2009 (Public Law 111–5);

(5) to issue and enforce regulations relating to the reporting of greenhouse gas emissions;

(6) to develop, or collaborate with other agencies on the development of, an innovative, voluntary carbon offset program or other approaches (including assistance measures to energy and trade intensive manufacturers) designed to lower the costs that may be associated with any global climate change mitigation measures established or approved by Congress;

(7) to permit energy infrastructure construction on or near Federal land; or

(8) to finalize and apply the proposed rule entitled ''Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'' (74 Fed. Reg. 18886 (April 24, 2009)), if the rule and the consequences of the rule are limited solely to section 202(a) of that Act (42 U.S.C. 7521(a)).

SA 2531. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 183, line 14, before the period, insert the following: ''; *Provided,* That, at the discretion of the Administrator of the Environmental Protection Agency, from the funds included under this heading, $500,000 may be made available for preliminary planning and design of a high-performance green building to consolidate the multiple offices and research facilities of the Environmental Protection Agency in Las Vegas, Nevada''.

SA 2532. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 4___. (a) Of the funds made available by this Act for forest products programs to be carried out by the Forest Service, not less than $10,000,000 shall be used to accelerate the implementation of stewardship contracts, including through the conduct of reviews of stewardship contracts under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(1) by increasing capacity; and

(2) through the use of local nonprofit contractors, as appropriate and consistent with each appropriate—

(A) Federal law (including regulations); and

(B) policy of the Forest Service.

(b) Of the funds made available by this Act for forestry management to be carried out by the Bureau of Land Management, not less than $10,000,000 shall be used to accelerate the implementation of stewardship contracts (of which not less than $5,000,000 shall be used for parcels of Oregon and California land-grant land and not less than $5,000,000 shall be used for parcels of public domain land), including through the conduct of reviews of stewardship contracts under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(1) by increasing capacity; and

(2) through the use of local nonprofit contractors, as appropriate and consistent with each appropriate—

(A) Federal law (including regulations); and

(B) policy of the Bureau of Land Management.

(c) Of the funds made available by this Act for the United States Fish and Wildlife Service, the Director of the United States Fish and Wildlife Service shall use such funds as are necessary to provide consultation and assist in the acceleration of stewardship contracts described in this section.

SA 2533. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 4____. (a) Of the funds made available by this Act for forest products programs to be carried out by the Forest Service, not less than $10,000,000 shall be used to accelerate the implementation of stewardship contracts, including through the conduct of reviews of stewardship contracts under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(1) by increasing capacity; and

(2) through the use of local nonprofit contractors, as appropriate and consistent with each appropriate—

(A) Federal law (including regulations); and

(B) policy of the Forest Service.

(b) Of the funds made available by this Act for forestry management to be carried out by the Bureau of Land Management, not less than $10,000,000 shall be used to accelerate the implementation of stewardship contracts, including through the conduct of reviews of stewardship contracts under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(1) by increasing capacity; and

(2) through the use of local nonprofit contractors, as appropriate and consistent with each appropriate—

(A) Federal law (including regulations); and

(B) policy of the Bureau of Land Management.

(c) Of the funds made available by this Act for the United States Fish and Wildlife Service, the Director of the United States Fish and Wildlife Service shall use such funds as are necessary to provide consultation and assist in the acceleration of stewardship contracts described in this section.

SA 2534. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. It the sense of the Senate that the Senate—

(1) supports the National Vehicle Mercury Switch Recovery Program as an effective way to reduce mercury pollution from electric arc furnaces used by the steel industry to melt scrap metal from old vehicles; and

(2) urges the founders of the Program to find a way to fund the Program so that the successful efforts of the Program to reduce mercury pollution may continue.

SA 2535. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''FEDERAL TRUST PROGRAMS (INCLUDING TRANSFER OF FUNDS)'' under the heading ''OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS'' under the heading ''DEPARTMENT OF THE INTERIOR'' of title I, insert '', and of which $1,500,000 shall be available for the estate planning assistance program under section 207(f) of the Indian Land Consolidation Act (25 U.S.C. 2206(f))'' after ''historical accounting''.

SA 2536. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 134, line 13, strike ''$67,438,000,'' and insert ''$67,638,000''.

SA 2537. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 423. CABIN USER FEES.

Notwithstanding any other provision of law, none of the funds made available by this Act shall be used to increase the amount of cabin user fees under section 608 of the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6207) to an amount greater than the amount levied on December 31, 2008.

SA 2538. Mr. BINGAMAN (for himself, Mr. CRAPO, Mr. WYDEN, Mr. RISCH, Mr. BAUCUS, Ms. MURKOWSKI, Mrs. MURRAY, Mr. UDALL of Colorado, Mr. BENNET, Mr. AKAKA, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. MERKLEY, Ms. CANTWELL, Mr. TESTER, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 197, strike line 3 and all that follows through page 200, line 13, and insert the following:

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $2,576,637,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $340,285,000 is for hazardous fuels reduction activities, $11,500,000 is for rehabilitation and restoration, $23,917,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $56,250,000 is for State fire assistance, $9,000,000 is for volunteer fire assistance, $17,252,000 is for forest health activities on Federal lands and $9,928,000 is for forest health activities on State and private lands: *Provided further*, That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That up to $15,000,000 of the funds provided under this heading for hazardous fuels treatments may be transferred to and made a part of the ''National Forest System'' account at the sole discretion of the Chief of the Forest Service 30 days after notifying the House and the Senate Committees on Appropriations: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriation, up to $15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $10,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels reduction, not to exceed $10,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: *Provided further*, That funds designated for wildfire suppression shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND

For expenses authorized by section 4003(f) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)), $10,000,000, to remain available until expended.

SA 2539. Mr. THUNE submitted an amendment intended to be proposed by

him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

PROHIBITION

SEC. 4____. Notwithstanding any other provision of law, for fiscal year 2010, no funds may be used by the Administrator of the Environmental Protection Agency to regulate emissions of carbon dioxide from stationary sources under any final version of the proposed rule of the Administrator entitled ''Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'' (74 Fed. Reg. 18886 (April 24, 2009)) if the regulation of those emissions would increase electricity or gasoline prices, as determined by the Energy Information Administration.

SA 2540. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

PROHIBITION

SEC. 4____. Notwithstanding any other provision of law, for fiscal year 2010, no funds may be used by the Administrator of the Environmental Protection Agency to regulate emissions of carbon dioxide from stationary sources under any final version of the proposed rule of the Administrator entitled ''Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'' (74 Fed. Reg. 18886 (April 24, 2009)) if the regulation of those emissions would increase electricity or gasoline prices, as determined by the Energy Information Administration.

SA 2541. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 185, line 18, insert before ''of which'' the following: ''of which $5,000,000 shall be made available to repair drinking water and wastewater infrastructure in the State of Georgia damaged by the September 2009 floods and''.

SA 2542. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 240, between lines 13 and 14, insert the following:

SEC. 4_____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to approve any permit associated with any surface mining activity that involves the removal of an entire coal seam from outcrop to outcrop, or of seams running through the upper fraction of a mountain, ridge, or hill, by removing substantially all of the overburden off the mine bench.

SA 2543. Mr. TESTER (for himself, Mr. CRAPO, Mr. BAUCUS, Mr. JOHANNS, Mr. BARRASSO, Mr. WYDEN, Mr. DORGAN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 193, strike lines 9 through 20 and insert the following:

$1,552,429,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.) in accordance with section 4 of that Act (16 U.S.C. 4601–6a(i)): *Provided*, That, through fiscal year 2014, the Secretary of Agriculture may authorize the expenditure or transfer of such sums as are necessary to the Secretary of the Interior for removal, preparation, and adoption of excess wild horses and burros from National Forest System land and for the performance of cadastral surveys to designate the boundaries of such land: *Provided further*, That $282,617,000 shall be made available for recreation, heritage, and wilderness: *Provided further*, That none of the funds made available by this Act shall be used to increase the amount of cabin user fees under section 608 of the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6207) to an amount beyond the amount levied on December 31, 2009.

SA 2544. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 181, after line 25, insert the following:

QUALIFIED SCHOOL CONSTRUCTION BONDS

SEC. 1_____. (a) For purposes of the allocation and repayment of qualified school construction bonds under section 54F(d)(4) of the Internal Revenue Code of 1986, the Secretary of the Interior (in this section referred to as the ''Secretary'') may establish a tribal school construction escrow account into which may be deposited—

(1) funds furnished by or on behalf of any Indian tribal government as necessary to support issuance of the bonds by such Indian tribal government (including interest earnings from the investment of the bond proceeds), and

(2) amounts from, as the Secretary determines appropriate, other Federal departments and agencies (such as amounts made available for facility improvement and repairs) and non-Federal public or private sources for purposes of supporting such issuance.

(b) The Secretary shall use any amounts deposited in the escrow account under subsection (a) for the repayment of the principal amount of such issued bonds.

(c) Notwithstanding any other provision of law, the principal amount of any qualified school construction bond issued under section 54F(d)(4) of such Code shall be repaid only to the extent of any escrowed funds provided under subsection (a).

(d) No qualified school construction bond issued under section 54F(d)(4) of such Code shall be an obligation of, and no payment of the principal of such a bond shall be guaranteed by—

(1) the United States; or

(2) the tribal school for which the bond was issued.

(e) The Secretary may promulgate such regulations as necessary with regard to issuance of the qualified school construction bonds under section 54F(d)(4) of such Code.

SA 2545. Mr. WEBB submitted an amendment intended to be proposed by him to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 135, line 8, insert before the period at the end the following: '', of which $300,000 shall be made available for a special resource study of the General of the Army George Catlett Marshall National Historic Site at Dodona Manor in Leesburg, Virginia''.

On page 240, between lines 13 and 14, insert the following:

SEC. 423. GEORGE C. MARSHALL NATIONAL HISTORIC SITE STUDY.

(a) STUDY.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall conduct a special resource study of the Dodona Manor and gardens in Leesburg, Virginia, the home of George C. Marshall during the most important period of Marshall's career (referred to in this section as the ''study area'').

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area and the surrounding area;

(2) determine the suitability and feasibility of designating the study area as an affiliated area of the National Park System;

(3) consider other alternatives for the preservation, protection, and interpretation of the study area by—

(A) the Federal Government;

(B) State or local governmental entities; or

(C) private or nonprofit organizations;

(4) consult with interested—

(A) Federal, State, or local governmental entities;

(B) private or nonprofit organizations; or

(C) any other interested individuals; and

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives considered under paragraph (3).

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 8 of Public Law 91–383 (16 U.S.C. 1a–5).

(d) REPORT.—Not late than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

SA 2546. Mr. BINGAMAN proposed an amendment to the bill H.R. 1035, to

amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes; as follows:

Beginning on page 8, strike line 14 and all that follows through page 9, line 2.

SA 2547. Mr. BOND submitted an amendment intended to be proposed to amendment SA 2517 submitted by Mrs. FEINSTEIN and intended to be proposed to the bill H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 2, strike ''or''.

On page 2, line 7, strike the period and insert ''; or''.

On page 2, after line 7, add the following:

(3) is in a manufacturing- or coal-dependent region of the United States (such as the Midwest, Great Plains, or South) and would face additional costs from compliance with the permit program that are sufficient to result in—

(A) the layoff of any United States employees at the stationary source; or

(B) the layoff of any United States employees of customers of the stationary source.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. FEINSTEIN. 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 September 23, 2009, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 23, 2009, at 9:30 a.m., in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FEINSTEIN. 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 September 23, 2009, at 10 a.m., to conduct a hearing entitled ''Defense Contract Audit Agency: Who Is Responsible for Reform?''.

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

COMMITTEE ON THE JUDICIARY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 23, 2009, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Reauthorizing the USA PATRIOT Act: Ensuring Liberty and Security.''

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

COMMITTEE ON THE JUDICIARY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 23, 2009, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 1035 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1035) to amend the Morris K. Udall Scholarship and Excellence in National and Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. FEINSTEIN. I ask unanimous consent that a Bingaman amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 2546) was agreed to, as follows:

(Purpose: To strike the authorization of appropriations)

Beginning on page 8, strike line 14 and all that follows through page 9, line 2.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1035), as amended, was read the third time and passed, as follows:

H.R. 1035

Resolved, That the bill from the House of Representatives (H.R. 1035) entitled ''An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.'', do pass with the following amendment:

Beginning on page 8, strike line 14 and all that follows through page 9, line 2.

SUPPORTING GOALS AND IDEALS OF SENIOR CAREGIVING AND AFFORDABILITY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration and the Senate now proceed to H. Con. Res. 59.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 59) supporting the goals and ideals of senior caregiving and affordability.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JOHANNS. Mr. President, the importance of the senior caregiving community cannot be overstated. According to the U.S. Census Bureau, in the United States, 35.9 million people are 65 years of age or older, which is 12.4 percent of the population. The U.S. Census Bureau also states that with over 8,000 Americans turning 60 years old every day, the number of people over the age of 65 is expected to more than double in the next 50 years to 86.7 million. Furthermore, the U.S. Census Bureau estimates that the 85 and older population is projected to reach 9.6 million in 2030 and double again to 20.9 million in 2050.

A report by Evercare, entitled Study of Caregivers in Decline: A Close-up Look at the Health Risk of Caring for a Loved One, explains that in order to address the surging population of seniors who have significant needs for in-home care, the field of senior caregiving will continue to grow. Thus, while senior caregivers are playing an important role now, this profession will be even more important in the future.

The Dilenschneider Group, Inc., estimates that 25 percent of all seniors need some level of assistance to complete their daily activities. Senior companions provide a wide range of services, such as medication reminders, housekeeping, meal preparation, travel assistance, and general companionship. If we can keep seniors in their homes, we accomplish a number of goals. We preserve the independence and dignity of our seniors. That alone is significant. But, it also saves money in a health care system facing skyrocketing costs and soon-to-be insolvent programs. The longer a senior is able to provide for his or her own care at home, the better.

Adequate in-home care has become even more vital with the increase of dementia in our elderly population. The Alzheimer's Association estimates that 4.5 million people in the U.S. have Alzheimer's today and that this number will increase to between 11.3 and 16 million by 2050. The Alzheimer's Association further explains that 70 percent of people with Alzheimer's and other dementias live at home. These individuals can utilize in-home care provided by senior caregivers for assistance with their daily activities.

Senior caregiver services are a much preferred alternative for seniors who desire to maintain their independence.

They also offer families peace of mind, knowing their loved one is being taken care of in a safe and affordable manner.

I am very pleased with the passage of my resolution to honor senior caregivers and the private home care industry. According to The Dilenschneider Group, Inc., an estimated 44 million adults in this country provide care to adult relatives or friends, and an estimated 725,000 non-family, privately paid individuals are senior caregivers. The Department of Labor estimates that in 2006, paid caregivers worked a total of 835 million hours. I salute those who provide quality care for so many Americans. I also salute the cooperative effort of both unpaid family caregivers and paid caregivers to serve the needs of seniors living in their own homes.

We need to examine Federal policy alternatives to make caregiving for seniors more accessible and more affordable for families. This resolution encourages the Secretary of Health and Human Services to continue working to educate aging Americans about the assistance options available for seniors.

I thank the senior caregivers for their service to Americans throughout this Nation, and I am pleased my colleagues agreed to support this resolution.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 59) was agreed to.

The preamble was agreed to.

PROVIDING FOR STATUE OF HELEN KELLER

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 41, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 41) providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. FEINSTEIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 41) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 41

Whereas Helen Keller was born in Tuscumbia, Alabama on June 27, 1880, and at the age of 19 months lost her sight and hearing as a result of meningitis;

Whereas Helen was liberated from the ''double dungeon of darkness and silence'' by her teacher, Anne Sullivan, when she discovered language and communication at the water pump when she was 7 years old;

Whereas Helen enrolled in Radcliffe College in 1900 and graduated cum laude in 1904 to become the first deaf and blind college graduate;

Whereas Helen's life served as a model for all people with disabilities in America and worldwide;

Whereas Helen became friends with many American Presidents and was the recipient of some of our Nation's most distinguished honors;

Whereas Helen became recognized as one of Alabama's and America's best known figures and became ''America's Goodwill Ambassador to the World'';

Whereas Helen pioneered the concept of ''talking books'' for the blind;

Whereas LIFE Magazine hailed Helen as ''one of the 100 most important Americans of the 20th Century—a national treasure''; and

Whereas Helen Keller will become the first person with disabilities enshrined in the Capitol and will become an even greater inspiration for people with disabilities worldwide: Now, therefore, be it

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

SECTION 1. ACCEPTANCE OF HELEN KELLER, FROM THE PEOPLE OF ALABAMA, FOR PLACEMENT IN THE CAPITOL.

(a) IN GENERAL.—The statue of Helen Keller, furnished by the people of Alabama for placement in the Capitol, in accordance with section 1814 of the Revised Statutes of the United States (2 U.S.C. 2131), is accepted in the name of the United States, and the thanks of Congress are tendered to the people of Alabama for providing this commemoration of one of Alabama's most eminent personages.

(b) PRESENTATION CEREMONY.—The State of Alabama is authorized to use the Rotunda of the Capitol on October 7, 2009, for a presentation ceremony for the statue. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) DISPLAY IN ROTUNDA.—The Architect of the Capitol shall provide for the display of the statue accepted under this section in the Rotunda of the Capitol for a period of not more than 6 months, after which period the statue shall be displayed in the Capitol, in accordance with the procedures described in section 311(e) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 2132(e)).

SEC. 2. TRANSMITTAL TO GOVERNOR OF ALABAMA.

The Secretary of the Senate shall transmit an enrolled copy of this concurrent resolution to the Governor of Alabama.

20TH ANNIVERSARY OF HURRICANE HUGO

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 282, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 282) remembering the 20th anniversary of Hurricane Hugo, which struck Charleston, South Carolina on September 21 through September 22, 1989.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 282

Whereas September 21 through September 22, 2009, marks the 20th anniversary of Hurricane Hugo, one of the most destructive storms in United States history, making landfall in South Carolina;

Whereas Hurricane Hugo, with a storm surge that rose as high as 20 feet along the South Carolina coast, killed 57 people in the mainland United States and 29 people in the United States Caribbean islands and left an estimated 65,000 people homeless;

Whereas Hurricane Hugo resulted in 4 presidential disaster declarations, for the United States Virgin Islands, Puerto Rico, South Carolina, and North Carolina;

Whereas Hurricane Hugo inflicted an estimated $7,000,000,000 in total damages within the United States and an additional $3,000,000,000 in damages to the United States Virgin Islands;

Whereas Hurricane Hugo set a record as the most expensive hurricane to strike the United States up until that time;

Whereas Hurricane Hugo underscored the critical value of early evacuation, bold leadership, and personal and regional preparation and planning;

Whereas the people of South Carolina rose to meet Hurricane Hugo, working tirelessly to prepare for the storm and to assist their fellow citizens in its aftermath;

Whereas Hurricane Hugo was a reminder of the kindness and compassion of people, as help came from all parts of the Nation to assist in the areas damaged by Hugo;

Whereas the magnitude of the Hurricane Hugo disaster and difficulties with the Federal response led to important changes to the preparedness and response efforts of the Federal Government with respect to hurricanes in the United States; and

Whereas September is National Preparation Month and the President has emphasized the responsibility of all people of the United States to take time to prepare for potential emergencies by preparing an emergency supply kit and a family emergency plan, and to educate themselves about potential disasters: Now, therefore, be it

Resolved that the Senate

(1) recognizes the historical significance of the 20th anniversary of Hurricane Hugo; and

(2) remembers the victims of Hurricane Hugo.

NATIONAL WILD HORSE AND BURRO ADOPTION DAY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 283, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 283) expressing support for the goals and ideals of the first annual National Wild Horse and Burro Adoption Day taking place on September 26, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. 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. 283) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 283

Whereas, in 1971, in Public Law 92-195 (commonly known as the ''Wild Free-Roaming Horses and Burros Act'') (16 U.S.C. 1331 et seq.), Congress declared that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West;

Whereas, under that Act, the Secretary of the Interior and the Secretary of Agriculture have responsibility for the humane capture, removal, and adoption of wild horses and burros;

Whereas the Bureau of Land Management and the Forest Service are the Federal agencies responsible for carrying out the provisions of the Act;

Whereas a number of private organizations will assist with the adoption of excess wild horses and burros, in conjunction with the first National Wild Horse and Burro Adoption Day; and

Whereas there are approximately 31,000 wild horses in short-term and long-term holding facilities, with 18,000 young horses awaiting adoption: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of a National Wild Horse and Burro Adoption Day to be held annually in coordination with the Secretary of Interior and the Secretary of Agriculture;

(2) recognizes that creating a successful adoption model for wild horses and burros is consistent with Public Law 92-195 (commonly known as the ''Wild Free-Roaming Horses and Burros Act'') (16 U.S.C. 1331 et seq.) and beneficial to the long-term interests of the people of the United States in protecting wild horses and burros; and

(3) encourages citizens of the United States to adopt a wild horse or burro so as to own a living symbol of the historic and pioneer spirit of the West.

NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 284, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 284) expressing support for the designation and goals of ''National Health Information Technology Week'' for the period beginning on September 21, 2009, and ending on September 25, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. 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. 284) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 284

Whereas the Healthcare Information and Management Systems Society has collaborated with more than 5 dozen stakeholder organizations for almost 50 years to transform health care by improving information technology and management systems;

Whereas the Center for Information Technology Leadership estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to health care each year;

Whereas health care information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the health care system;

Whereas Congress has made a commitment to leveraging the benefits of the health care information technology and management systems, including through the adoption of electronic medical records that will help to reduce costs and improve quality while ensuring patients' privacy and codification of the Office of the National Coordinator for Health Information Technology;

Whereas Congress has emphasized improving the quality and safety of delivery of health care in the United States; and

Whereas since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the health care system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the value of information technology and management systems in transforming health care for the people of the United States;

(2) designates the period beginning on September 21, 2009, and ending on September 25, 2009, as ''National Health Information Technology Week''; and

(3) calls on all stakeholders to promote the use of information technology and management systems to transform the health care system in the United States.

ORDERS FOR THURSDAY, SEPTEMBER 24, 2009

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, September 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of H.R. 2996, Interior appropriations. Finally, I ask unanimous consent that the filing deadline for second-degree amendments be 10:30 a.m. tomorrow.

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

PROGRAM

Mrs. FEINSTEIN. Mr. President, the managers of the bill are working on an agreement to limit the number of amendments in order to the bill. If an agreement is reached, the cloture vote would not be necessary. However, if we are unable to reach an agreement on amendments, the cloture vote would occur at approximately 10:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. FEINSTEIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:38 p.m., adjourned until Thursday, September 24, 2009, at 9:30 a.m.

EXTENSIONS OF REMARKS

HONORING CATHOLIC SISTERS

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Mr. KUCINICH. Mr. Speaker, I rise in strong support of H. Res. 441, honoring the historical contributions of Catholic sisters in the United States. I urge my colleagues to vote in favor of this important resolution.

Catholic sisters have been instrumental in bettering our communities and our society. Their efforts are felt time and time again in my hometown of Cleveland, Ohio. I am forever indebted to the charity and compassion of the Catholic sisters who made a big difference in my childhood and continue to amaze and inspire me today. Catholic sisters have made incredible contributions including, to name just a few, educating our nation's youth, instilling the importance of human rights and dedicating themselves to charitable efforts that help to meet the needs of the underserved. In addition, they serve as reminders of the important contributions of women in the United States and around the world.

My own success in life is due to the love, caring, tutelage and discipline of Catholic nuns who taught me at the many schools I attended in the Cleveland area, including at St. Peter's, Holy Name, Parmadale, St. Aloysius', St. Colman's and St. John Cantius. At each and every grade level, I learned the principles of Christian charity, practiced through the generosity and the humility of nuns who taught me. I would like to pay special tribute to Sister Mary Donna, Sister Leona, Sister Agnes Joseph, Sister Sabina, Sister Valerie, Sister Estelle, Sister Justicia, Sister Concepta, Sister Emmeline, Sister Genevieve, Sister Paulette, Sister Lucien, Sister Judith, Sister Luke and Sister Narcissa. Each and every one of these holy women had an impact on my life, for which I will always he grateful.

I also wish to pay tribute in particular to the benevolent work of Catholic Sisters are Maryknoll Sisters Maura Clarke and Ita Forde, Ursuline Sister Dorothy Kazel, and Maryknoll Lay Missioner Jean Donovan. Sister Dorothy and Jean Donovan were both from my hometown of Cleveland. In 1980 these women of faith were murdered by members of the armed forces of El Salvador while carrying out missionary work in the country. Three of the five officers involved were graduates of the School of the Americas. Their murders resonated with me personally as they did with many of my constituents. We understand that women on missions of social and economic justice take huge personal risks. These women must always be remembered and revered.

I rise in strong support of this bill and urge my colleagues to vote in favor of H. Res. 441.

HONORING THE MEMORY OF THE LATE MARJORIE D. KOGAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mrs. MALONEY. Madam Speaker, it is with a heavy heart that I rise to pay tribute to the late Marjorie D. Kogan, an outstanding New Yorker who devoted herself to her city and her country throughout her life. With deep sadness but also a profound sense of gratitude for her inspiring example, I ask my distinguished colleagues to join in mourning Marjorie D. Kogan's passing earlier this month at the age of 95.

A remarkably devoted and effective activist and philanthropist, Marjorie D. Kogan made an enduring contribution to the civic life of our nation's greatest city. She dedicated her life to serving others in countless ways, frequently seeking to help those shunned by many elements of society. Whether directing the volunteer program at the Brooklyn House of Detention for Men, chairing a program for adolescent inmates at Riker's Island, or serving as the longtime President of the philanthropic Brand Foundation of New York, she was a tireless and selfless volunteer.

Mrs. Kogan was deeply involved in the political life of New York City. She was campaign chair for her close friend, the esteemed late Federal Judge Constance Baker Motley, the first African-American woman to serve in the New York State Senate and in the office of Manhattan Borough President. Mrs. Kogan served as Executive Aide in the Manhattan Borough President's Office to both Judge Motley and to her successor in that post, the Honorable Percy Sutton.

Marjorie Kogan was a founding member of Manhattan's Community Planning Board Eight, on which she served for many decades. She was appointed by Mayor Abraham Beame to the New York City Board of Corrections. She sought throughout her life to improve the quality of life for her fellow New Yorkers, and bequeaths an enduring legacy of compassion and dedication.

Throughout her long career as a community leader and civic activist, Marjorie D. Kogan remained committed to her family. She was devoted to her late husband Nathan B. Kogan, who predeceased her, and to her sons, Michael and Barton Kogan, and her sister, Jeanne R. Theodore. She was also a wonderful friend whose wit, warmth, and grace will truly be missed by all whose lives she touched.

Madam Speaker, I ask my distinguished colleagues to join me in recognizing the enormous contributions to our civic and political life made by Marjorie D. Kogan, a true humanitarian and philanthropist in the finest traditions of our great republic.

RECOGNIZING THE 50TH ANNIVERSARY OF THE CITY OF FRANKENMUTH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. KILDEE. Madam Speaker, today I would like to recognize the City of Frankenmuth, Michigan as it celebrates its 50th anniversary on October 1st. A ceremony commemorating the anniversary will be held on that date.

During the 1840s a German missionary named Frederick Wyneken working in the Ohio Valley and Michigan, appealed to Lutherans in Germany for help, citing the need for pastors, churches and schools. Fifteen farmers from Mittelfranken, Bavaria responded to his appeal and traveled to the Saginaw Valley in Michigan. They settled on the banks of the Cass River in 1845 and called their community Frankenmuth. The name means "courage of the Franconians." The following year 90 more settlers arrived from Bavaria and the community grew. A business district started to grow about a mile east of St. Lorenz Church and a dam and mill were built on the river. In 1854 Frankenmuth Township was organized and in 1904 the Village of Frankenmuth was incorporated.

On March 9, 1959 the voters elected a City Charter Commission. The Commission voted unanimously to submit a Charter to the State of Michigan and on July 9, 1959, Governor G. Mennen Williams approved the Charter. After the village residents voted to adopt the Charter, the City was officially incorporated on October 1, 1959. James Wickson served as the first mayor and held office until 1965. At the time of incorporation the City's population was 1,725. Today the population is 4,838. Gary Rupprecht is the current mayor and has held office since 1986.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the City of Frankenmuth as they celebrate their 50th anniversary. The community has embraced its German heritage and strives to build on the dreams and hard work of the original settlers. I congratulate the community for their achievements and pray that "Little Bavaria" continues to thrive for many, many years to come.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 3548, "to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability

of certain additional emergency unemployment compensation, and for other purposes.'' Though the American Recovery and Reinvestment Act of 2009 has allowed us to see the light at the end of the tunnel on our road to recovery, we still have a long road ahead. H. Res. 3548 allows States to extend their helping hand to pull America out of this deep recession.

In the midst of what has been categorized as the longest and deepest economic downturn since the Great Depression, many Americans still find themselves struggling to get by. Although the unemployment rates in some areas around the country have shown signs of leveling off, in my home State of Texas, many are still fighting to get on the right track. American's of all ethnicities and socioeconomic backgrounds are tired of struggling to feed, clothe, and provide shelter their families. I cite my mentor and predecessor Barbara Jordan who noted, ''We are a people trying not only to solve the problems of the present: unemployment, inflation . . . but we are attempting on a larger scale to fulfill the promise of America.''

With an unemployment rate in Texas of 8.2 percent, which is just below the national average, we in Texas are working diligently in a legislative capacity for the benefit of our constituents. The unemployment rate of my home district of Houston is just above the state average, at 8.4 percent, and I will not cease to take every effort to combat the problem. Over this past weekend we held our 2nd job fair in three months, where we called upon over 50 public and private sector representatives to bring employment opportunities to those in need throughout the Houston area. I saw lives change that weekend. The American people need a helping hand now; it is not time of partisan antics that delay assistance to those whom we represent.

H. Res. 3548 will allow States to extend the assistance offered to their unemployed constituents so that families may continue their pursuit of the American dream. H. Res. 3548 sets forth a formula for determining if a state is in an extended benefit period and authorizes a state to pay extended compensation to an eligible individual before any additional Emergency Unemployment Compensation, EUC, if such individual claimed extended compensation for at least one week of unemployment after the exhaustion of additional EUC.

CONGRATULATING RUSSELLVILLE HIGH SCHOOL FOR ITS GRANT TO PREPARE STUDENTS OF AP TESTING

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. BOOZMAN. Madam Speaker, I rise today to congratulate the Russellville High School for being accepted as an Arkansas Advanced Initiative for Math and Science School.

Beginning with the 2009–2010 school year Russellville High School will be receiving $750,000 in grant money, to be distributed over the next four years, to help teachers, along with students in properly preparing for the Advance Placement Exams, which take place every May.

These funds will help the students do well on the exams. This is a great honor for the school district that will help develop the skills our students need to excel in a global economy.

Arkansas was one of just seven states selected to receive grant money and Russellville High School was just one of 24 schools chosen in the state. I am proud to support both the students and teachers of Russellville High School and look forward to the academic excellence that will come from Russellville High in the years to follow.

RECOGNIZING THE NOMINATION OF BELINDA GEERTSMA FOR THE 2009 ANGELS IN ADOPTION AWARD

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. HOEKSTRA. Madam Speaker, I rise here today to say that it is a great honor and privilege to nominate Belinda Geertsma for the 2009 Angels in Adoption award. Belinda serves as an international adoption worker for Bethany Christian Services in Holland, Michigan.

One co-worker describes Belinda as ''an amazing social worker with genuine passion for the families and children she serves. She is humble, gracious and has a servant's heart.''

Belinda has a unique passion for special needs children, and has a remarkable history of finding homes for many children who are considered hard to place. In 2008, of all the international social workers in Bethany's nationwide constellation of offices, Belinda placed the most special needs children with their forever families.

In July of 2009, Belinda traveled to China by invitation of the Chinese Government to assess 41 special needs children in an orphanage in Shanghai. By the end of August of 2009, 31 of these precious children had been matched with a family, and many others were under consideration.

While in China, she was asked to find a family for a 13–year-old girl who desperately wanted to be adopted. In China, children are no longer made available for adoption when they turn 14. Her 14th birthday was only 4 months away. Within a week of being home, Belinda had found a family that was thrilled to adopt this girl.

Belinda is a person who allows herself, through hard work, persistence, and compassion, to cause miracles to happen for children and families. I cannot imagine a better candidate for the Angels in Adoption award.

SERVICES FOR ENDING LONG-TERM HOMELESSNESS ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the Services for Ending Long-Term Homelessness Act. The sad reality our nation faces is that more than a half million Americans do not have a place to call home each night, and half of them are without shelter. This bill will alleviate the widespread problem of chronic homelessness across the country.

According to the Department of Children and Families' most recent report, there are 85,907 persons homeless on any given day. At least 2 million people find themselves homeless at some point each year in our country. There isn't nearly enough shelter for these individuals. In 2007, my home state of Florida alone had 48,000 homeless people, with 14,900 of them families and 7,691 of them chronic cases.

Recently, I heard the story of a 25-year-old mother of three young children in my district, who was running out of options—staying at a hotel in Palm Beach County after fleeing domestic violence in Miami. As she was running out of money, she and her kids—ages 6, 5 and 3—soon would be homeless. But, they were some of the lucky ones. She was referred to The Lord's Place residence for homeless families, where she now lives with her children. As a leader in my district for chronic homelessness solutions, the Lord's Place is a perfect example of the types of establishments that would benefit immensely from this legislation. In her words: ''I am here. I am working. I am breathing. And I am grateful.''

Throughout our country, over 100,000 people have nowhere to call home for years on end and all too often are confronted with mental illness, substance addiction, life-threatening illness or other serious health problems. The good news is: this bill presents us with an opportunity to put an end to this national crisis that hits home for all of us.

In 2003, the President's New Freedom Commission on Mental Health recommended the development and implementation of a comprehensive plan designed to create 150,000 units of permanent supportive housing for consumers and families who are chronically homeless. Affordable housing alone can't meet the needs for many people with severe mental illness. This bill will establish funding for supportive housing, affordable housing linked to accessible mental health, substance addiction, unemployment, and other support services as necessary. Permanent supportive housing is cost-effective, and is the soundest available investment of public and private resources to end long-term homelessness.

Current programs for funding services in permanent supportive housing, other than those administered by the Department of Housing and Urban Development, were not designed to be closely coordinated with housing resources, nor were they designed to meet the multiple needs of people who are chronically homeless. This bill will establish a comprehensive grant program to provide supportive housing for chronically homeless individuals and families that they so badly need. Support services will include mental health services, substance use disorder treatment, referrals for medical and dental care, health education, and services designed to help individuals make progress toward self-sufficiency and recovery. Permanent supportive housing can help the chronically homeless stay off the streets, out of hospitals and jails, and ultimately help them achieve the stability they

need to lead healthy lives as productive members of their communities.

Madam Speaker, it is time we take a stand to put an end to long-term homelessness in America. I urge my colleagues to support this bill and to support a proven and cost-effective solution to ending chronic homelessness.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF JIM MAPLES

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. NUNES. Madam Speaker, I rise today to recognize the life and public service of Jim Maples, a teacher, a coach, past Tulare County supervisor, and a close friend.

Some people in this world become larger than life, not because of their physical size or presence, but because of the number of people they influence in their lifetime. Jim Maples was both a father figure and a friend to many. His influence has been felt throughout the San Joaquin Valley.

Maples graduated from Porterville High School and Porterville College. He earned degrees from Fresno State and UCLA. Prior to becoming county supervisor, Maples was on the faculty at Porterville College for 34 years, serving as chairman and advisor of the technical vocational department.

Long active as a coach, Maples was inducted into the California Community College Basketball Hall of Fame in 1986. He was also named to the Porterville College Athletic Hall of Fame in 1999, placed on the Porterville High School Wall of Fame in 2000 and received the Book of Golden Deeds Award by the Exchange Club International.

Maples also had the privilege of serving on the Tulare County Board of Supervisors from 1992 until 2003. Maple's dedication to Tulare County was full-time. He was a powerful advocate for local law enforcement and was constantly engaged in the defense of our area's heritage and quality of life.

Maples proudest accomplishment can be found in his loving family. He enjoyed a 54-year marriage with wife Myrna and was the father of two children; Vickie and Jaime.

Jim Maples left his community of Tulare County a far richer place than the one he found, and for that we are blessed. He was a leader, a mentor, a statesman and will surely be missed.

HONORING THE BLACK STUNTMEN'S ASSOCIATION AND THE COALITION OF BLACK STUNTMEN AND WOMEN

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Ms. BERKLEY. Madam Speaker, I rise today to announce the introduction of a concurrent resolution honoring the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women for their central role in the fight for racial equality in the film and television industry.

I have the honor of representing some of the founding members of these organizations, and I feel it is time the Congress of the United States recognizes the part they played in combating discrimination in Hollywood.

The film and television industry was not immune to the racial and cultural struggles of the 1950s and 1960s in America. This was reflected in the small number of African-Americans and other minorities working throughout the industry. When stunt doubles were needed for the few African-American actors working in Hollywood, common practice was to ''paint down'' white stuntmen, using makeup to darken their complexion. As more African-American actors began to find work in the major studios in the 1960s, the almost exclusive use of white stuntmen became a more visible example of the racial discrimination still plaguing our society.

In 1967, a group of African-American stuntmen, athletes and extras founded the Black Stuntmen's Association to address these lingering problems in the industry. The Coalition of Black Stuntmen and Women was formed in 1973 to continue the fight against racial bias in Hollywood. Together these groups confronted the studios over their discriminatory practices, pursuing legal action to bring additional diversity to the industry and monitoring compliance with the resulting agreements. Through their tireless efforts, members of the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women paved the way for greater racial equality in film and television in the ensuing years.

I would like to take this opportunity to recognize some of the individuals who were involved in the founding and operation of the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women: Eddie Smith, Marvin Walters, Jadie David, Ernie Robertson, Henry Kingi, Alex Brown, S.J. McGee, and Willie Harris.

The efforts of these men and women, as well as many others, bore fruit in other aspects of the industry as well. African-Americans began to break through racial barriers both in front of the camera as actors and behind the camera as directors, producers and in other management positions. Their lasting contributions have changed the way Hollywood does business, and they truly deserve our recognition and gratitude.

I encourage my colleagues to join me in honoring the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women.

IN RECOGNITION OF DR. RORY COOPER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. MURTHA. Madam Speaker, I rise today to honor Rory A. Cooper, Ph.D. for his outstanding achievement of winning five gold medals at the 2009 National Veterans Wheelchair Games, for helping to guide emerging technologies and treatments to improve mobility for people with physical disabilities, and for promoting a positive image for our wounded, injured, and ill veterans.

While winning five gold medals is an exceptional achievement by itself, Dr. Cooper has proven himself again and again. Madam Speaker, Dr. Cooper won four gold medals at the 2008 National Veterans Wheelchair Games and over 100 total medals since 1983. He has previously held the world record for the 10,000-meter wheelchair race. He has participated and won medals almost every year since he first started competing. In 1988 he won the bronze medal at the Paralympic Games in Seoul, Korea. He continued to stay active in Paralympic competition by serving as a member of the Steering Committee for the 1996 Paralympic Scientific Congress. He was also the Sports Scientist for the 2008 United States Paralympic Team. In recognition of his achievements at the National Veterans Wheelchair Games, he was one of the featured athletes on a 2009 Cheerios cereal box.

When Dr. Cooper is not competing, he is a researcher in the field of assistive technology design at the University of Pittsburgh's School of Health and Rehabilitation Sciences. He is also the Director and Veterans Affairs (VA) Senior Research Career Scientist for the VA Rehabilitation Research and Development Center of Excellence, Co-director of the National Science Foundation Quality of Life Technology Engineering Research Center, a member of the United States Secretary of Veterans Affairs Prosthetics and Special Disability Programs Advisory Committee, and a Director of the Paralyzed Veterans of America Research Foundation. He has published over two hundred peer-reviewed journal articles and two books, Rehabilitation Engineering Applied to Mobility and Manipulation and Wheelchair Selection and Configuration. Dr. Cooper is also a recipient of the Department of the Army's Outstanding Civilian Service Medal for ''exceptional leadership, service, and advocacy of severely injured service members at Walter Reed Army Medical Center (WRAMC) and other military medical facilities from October 2004 through May 2008.''

Madam Speaker, Dr. Cooper is truly an inspiration to all to us. I conclude my remarks by commending him for his outstanding achievements.

CORAL REEF CONSERVATION ACT REAUTHORIZATION AND ENHANCEMENT AMENDMENTS OF 2009

SPEECH OF

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Mr. KLEIN of Florida. Mr. Speaker, I rise today in strong support of H.R. 860, the Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2009. I also want to thank the lead sponsor of the legislation and distinguished chair of the Insular Affairs, Oceans and Wildlife Subcommittee, Ms. Bordallo, for all her tireless efforts to protect our natural resources and insular areas.

Mr. Speaker, coral reefs are among the most diverse, biologically complex, and valuable ecosystems on earth. In my home State of Florida, we are fortunate to have the third largest barrier reef in the world. The importance of coral reefs to south Florida cannot be overstated. In addition to erecting a vital first-line of defense against hurricanes and storm surges for our coastal communities, coral

reefs have an immeasurable environmental value. They provide awe and inspiration to divers and snorkelers from all over the world, and are a driving force for our tourism and fishing industries. In Broward County alone, coral reefs contribute over $2 billion annually to our local economy.

Coral reefs, however, are in nothing short of a crisis. Faced with dangers both man-made and natural, including global warming, overfishing, coastal pollution, and bleaching, coral reefs are dying in alarming numbers. In fact, scientists estimate that 60 percent of coral reefs may disappear before 2050.

That's why I'm proud to support the legislation before us today. H.R. 860 will reauthorize the landmark Coral Reef Conservation Act of 2000, which created the Coral Reef Conservation Program to directly issue grants to States, territories, and other partners for coral reef conservation projects. The act also requires the development of a Coral Reef Action Strategy and authorizes NOAA to undertake research, mapping, management, and education and outreach activities to protect coral reef ecosystems.

In addition to reauthorizing these important provisions, H.R. 860 will make important changes to the Coral Reef Conservation Act of 2000. One will be to take advantage of the vast resources and expertise at our prestigious universities and research institutes. For example, the three U.S. Coral Reef Institutes at Florida, Puerto Rico, and Hawaii conduct outstanding scientific research, and support State and local coral reef resource managers and local action strategies.

I personally can attest to their great work because the National Coral Reef Institute, NCRI, is located in my backyard, in Ft. Lauderdale, FL. NCRI and the other institutes serve as a ready source of knowledge, research, monitoring, and management support for corals and coral reefs via partnerships between academia, NOAA, and other Federal, State, and local managers.

Another important aspect of this legislation will be to authorize NOAA to respond to vessel groundings. Since 1994, we've seen 12 large ships run aground on sensitive coral reefs near Ft. Lauderdale. The last one, occurring almost 2 years ago, involved a freighter that left a 20-foot swath of destruction about 100 feet long. Whatever coral that once lived there sadly is now gone.

Part of the solution to vessel groundings is adopting better prevention strategies, such as closing anchorage sites in shallow waters that are close to coral reefs. But we also need to respond faster when a vessel runs aground because the sooner the corals can be restored, the better chances it has for survival. Expanding NOAA's authority to act will allow NOAA to utilize their experience and resources to both assess the damage and restore the reefs.

Mr. Speaker, we, in this distinguished body, frequently debate contentious issues that divide America. But not with this bill and not with this issue. Protecting a national treasure such as coral reefs brings people together because everyone understands their vital importance—Democrats and Republicans alike. That's why I am confident that we'll have broad bipartisan support to pass H.R. 860. I thank my colleagues in advance.

IN CELEBRATION OF SAINTS REST BAPTIST CHURCH'S 65TH ANNIVERSARY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. COSTA. Madam Speaker, I rise today to congratulate Saints Rest Baptist Church of Fresno, California, on this ceremonious day, in celebration of their 65th anniversary.

The Saints Rest Baptist Church was organized by the late Rev. A.W. White and their motto of ''Spreading Hope in the Midst of Hopelessness'' remains inspirational today. Their mission statement rightfully explains the reason for their long-standing and continuing service to the community of Fresno: ''The mission of Saints Rest Baptist Church is to become a Christ Centered Community within the community that transforms the community by providing relevant ministries that speaks to the mind, body, and soul of humankind.''

The community of West Fresno grew rapidly during the early years of the Second World War. Noticing the growth of California Avenue and knowing no church existed to accommodate residents of that area, a prolonged and dedicated fundraising venture began for the purpose of building a church.

In 1945, groundbreaking ceremonies were conducted and the church was officially named Saints Rest Baptist Church. Only 1 year later, the church was able to add four deacons to serve the Saints Rest family. The church continued to grow and the faithful congregation endured worship services in a metal building located just north of the foundation with the knowledge and belief that this sacrifice would promote growth and allow them to continue their mission.

Former Pastor Chester Riggins, who served the church as pastor for 44 years from 1965 to 2009, helped to erect and then dismantle the metal building. It was in 1950 that the permanent building was officially erected and, poignantly, its first funeral service was for that of the founding father, Rev. A.W. White.

Under the leadership of Pastor Chester Riggins, many programs were instituted at the church, including the House-to-House Revival, Community New Life and Big Brothers and Sisters. Additionally, the community stewardship expanded to include Marriage Workshops, the Food and Clothing Ministry, and the support of the Poverello House and the Fresno Rescue Mission. Senior Pastor Shane Scott has now assumed the leadership at Saints Rest and continues to expand upon the outstanding community service the church provides to the community. As a first course of business, Pastor Scott immediately undertook the project of renaming East Florence Avenue to East Chester Riggins Avenue, in memoriam for the outstanding dedication and service of Pastor Riggins. The Planning Commission accepted the renaming and a dedication ceremony was held in June 2007 and the address for Saints Rest is now 1550 E. Rev. Chester Riggins Avenue.

Today, 65 years after its inception, the Saints Rest Baptist Church continues to be a shining light for the community of Fresno and its worshippers. Please join me in recognizing Senior Pastor Shane Scott and the Saints Rest family on the occasion of their 65th anniversary and wish them well as they continue to provide a meaningful place of worship for their congregation and the community. I am proud of the spiritual substance Saints Rest provides to our valley; the church's many efforts inspire and bring support to all of us.

CHINN ELEMENTARY SCHOOL, PARKVILLE, MISSOURI

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Chinn Elementary School in Parkville, MO. The school opened in 1959, and was officially named Thomas B. Chinn Elementary School in honor of Thomas B. Chinn, in gratitude for his long service and as a tribute to his profession.

Mr. Conyers was the first principal of the school in 1959. Chinn started as a 13 room structure and contained 1st through 6th grade. Since 1959, there have been 2 additions to the building, increasing grade level classrooms to 24, as well as several additional small rooms and a new gymnasium. Over the past 50 years, Chinn has had thousands of students pass through the halls.

Madam Speaker, I proudly ask you to join me in commending Chinn Elementary for the learning foundation it has provided to so many students for so many years.

A TRIBUTE TO RICK WAGNER

HON. EDOLPHUS TOWNS–

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. TOWNS. Madam Speaker, I rise today to remember Rick Wagner, Director of Litigation for the Brooklyn Legal Services Corporation A ''Brooklyn A'' in East New York, who suddenly passed away in his home on September 20, 2009. Mr. Wagner was well known as a champion on behalf of Brooklyn's poorest tenants and homeowners.

Mr. Wagner was one of the leading foreclosure defense lawyers in the United States, single handedly leading the effort to educate and enlighten the legal community on the availability of a wide range of homeowner defenses to foreclosure actions. He fought daily against rampant predatory lending and deed thefts, often spearheading innovative new legal strategies. In the early 1990s, he pioneered the use of civil racketeering laws against landlords in East New York, winning a major victory when they were ordered to return deeds to their tenants.

His most recent focus was advocating for consistency, simplification and ease of access to loan modifications—in his words, ''basic rules of the road to help homeowners keep their homes''. Mr. Wagner's lasting legacy will be his passion and commitment to social justice, and the application of his legal acumen for the needy. Under his leadership, Brooklyn A has cemented its sterling reputation as a model community-based law practice embedded in and responsive to the neighborhoods it serves. He worked tirelessly and will be remembered dearly by the many lives he touched.

Madam Speaker, I urge my colleagues to join me in remembering Rick Wagner. May his soul rest in peace.

SUPPORTING NATIONAL WILD HORSE AND BURRO ADOPTION DAY

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Mr. KUCINICH. Mr. Speaker, I rise today in support of our nation's wild horses and burros. These graceful and social wild animals have captured the hearts and minds of many Americans. They are stunning to watch as they roam free on public lands and remain an historical national treasure. It is imperative that we protect and ensure a viable future for them.

Ensuring a strong adoption program for wild horses and burros is one important step toward addressing the current ineffective, inhumane and expensive practices the Bureau of Land Management, BLM, has employed to manage the population. As such, I support this bill and will continue to work to ensure the success of the adoption program.

However, adoption alone will not offset the damage caused by the failed herd management practices of the BLM. Despite efforts to adopt out horses and burros, BLM has more than 30,000 wild horses in holding areas. In October 2008, the GAO released a report entitled ''Effective Long-Term Options Needed to Manage Unadoptable Wild Horses.'' This report affirms that BLM will continue to face budget shortfalls if long-term corrections to current management practices are not put in place. The bulk of these shortfalls are anticipated to result from the current management methods that round up wild horses and burros from Herd Management Areas, HMA, to long- and short-term holding areas.

The BLM maintains that removal of the horses from the BLM lands is necessary to ''maintain a thriving ecological balance.'' However, the BLM has a history of using this statutory goal as justification for failed herd management practices.

When Congress enacted the Wild Free-Roaming Horses and Burros Act of 1971, 54 million acres were dedicated for use by wild horses and burros. Currently, they roam on 29 million BLM acres and 2.5 million Forest Service acres. Additional state, tribal, and private lands bring the total acreage to 34.3 million, a reduction of 19.2 million acres. Approximately 13 million of the 19.2 million closed acres were under BLM ownership and closed to wild horses and burros because of new laws and regulations as well as BLM's own land use planning decisions. This clearly defies congressional intent and shows a pattern of behavior on the part of BLM that reduces the land on which wild horses and burros roam.

BLM's decision to reduce land available to the wild horses and burros is called into question by the facts. A 1990 Government Accountability Office (GAO) report concluded that removals had not been demonstrated to improve range conditions, in part because livestock cause greater degradation to riparian areas and consume higher levels of forage. Furthermore, the Congressional Research Service states that the extent of damage by wild horses and burros as compared to livestock suffers from a ''lack of definitive data on forage consumed and range degradation.'' Yet there are approximately 33,000 wild horses and burros on 34 million acres of land, while there are at least 6.4 million cattle, sheep and other livestock that graze on 160 million acres of BLM land. The density of the livestock population far exceeds that of the population of wild horses and burros. But BLM continues to argue that the horses and burros threaten BLM's ability to maintain ecological balance.

Recently, the BLM justified a roundup of wild mustangs on the Pryor Mountain Range of Montana and Wyoming with the ''thriving ecological balance'' argument. The Pryor Mountain Range wild mustangs are reported to have a genetic link to the Spanish horses of the Conquistadors brought to America in 1500. Their DNA makes them a unique wild horse that is a distinct part of America's history.

According to equine geneticist, Gus Cothran of Texas A&M University, who has been studying the wild horse population of the Pryor Mountains for many years, the single most important factor ''in maintaining genetic variation in a managed population is effective population size.'' Genetic diversity is vital to the long term survival of any herd. BLM's decision to roundup the Pryor Mountain Range horses threatens the effective population size which compromises the genetic diversity of the herd.

Madam Speaker, I urge my colleagues to vote in favor of H. Res. 688 and pledge to continue to work to correct the failed management practices of the BLM.

HONORING THE WHITE ROCK LAKE DOCTORS HOSPITAL ON ITS 50TH ANNIVERSARY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. HENSARLING. Madam Speaker, today I recognize a valued member of our community, Doctors Hospital at White Rock Lake, and join with them in celebrating their 50th anniversary.

In 1959, Doctors Hospital at White Rock Lake was established with a mission to provide quality health care to the East Dallas, Garland, Mesquite. Five decades later, this full-service hospital continues to pursue its mission by providing outstanding care ranging from obstetrics to acute care for the elderly.

Located in East Dallas, Doctors Hospital's outpatient facilities include a wound/vein center, sleep center, women's imaging center and rehabilitation center. I recently had the privilege of touring their new surgical suites, which will provide a comfortable place for family members to stay while their loved one receives the care they need.

Madam Speaker, on behalf of the Fifth District of Texas, I am honored to recognize Doctors Hospital at White Rock Lake's 50th anniversary, and I commend the Board of Directors, physicians, nurses and staff for helping to provide quality health care to our community.

OPEN UP THE OUTER CONTINENTAL SHELF

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SMITH of Nebrska. Madam Speaker, investing in American energy resources will create jobs, stimulate our economy, and end our dependence on foreign oil.

Last year, Congress and President Bush announced an end to a decades-long ban on energy exploration off America's coasts.

Instead of moving forward with a plan to explore the Outer Continental Shelf, this administration has stopped progress by instituting an extended six-month public comment period.

Now, Secretary Salazar has indicated offshore exploration may not happen until 2012—meaning a six month delay could become a three-year ban.

Earlier this year, I had the opportunity to tour parts of the OCS and observe offshore oil and gas production.

Madam Speaker, I saw firsthand the need to take an all-of-the-above approach when it comes to our energy portfolio—an approach which includes developing American offshore energy resources.

Remember, putting roadblocks up to stunt energy production now will only mean higher energy prices in the future.

A TRIBUTE TO MR. W. HORACE CARTER

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. McINTYRE. Madam Speaker, I rise today to pay tribute to a truly outstanding North Carolinian, W. Horace Carter, of Tabor City. As we grieve his loss, we also celebrate his life and commitment to bettering this world as a distinguished man of words, a warrior against injustice, and man of rare and outstanding character.

As the editor and publisher of a small-town North Carolina newspaper, The Tabor City Tribune, Mr. Carter's staunch opposition against the local activities of the Ku Klux Klan helped quell the expansion of the Klan in the Carolinas. Over three years, his paper ran more than 100 Klan-related stories and editorials that he wrote. They reported and commented on rallies, shootings, beatings and a series of floggings that eventually brought the Federal Bureau of Investigation to the region and ended with federal and state prosecutions of more than 100 Klansmen. Mr. Carter successfully used written language as a powerful tool of social change, and for this he was awarded the Pulitzer Prize for Meritorious Public Service in 1953. In 2007, Mr. Carter was bestowed with North Carolina's highest civilian honor when he was inducted into the Order of the Long Leaf Pine.

He was the first in his family to graduate from high school, and he attended the University of North Carolina, Chapel Hill, where he was editor of the student newspaper, The Tar Heel. He would go on to serve in the Navy, in both the North Atlantic and the Pacific, during

World War II. Without a doubt, Mr. Carter's life was defined by his strong desire to give back to his community and country. Sadly, his life closed on September 16, 2009, but what a joyous life he lived.

Mr. Carter is survived by his son, Russell Carter, who lives in Wilmington and now owns The Tribune, his third wife, Linda Duncan Carter, whom he married in 1995; a brother, Mitchell, of Albemarle, NC; two daughters, Linda Carter Metzger of Lumberton, NC, and Velda Carter Hughes of Greenville, SC, 10 grandchildren and six great-grandchildren.

Madam Speaker, during his 88 remarkable years, Mr. Carter worked for equality and understanding, and his immeasurable contributions to the world in these capacities shall never fade. We will not forget the goodness, humility, and passionate giving that defined the life of W. Horace Carter. As we mourn his loss, may God continue to bless all of his loved ones, the work he did, and the greatness that he inspired within all who knew him.

CORAL REEF CONSERVATION ACT REAUTHORIZATION AND ENHANCEMENT AMENDMENTS OF 2009

SPEECH OF

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Ms. BORDALLO. Mr. Speaker, I rise today to address concerns over the definition of ''coral reef' in H.R. 860, which were raised by the gentleman from Oklahoma, a co-chairman of the Congressional Sportsmen's Caucus, Congressman DAN BOREN, during a Committee on Natural Resources mark-up on April 22, 2009.

My colleague was concerned that the definition of ''coral reef' inappropriately included references to limestone structures that could have been interpreted to include sea floor habitat beyond what is commonly recognized as a coral reef.

The bill, which was amended and adopted in the whole House by voice vote on Tuesday, September 22, 2009, includes revisions to this definition that better capture the physical structure and biological elements of coral reefs. The new definition also limits the geographic scope of coral reefs to those features that appear as reefs and shoals. In this regard, this new definition makes it clear that areas which are composed mainly of limestone bedrock, such as large areas of seabed on the continental shelf of the Gulf of Mexico, are not coral reefs for the purposes of this Act.

This definition is supported by the Congressional Sportsmen's Foundation, the American Sportfishing Association, and the National Marine Manufacturers Association and I appreciate their collaboration in developing this compromise.

I am confident that this new definition will provide clear guidance to the National Oceanic and Atmospheric Administration in their interpretation of this Act, and I thank my colleague, Congressman Boren for providing constructive clarification of this definition.

INTRODUCTION OF THE ''FEDERAL JUDICIARY ADMINISTRATIVE IMPROVEMENTS ACT OF 2009''

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. JOHNSON of Georgia. Madam Speaker, I am pleased today to introduce, together with my colleagues Mr. CONYERS, Mr. SMITH, and Mr. COBLE, the Federal Judiciary Administrative Improvements Act of 2009. This bill comprises a collection of proposals supported by the Judicial Conference of the United States that will improve the efficiency of operations in the Federal Courts. Several of the proposals have been previously passed by the House of Representatives. Collectively, these proposals are non-partisan and noncontroversial.

Two provisions make minor but helpful adjustments to Federal Court organization. One makes a technical correction regarding the ability of senior judges to participate in the selection of magistrate judges: the other eliminates the statutory divisions in the District of North Dakota to better serve witnesses and litigants, while retaining the current places of holding court.

Other provisions in this legislation create more equity and management flexibility related to Judicial Branch employees. The legislation amends certain retirement provisions for the four district judges in territorial district courts to move them toward parity with other federal judges appointed for specific terms, such as bankruptcy and magistrate judges. The bill will also provide parity for senior officials in the Judicial Branch with other similar government officials regarding the maximum amount of annual leave that they can carry over each year. Also, the salary levels of four senior officials in the Federal Judicial Center are adjusted to again provide more parity with similar officials in the Administrative Office of the U.S. Courts.

A few of the sections of this bill facilitate court operations related to criminal justice. One provision will allow for the separate filing of the ''statement of reasons'' that judges issue upon sentencing, so as to better protect confidential information such as the identity of government informants. Another will ensure that federal pretrial officers will be able to fully supervise and assist juveniles awaiting proceedings in federal court. A third proposal will improve the timely collection and assimilation of wiretap data needed for an annual report to Congress by extending some reporting deadlines. Lastly, an inflationary index would be established for the threshold amount that triggers the need for approval by the chief judge of reimbursements of the costs of expert witnesses and investigators hired in representing indigent defendants.

Again, the proposals in this bill address many of the needs identified by the Judicial Conference of the United States to assist the federal courts and their sister agencies. We encourage Members to support this legislation.

HONORING DR. ANNE LINDSAY AND DR. ALAN GLASEROFF OF HUMBOLDT COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Anne Lindsay, M.D. and Alan Glaseroff, M.D., two extraordinary citizens of Humboldt County, California who have dedicated their lives to public service. The husband and wife team are being honored by the Humboldt County Democratic Central Committee as 2009 Citizens of the Year for one of our nation's most precious rights—participation in the political system. Their commitment to the general health and welfare of the community and to the preservation of our liberty is worthy of appreciation and recognition.

Dr. Lindsay has served as the Public Health Officer for the County of Humboldt for the past fifteen years. She is President of the California Conference of Local Health Officers, representing 61 county and city health officers from throughout California. She has demonstrated outstanding and innovative leadership throughout years of public service, tackling some of the nation's most difficult public health issues, from homelessness to communicable disease control. She has been recognized locally and nationally for her exemplary efforts, recognized as the 2nd Senate District 2004 Woman of the Year by the California Legislature and receiving the distinguished California Medical Association 2006 Frederick K. M. Plessner Memorial Award for rural practitioners.

Dr. Glaseroff has been the Chief Medical Officer for the Humboldt-Del Norte Independent Physician Association since its inception in 1995 and is the Medical Director for the Foundation for Medical Care. He has led the way locally and nationally in seeking solutions to achieve improved, quality health care. He has distinguished himself as the principal investigator for the Humboldt Diabetes Project and faculty for the statewide diabetes collaborative. He is affiliated with the National Committee for Quality Assurance, is the co-director for the Aligning Forces for Quality Initiative, sponsored by the Robert Wood Johnson Foundation, and was named the 2009 Family Physician of the Year by the California Academy of Family Physicians. Dr. Glaseroff has dedicated his medical career to finding ways to improve the delivery of health care.

These extraordinary individuals have been partners in a rural family medical practice for the past 26 years. They share the happiness of family life with their two children, Rebecca Lindsay, a medical school student and Bruce Lindsay Glaseroff, a teacher. A talented and musical family, Anne and Alan also perform with the Humboldt County blues band, the Back Seat Drivers.

Madam Speaker, it is appropriate at this time that we recognize Anne Lindsay and Alan Glaseroff for their unwavering compassion and for their contribution to the ideals and traditions that have made America a nation of hope and achievement.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

SPEECH OF

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Mr. KIRK. Mr. Speaker, during the vote on H.R. 3548, the Unemployment Compensation Extension Act of 2009, I was unavoidably detained—had I been present I would have voted for this legislation.

Americans are struggling to make ends meet in this economy. Retirement savings are disappearing, families have seen their portfolios drop, and according to the Illinois Department of Employment Security, the unemployment rate in Illinois is at 10 percent—.3 percent higher than the national average has been in 26 years.

I support giving unemployment benefits to people who lost their jobs. In tough economic times, the federal government should offer additional assistance and H.R. 3548 does that by extending unemployment benefits for an additional 13 weeks for individuals living in States with unemployment rates above 8.5 percent.

PERSONAL EXPLANATION

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. CHANDLER. Madam Speaker, on rollcall No. 709, had I been present, I would have voted "yes."

HONORING REBECCA PARRIS OF SWAIN COUNTY, NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SHULER. Madam Speaker, I rise today to honor Rebecca Parris, a remarkable young woman in Swain County, North Carolina.

Miss Parris, a student of Swain County High School, raised over $4,000 for the Shriners Hospital for Children in Greenville, South Carolina. Miss Parris was inspired to take action upon hearing that reductions in donations and increasing medical costs could lead to the possible closure of the Greenville hospital, which serves children in the Greenville and Western North Carolina areas. To help keep the hospital open, Miss Parris coordinated and hosted a fundraising event, "Shriners for Minors," in Bryson City, North Carolina on August 8, 2009. The event included participation by a number of vendors and children's activities organized by her fellow high school students. After the event, Miss Parris made a visit to the hospital to present the donations and over 70 donated toys.

Miss Parris has always worked hard to serve those in her community. As an elementary school student she made Christmas gifts for local nursing home residents. Miss Parris maintains an excellent academic record and has been inducted into the National Honor Society this year. She is part of the track and cross country team, plays basketball, and is the best marksperson on the shooting team at Swain County High School. She also worked full-time at a grocery store over the summer while organizing the fundraiser.

Madam Speaker, Miss Parris's dedication to children in need in our mountain region and her efforts on behalf of the Shriners Hospital for Children are a great source of pride to me and to Western North Carolina. Miss Parris exemplifies the motto of Swain County Schools: "Our Best and Then Some." I urge my colleagues to join me today in commending the outstanding efforts of this remarkable young woman.

TRIBUTE TO WILL LUMMUS

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. CHILDERS. Madam Speaker, I rise today to pay tribute to a National Little Britches Rodeo Champion, Will Lummus, a fierce competitor in the senior tie-down calf-roping finals. Every year, more than 700 of the National Little Britches Association's top athletes from across the country gather in Pueblo, Colorado to take shots at 30 world championships.

Madam Speaker, with distinct honor and pride, I, along with the citizens of West Point, Mississippi congratulate our own national calf-roping champion, Will Lummus. I ask my colleagues to join me today in commending Will for his hard work and dedication. I hope he will continue to compete and victoriously represent Mississippi's First District.

RECOGNIZING FIRST LIEUTENANT MICHAEL PARRISH—SCOTTSDALE HEALTHCARE'S "SALUTE TO MILITARY" HONOREE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. MITCHELL. Madam Speaker, I rise today to recognize a member of the Armed Forces from my home state of Arizona. Every month, Scottsdale Healthcare honors service members who perform diligent service to this country. For the month of August, they have recognized First Lieutenant Michael Parrish.

I commend Scottsdale Healthcare for paying tribute to such an outstanding service member for his bravery and service to our country.

Parrish joined the Army National Guard in 2001 to further his education and serve his country. After completing basic training, he provided medical coverage for cadets who were training at West Point Military Academy. During his tenure, 100 percent of the cadets finished the training without injury. This September, Parrish will deploy to Vicenza, Italy, to provide care to Army soldiers and families.

In addition to his military work, Michael is an avid supporter of the Scottsdale Healthcare Military Partnership Training Program, which is designed to ensure military medical personnel have the necessary skills and experience to operate in a wartime setting. Without a doubt, his outstanding leadership and dedication contribute to the success of this very important program.

Madam Speaker, please join me in recognizing the inspiring efforts of this courageous citizen who is serving our country and protecting the lives of his fellow service men and women in combat.

STATEMENT REGARDING VOTE ON H.R. 3548, UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SMITH of Texas. Madam Speaker, on September 22, 2009, I voted "no" on H.R. 3548, the Unemployment Compensation Extension Act of 2009. As of August 2009, the State of Texas had 966,000 people who were unemployed. This amounts an unemployment rate of 8.0 percent but this legislation only applied to states with unemployment over 8.5 percent so unemployed Texans were not eligible. I would have voted for H.R. 3548 because so many people across the country continue to be unemployed if the bill had not discriminated against Texas and 22 other states with unemployment rates lower than 8.5 percent.

The State of Texas has many counties and communities where the unemployment rate is higher than 8.5 percent. Many more individuals should have qualified for these benefits. Furthermore, since employers in Texas continue to pay the taxes that pay for these benefits, they are subsidizing the unemployment benefits in other states without any of the revenue going to unemployed Texans. This bill is unfair and for that reason I could not support it.

STATEMENT REGARDING VOTE ON H.R. 3548, UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. WOLF. Madam Speaker, yesterday I voted for the Unemployment Compensation Extension Act (H.R. 3548), legislation that will provide an additional 13 weeks of extended benefits to individuals in states with unemployment above a three-month average of 8.5 percent. Because so many Americans have lost their once steady job and are struggling to find work and make ends meet during these difficult economic times, I feel that extending unemployment benefits is a necessity.

I was disappointed, however, that this legislation only included an extension of benefits for 29 states by setting an 8.5 percent state unemployment rate as the threshold for those eligible under this bill. In Virginia, where unemployment stands at 6.5 percent for the month of August, those out of work who have exhausted their benefits will not be covered.

Families across the country are struggling to pay their mortgage, to pay for health care expenses. They have depleted their savings and

are hanging on by a thread. Those out of work in Virginia aren't struggling any less than those in Ohio, Michigan, or California, where the statewide unemployment rates are higher. I believe that this is an issue of fairness that needs to be corrected.

To reach out to those who are looking for work in Virginia's 10th Congressional District, which includes some areas that reached an unemployment rate of 8 percent this summer, I am sponsoring a job fair in Frederick County in October. I held a similar event in Loudoun County in May and more than 70 employers attended to meet with more than 3,500 job-seekers.

People across the country are hurting and Virginia is no exception. While I believe voting for the Unemployment Compensation Extension Act will help many who have felt the brunt of the recession, I remain disappointed that unemployed Virginians were left behind. This measure should be amended to help all those across the country, rather than using an arbitrary threshold to determine who is most deserving.

IN RECOGNITION OF VIRGINIA GRANATO AND HER DECADE OF SERVICE AS PRESIDENT OF THE ROOSEVELT ISLAND DISABLED ASSOCIATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mrs. MALONEY. Madam Speaker, I rise to pay tribute to Virginia Granato, an outstanding New Yorker who has distinguished herself through her dedication and service to her community and to our nation. Virginia Granato is being honored this month by the membership of the Roosevelt Island Disabled Association (RIDA) on the occasion of her retirement from its presidency, a post in which she served with distinction for a decade.

Virginia Granato is a revered figure among the residents of the very special Roosevelt Island community, a unique enclave in the most densely populated county in the nation. She delivered extraordinary and effective leadership to the large population of people with disabilities on the Island. In addition to her devoted and effective service as President of RIDA, Virginia served on the Board of Directors of Wheelchair Charities and on the Community Advisory Board of Coler-Goldwater Hospital.

Virginia Granato was one of the original pioneers of Roosevelt Island, first moving into the Island's Eastwood housing development in 1976. She became a powerful and respected voice for Roosevelt Island residents with disabilities, pressing to make the Island's transportation more accessible, counseling planners on the design and layout of apartment complexes, and facilitating a lending program for residents in need of wheelchairs and walkers.

In leading the Roosevelt Island Disabled Association for a decade, Virginia Granato carried out RIDA's vital mission of improving the quality of life of Roosevelt Islanders with disabilities. As RIDA President, she helped organize and secure funding for regular field trips by Association members to athletic contests, cultural institutions, musical performances and recitals, amusement parks and other recreational venues.

For more than a third of a century, Virginia Granato has been a leader of the Roosevelt Island community that she loves. She has volunteered for various worthwhile civic causes and selflessly devoted thousands of hours of her time. Virginia Granato offers an example of the finest impulses of the human spirit, and through her dedication and compassion, thousands of lives have been affected for the better.

Madam Speaker, for her leadership, dedication and volunteer service over the years, I ask that my distinguished colleagues join me in recognizing the enormous contributions to the civic life of her community and our nation made by Virginia Granato.

INTRODUCING PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS (PSIC) GRANT PROGRAM

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Ms. HARMAN. Madam Speaker, today I am introducing legislation that will help America's first responders keep their communities safer by solving a dangerous deficiency in their emergency communications capabilities. Our first responders are also our first preventers, and their ability to communicate seamlessly and effectively on an interoperable network during an emergency helps save lives and protect critical infrastructure.

For over 7 years, I have worked to prevent a tragic repetition of the communications problems that resulted in thousands of deaths on 9/11—when the lack of an interoperable network prevented the NYPD from warning firefighters that the Twin Towers were glowing red and it was time to evacuate.

My home State of California is prone to natural disasters, especially earthquakes and wild fires. Alarmingly, there are still instances when our firefighters have relied on runners and drivers to relay messages during an emergency. This occurs when multiple companies respond to the same incident, each carrying different equipment.

An important piece of the solution to this crisis is the Public Safety Interoperable Communications, PSIC, grant program, which provides funding to purchase interoperable communications equipment and undertake training to use it.

Since 2007, the PSIC program has provided nearly $1 billion in grants to state and local governments, and the deadline to spend the funds is next year. All states were required to develop Statewide Communications Interoperability Plans, SCIP. Unfortunately, according to the Department of Homeland Security, its approval of these plans was delayed until the spring of 2008, in part because DHS wanted to ensure they were subject to appropriate environmental reviews. This is understandable; however, the delay in approving SCIP plans means that not all of the grant funds can be spent before next year's deadline.

The PSIC program is vital to public safety; it should be allowed the necessary time and funding. The legislation I introduce today—which is a companion bill to S.1694 introduced by Senators Rockefeller and Hutchinson—would guarantee a one-year extension to spend the grant money, with an option for an additional year approved on a case-by-case basis.

While I urge prompt action on this bill, this will in no way relieve us of the obligation to complete the build-out of the 700 megahertz spectrum so that we develop true national interoperability. I am enormously disappointed that, despite universal agreement on the goal, real progress has been so slow.

In conclusion, the PSIC program must be continued. It is a building block in the effort to equip our communities to respond to a terrorist attack or natural disaster. I urge prompt consideration and passage.

RECOGNIZING JOHN R. RIBNER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. KILDEE. Madam Speaker, I rise today to recognize John R. Ribner as he is honored at the Flint Youth Projects' 15th Annual Roast and Toast on October 1st in Burton Michigan.

John Ribner grew up during the 1940s in New York City. He started high school on a baseball scholarship at St. Anne's Academy in New York. After two years he transferred to North Branch High School in Michigan to help care for an ailing relative. He continued his schooling and athletics at North Branch, playing several sports and making the first team in All-State basketball. This led to a basketball scholarship to Central Michigan University. John obtained his teaching degree from that school and in 1964 began teaching with the Flint School District.

He taught at Fairview School, Holmes School and Whittier. During this time he was named Teacher of the Year by the school district and by Flint Sales and Marketing Group. He is now retired but still devotes his time and energy to helping children in need. Along with his wife, Dolly, John distributes turkeys at Thanksgiving every year to families and children. He believes that many people over the years have given to him and the turkey drive is a way to give back to the community. He said, "Of all my life's accomplishments, I am especially proud of the turkey drive for this reason."

As a trustee of the Westwood Heights Board of Education, John continues his interest and commitment to education. Madam Speaker, I ask the House of Representatives to join me in recognizing the achievements and contributions of John R. Ribner.

IRAN'S NUCLEAR PROGRAM THREATENS THE WORLD

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. COBLE. Madam Speaker, I rise to express my grave concerns over Iran's illicit nuclear program. In the midst of all the attention being paid to issues such as the economy and

health care reform, we must not overlook the growing threat that Iran poses to the security of the United States and our allies in the Middle East. Every day, Iran is working to develop the capacity to produce a nuclear weapon, a point from which I fear there may be no return.

The president of Iran, Mahmoud Ahmadinejad, has left no illusion of his desire to wipe Israel off the map. Through his emboldened and misguided leadership, Iran has exerted its hegemony throughout the Middle East with complete disregard for the truth and resolute intolerance.

If Iran crosses the nuclear weapons threshold, I have no doubt that this will provoke a renewed race for nuclear arms in the Middle East. Radical political factions throughout the region will be empowered and moderates, who are working to develop a comprehensive peace agreement, will lose their much-needed support. Terrorist organizations such as Hezbollah, Hamas and Al Qaeda will be strengthened and emboldened to pursue a nuclear weapon of their own—which is our worst nightmare.

Thanks to the Internet, we know that democracy and human rights in Iran are an illusion. Some Iranian leaders would argue with that assertion and also contend that their country has no interest in pursuing a nuclear weapons program. We cannot afford to rely on hollow assurances such as these.

We need valid and thorough inspections immediately to verify exactly what Iran is doing with its nuclear program. The only way to deal with Iran's recalcitrant leaders is to leverage our political influence and force them to allow the International Atomic Energy Agency, IAEA, to conduct inspections. Unfortunately for the Iranian people, this means enacting the Iran Sanctions Act and the Iran Refined Petroleum Act, which would result in severe consequences for Iran and its people.

There is no simple solution to Iran's threat. Measures we can take right now include enacting legislation and supporting policies that will force Iran's leaders to allow IAEA inspectors unfettered access to conduct nuclear weapons inspections. There is far too much at stake to rely on promises from the same Iranian leaders who openly profess their desire to wipe Israel off the map, deny allegations of human rights violations, and provoke violence around the world against those who embrace liberty and justice.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. GERLACH. Madam Speaker, unfortunately, on Tuesday, September 22, 2009, I missed three recorded votes on the House floor. Had I been present, I would have voted "yea" on rollcall 720, "yea" on rollcall 721, and "yea" on rollcall 722.

AGAINST PASSAGE OF H.R. 3548

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. GOODLATTE. Madam Speaker, I rise today to discuss H.R. 3548, the Unemployment Compensation Extension Act of 2009.

Madam Speaker, let there be no doubt that I understand that our economy faces historic and unprecedented challenges and I will remain committed to working with Members of Congress on both sides of the aisle to enact responsible legislation which puts money back into the hands of those who can really turn our economy around—the American people and small businesses.

However, H.R. 3548 extends the current unemployment benefits extension program, as established by the FY 2008 supplemental, and extended in two subsequent acts, by an extra 13 weeks for only those States with unemployment rates above 8.5%. Enactment of H.R. 3548 would cause individuals in States with unemployment rates in excess of 8.5% to be eligible for benefits for a total duration of 92 weeks.

Madam Speaker, like you, I believe that a key component of an economic recovery plan is assistance for the unemployed. Unfortunately, this legislation would only apply to unemployed individuals in 29 States with unemployment rates above 8.5%. To be clear, individuals in 21 other States would be ineligible to receive compensation under this legislation. Virginia's current unemployment rate stands at 6.5%. Thus, Virginia residents are not eligible for these benefits. I cannot support legislation that does not allow Virginia residents to benefit from the formulas adopted under this legislation

Even more egregious is that businesses in Virginia and other excluded States are required to foot the bill for these benefits via the extension of the Federal Unemployment surtax through 2010. This tax would otherwise expire at the end of this year. Madam Speaker, I cannot support legislation that imposes a tax on businesses in Virginia when funds generated under this tax will be of zero benefit to the residents of Virginia, or the remaining 20 States in the Nation.

There are many counties and cities in Virginia that have unemployment rates above 8.5% and yet citizens living in those areas who are unemployed will receive no benefits from this legislation even as employers in the same areas will pay taxes taking money out of the local economy and seeing it circulate instead in some other part of the country for the arbitrary reason that statewide unemployment is above a particular percentage. Further, the individual who is out of a job and can't find another is suffering through the same situation for themselves and their families no matter where they live. Madam Speaker, this legislation is unfair to my constituents and that is why I voted against it.

HONORING CATHOLIC SISTERS

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SOUDER, Mr. Speaker, I am pleased to rise in support of the gentlewoman from Ohio's resolution (H. Res. 441) recognizing the contributions of the Catholic Sisters to the United States.

The efforts of Catholic Sisters have had an incredible impact on my district in northeast Indiana. Saint Mother Theodore Guerin was one of the first brave souls to leave France in response to the call of Bishop Simon Brute of the Diocese of Vincennes to come to Indiana and help establish a system of schools for education.

Bishop Brute's motivation for seeking the support and involvement of religious women for this calling came from his experience working with another religious Sister, Saint Elizabeth Ann Seton.

Saint Mother Theodore traveled across the wilds of then-frontier Indiana and established many parish schools across the State, including in Fort Wayne, Indiana. Along with the Holy Cross Brothers and Fathers based at the University of Notre Dame, Saint Mother Theodore had a major impact on the creation of parish schools throughout northeast Indiana. That we have a successful Catholic school system in my district is due in no small part to her early efforts.

Sts. Theodore and Elizabeth Ann Seton have left lasting legacies in my district. The Catholic parish across from my kids' alma mater is dedicated to St. Elizabeth Ann Seton and the relatively new Latin Mass community in Fort Wayne is named for Saint Mother Theodore Guerin.

The foundation of education laid down by these pioneering sisters is today embodied by the example of the University of Saint Francis and its president, Sister Elise Kriss, OSF. You will not find a more humble and devoted servant than Sister Elise, who has led her institution through a period of rapid growth. She is a strong example of Christian leadership for both her students and the entire Fort Wayne community.

The Religious Sisters' contribution to my district extends well beyond education. St. Joseph Hospital was founded by Fort Wayne Bishop John Henry Luers in 1869. The Poor Handmaidens of Jesus Christ subsequently responded to his call to help serve the German-speaking immigrants of the area and continued assisting the hospital and many area parishes. They now lead the St. Joseph Community Health Foundation which has been a key partner with me and my staff as we work to address the plight of Fort Wayne's increasing Burmese refugee population.

My district originally included Huntington County, which is home to the motherhouse of Our Lady of Victory Missionary Sisters. The Victory Knoll Sisters would always write to me about the cause of peace and justice and the plight of different people around our country and the world.

These are just a few of the many dedicated religious women that are faithfully serving in the Diocese of Fort Wayne-South Bend, but are a good representation of the important legacy they provide our region. I would like to

thank the gentlewoman from Ohio for introducing this resolution and urge my colleagues to join me in supporting the important contributions these women have made and continue to make across the country.

NATIONAL JOB CORPS DAY

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Con. Res. 163, which expresses support for the designation of September 23, 2009 as National Job Corps Day. The Job Corps is an essential program that provides vocational training for thousands of young Americans each year, helping to integrate them into the U.S. workforce.

The Job Corps was created under the Department of Labor in 1964 as a part of President Lyndon B. Johnson's War on Poverty. The Job Corps was modeled after the Civilian Conservation Corps (CCC), which was established during the Great Depression in an effort to house, train, and find employment for young people. Like the CCC before it, Job Corps seeks not only to provide vocational training but also to teach life skills and build character in participants. The Job Corps helps to foster professionalism by maintaining a strict zero-tolerance policy with regards to criminal activity for admitted participants as well as a code of conduct that includes rules for appearance.

I am proud of the four Job Corps campuses in my home state of Texas. Job Corps has a regional headquarters in Dallas, Texas and operates campuses in the North, Central, South, and West regions of Texas. The Gary Job Corps center in San Marcos, Texas was inaugurated in 1964 by President Johnson. Today, the Gary campus has the largest GED program in the state of Texas. The Job Corps has provided thousands of Texans with the education and training they need to be successful at work and in life.

I also want to mention the job fairs that I have hosted in my district of Houston, TX to help counter rising unemployment, designed to help all in need, including the young people that Job Corps assists. At the job fair in Houston last weekend, over 50 companies and government agencies attended and held on-site interviews. These events were incredible successes and embodied the spirit of the Job Corps program.

Over its 45 year history, the Job Corps has helped nearly 3 million young people join the American workforce. The Job Corps operates 123 campuses across the United States, assisting nearly 60,000 students each year. The Job Corps is a refuge for high school dropouts, providing academic remediation and empowering them to join the workforce through career preparation and development. For that reason, the Job Corps has been called the largest and most successful high school dropout recovery program in the U.S.

The success of the Job Corps program in changing the lives of its participants is evident in the following statistics. After eight months in the Job Corps program, the average participant will have a high school diploma and an improved literacy level. Seventy-five percent of Job Corps graduates will secure employment or enter into military service.

The benefits of the Job Corps go beyond the impact on the lives of the youth who participate in the program. The Job Corps enhances the workforce in communities across the country by partnering with labor organizations and employers to develop specifically requested skills. These partnerships include internships and other hands-on training experiences that enhance the youth participants' employability. The benefits of Job Corps also extend to the community where youths perform millions of hours of community service, instilling the value of giving-back to the community.

Finally, it is important that we note that National Job Corps Day also honors the 15,000 staff members who work hard to ensure that the participants get the best training possible. Without the hard work of these men and women, Job Corps would not have been able to help millions of young people enter the workforce and become productive citizens.

EXPRESSING A NATION'S APPRECIATION FOR THE HEROIC STAFF OF HILLSDALE HIGH SCHOOL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Ms. SPEIER. Madam Speaker, every weekday morning, millions of parents send our children off to school, entrusting their care to the teachers, administrators and other professionals who do their best to make school as safe and supportive an environment as possible. Yet we are reminded, far too often, that no one's safety is guaranteed if a disturbed person or group is intent on committing an act of violence.

On August 24th, a former student with his mind set on mayhem entered the campus of San Mateo California's Hillsdale High School with enough weapons and explosive devices to kill or injure hundreds. The remarkable fact that no one was seriously hurt is due entirely to the heroic efforts of the staff who, according to Principal Jeffrey Gilbert, "More ran toward the explosion than away from it."

Student services aide Jana Torres, a district employee since 2001 and known for her strong relationship with students, saw the attacker attempting to start a chainsaw and yelled at him to stop. Instead, he lit a pipe bomb and hurled it at her. Disregarding her own safety, Ms. Torres called for help and jumped over the device to pursue the attacker as the pipe bomb detonated behind her.

Just as a second bomb went off, 12-year teaching veteran Kennet Santana, a favorite among students for his innate ability to inspire and motivate young people, tackled the running assailant before he could ignite more of the home-made bombs he had strapped to his vest.

Coming to Kennet's aid were Principal Gilbert, a former Hillsdale teacher known for his easy-going and patient manner, and counselor Edgardo Canda, another former teacher who has found his calling as a counselor, able to relate to students on many levels. They helped subdue and hold the attacker until police arrived.

Madam Speaker, at that point in time, none of these heroes knew if—or how many—others were part of this plot or if the bombs strapped to the desperate young man's vest were about to detonate.

Ms. Torres, Mr. Santana, Mr. Gilbert and Mr. Canda have rightly and appropriately been singled out by their community. They, along with the brave officers of the San Mateo Police Department, in particular the first responders—Captain Kevin Raffaelli and Officers Rick Apecechea, Jeff Dellinges and Roberto Gonzalez—deserve our gratitude for their selfless acts of heroism.

So, too, does the entire staff at Hillsdale High School that morning. As Principal Gilbert said, "We're getting a lot of the credit but there were a lot of teachers who basically stood their ground and said we're going to do whatever it takes to protect our kids."

Madam Speaker, our entire nation is eternally grateful for the dedication of these and so many other public education professionals who, every day at schools across this country, take on the awesome responsibility of doing "whatever it takes" to educate, prepare, and protect our children.

A PROCLAMATION HONORING RACHELLE WHITMAN FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Rachelle Whitman showed hard work and dedication to the sport of softball; and

Whereas, Rachelle Whitman was a supportive coach; and

Whereas, Rachelle Whitman always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Rachelle Whitman on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

HONORING DIANE REHM

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise today to recognize the outstanding achievements of one of our nation's great radio talk show hosts, Diane Rehm. Diane is celebrating her 30th anniversary at WAMU 88.5 FM, where she hosts The Diane Rehm Show. The show is distributed nationally and internationally by NPR and NPR Worldwide and is estimated to have a U.S. audience of over two million listeners. In 2007 and 2008, the show was the only live call-in talk show to be named among the top ten most powerful programs in public radio.

Diane began her radio career in 1973 as a volunteer producer at WAMU, despite having had no prior radio experience. Ten months later, she was hired as an assistant producer. She became host of WAMU's Kaleidoscope in 1979 and hosted her first session of ''Open Phones'' when one of her guests failed to show up. Shortly thereafter, in 1984, the show got a new name: The Diane Rehm Show. In 1998, her career nearly came to a halt because of a puzzling speech problem. She was diagnosed and treated for spasmodic dysphonia, a neurological disorder. Not to be defeated, she returned to the show and made a point of calling attention to this condition. In 2000, she interviewed President Bill Clinton and became the first radio talk show host to interview a sitting President in the Oval Office. Her guests have also included President Jimmy Carter, Vice President Dick Cheney, Secretary of State Colin Powell, Supreme Court Justice Sandra Day O'Connor, Archbishop Desmond Tutu, V.S. Naipaul, Toni Morrison, Annie Leibovitz, George Soros, Ted Koppel, Julia Child and the beloved Mr. Rogers.

Diane became a best-selling memoirist with the publication of Finding My Voice in 1999, which was followed by her compelling and deeply personal book about marriage, Toward Commitment, co-written with her husband, John Rehm.

Diane has received many personal honors over the years, including being named a Paul H. Nitze Senior Fellow at St. Mary's College of Maryland and being inducted into the Class of 2004 Hall of Fame by the Washington, DC Chapter of the Society of Professional Journalists. She was honored as a Fellow by the Society of Professional Journalists, the highest honor the Society bestows on a journalist. Diane was also named by Washingtonian magazine in 2006 as one of Washington's ''100 Most Powerful Women,'' and in 2007 as one of the ''150 Most Influential People in Washington.''

In 2006, Diane became the inaugural recipient of the Urbino Press Award, headquartered in Urbino, Italy, which recognized her ''long and prestigious career in journalism.'' In 2008, the University Club of Washington, D.C. honored her with ''The Distinguished Washingtonian Award in Literature and the Arts.'' She has been awarded honorary degrees from the Virginia Theological Seminary, Washington College, and McDaniel College. Diane's loyalty and devotion to WAMU and American University were recognized in 2007 when she was invited to receive an honorary degree and deliver the College of Arts and Sciences' commencement address.

Over the years, Diane's listeners have also come to know Diane's family—her husband, John, her children David and Jennifer, and her grandchildren—and her dear friend Bishop Jane Holmes Dixon, with whom she speaks every day.

On a personal note, I am a longtime fan and admirer of Diane Rehm and have had the privilege of being a guest on her show. While those of us who live and listen in the Washington, DC region consider Diane our own, she has avid listeners and admirers throughout the country. We take great pride in having her as a member of our community.

Madam Speaker, I am honored to recognize Diane Rehm for her outstanding 30-year career at WAMU and for the impact she has had on public radio broadcasting.

HONORING ROSALIND L. WEE

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Rosalind Wee as the recipient of the 2009 Pearl S. Buck International Woman of the Year Award. This achievement is awarded to ''women who make outstanding contributions in the areas of cross-cultural understanding, humanitarian outreach, and improving the quality of life and expanding opportunities for children around the world.'' Ms. Wee is one of only 27 women to receive this prestigious and well-deserved award.

Ms. Wee has shown herself to be a dedicated humanitarian throughout the years, serving as the treasurer of the Quezon City Chapter of the Philippine National Red Cross, the President of the Pearl S. Buck Foundation Philippines and the President of Philippine Federation of Local Councils of Women.

Her accomplishments also extend into the business world, where she is the founder and director of the Marine Resources Development Corporation and the owner and developer of First Marcel Properties, Inc.

She is also the proud mother of six children—and even with such a busy schedule, she still manages to find time to indulge her passion for golf. She has encouraged many other women to do so as the President of the Manila Lady Golfers Foundation.

Ms. Wee has been able to accomplish all of her successes as a humanitarian, entrepreneur, mother and grandmother despite having been blinded after having a brain tumor operation 17 years ago.

Madam Speaker, I am proud to recognize Ms. Rosalind Wee for her outstanding contributions to her community and the world at large. She serves as an inspiration to all of us and demonstrates that the only limitations to our goals are those we choose to accept.

A PROCLAMATION HONORING LYDIA STOCKERT FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Lydia Stockert showed hard work and dedication to the sport of softball; and

Whereas, Lydia Stockert was a supportive team player; and

Whereas, Lydia Stockert always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Lydia Stockert on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

ADMINISTRATION ONCE AGAIN SIDELINES HUMAN RIGHTS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. WOLF. Madam Speaker, I again rise to express my deep disappointment with the Obama administration's sidelining of human rights in U.S. foreign policy.

I submit for the RECORD an op-ed from today's Washington Post aptly titled ''A Cold Shoulder to Liberty.'' Columnist Michael Gerson writes of the administration's snub of the Dalai Lama on his upcoming visit to the nation's capital.

Two years ago, the Dalai Lama received the Congressional Gold Medal in the rotunda of the U.S. Capitol. President Bush personally presented it to him. I was there for the occasion where this man of peace and dignity was honored for his life's work in promoting basic rights for his people.

Next month, the Dalai Lama will again visit Washington, but this time he will be denied a visit with President Obama lest it ruffle feathers in Beijing in the lead up to the President's visit there in November.

I am reminded of another administration which declined to meet with a dissident for fear of souring an upcoming meeting. It was 1975, and Aleksandr Solzhenitsyn was set to visit Washington. Henry Kissinger led the charge in refusing him a meeting with President Ford, who was worried about upsetting Soviet leader Brezhnev prior to the upcoming summit.

Contrast this approach with President Reagan's 1988 speech in defense of religious liberty at the ancient Danilov Monastery in Russia. In his remarks he had the courage to invoke a quote by Solzhenitsyn about the faith of the people of Russia. In so doing, he respectfully made the point that religious freedom is central to who we are as Americans, and as such our leaders will not be silenced on this score for fear of offending oppressive governments.

I believe that history shows this administration could learn from that approach.

Sadly, the White House's treatment of the Dalai Lama is not an isolated incident. Gerson notes, ''. . . rebuffing the Dalai Lama is part of a pattern. Secretary of State Hillary Clinton has argued that pressing China on human rights 'can't interfere with the global economic crisis, the global climate change crisis and the security crisis . . .'''

But this begs the question, what of the human rights crisis in China?

Just yesterday, the Associated Press reported that ''China has closed Tibet to foreign tourists and deployed soldiers armed with machine guns in the streets of Beijing—part of a raft of stringent security measures ahead of the 60th anniversary of communist rule. Even kite-flying has been banned in the capital.''

This is the government we are trying to curry favor with? I'd prefer to find common cause and solidarity with the people of Tibet, with the persecuted house church and Catholic bishops, with the repressed Falun Gong.

The administration's approach in China has been mirrored elsewhere at the expense of oppressed people the world over.

Gerson continues, "Overtures to repressive governments in Iran, Cuba, North Korea, Venezuela, Syria and Egypt have generally ignored the struggles of dissidents and prisoners in those nations. So far, the Obama era is hardly a high point of human rights solidarity."

It seems we could also add Burma to that list. Today's Post reports that "For the first time in nine years, the United States allowed Burma's foreign minister to come to Washington, a sign of softening U.S. policy toward the military junta that has run that Asian nation for nearly five decades."

The Post notes, "Under the 2003 Burmese Freedom and Democracy Act, the White House needs to approve a waiver to allow Burmese officials who are attending the U.N. General Assembly to travel more than 25 miles outside of New York."

On the reported eve of the administration's much anticipated release of a Burma policy review, the waiving of this sanction for a major general in the Burmese Army, to essentially sight-see in Washington, sends the wrong message.

Earlier this week, the Post featured an article with the headline, "U.S. Faces Doubts About Leadership on Human Rights," which reported, "as the U.N. General Assembly gets underway this week, human rights activists and political analysts say the new approach has undercut U.S. leadership on human rights issues."

I submit for the RECORD the entire article, which offers a grim but accurate assessment of this failed approach.

Martin Luther King Jr. famously said, "In the end, we will remember not the words of our enemies, but the silence of our friends."

Are we not friends of the persecuted Coptic Christian in Egypt? Are we not friends of the North Koreans enslaved in the gulag? Are we not friends of the repressed Cuban or Iranian democracy activist?

The answer to all of these questions is a resounding yes, which makes this administration's deliberate sidelining of human rights that much more devastating.

[From the Washington Post, Sept. 23, 2009]

A COLD SHOULDER TO LIBERTY

(By Michael Gerson)

Two Octobers ago, the Dalai Lama received the Congressional Gold Medal, one of America's highest civilian honors, in the rotunda of the U.S. Capitol. Speaker Nancy Pelosi talked of a "special relationship between His Holiness the Dalai Lama and the United States." Said Sen. Mitch McConnell: "We have reached out in solidarity to the Dalai Lama and the Tibetan people, and the Chinese government needs to know that we will continue to do so." President George W. Bush urged Chinese leaders "to welcome the Dalai Lama to China. They will find this good man to be a man of peace and reconciliation."

This October, on a scheduled visit to the United States, the Dalai Lama will not be welcomed at the White House. Obama adviser Valerie Jarrett was recently dispatched to Dharamsala—the Dalai Lama's place of exile in northern India—to gently deliver the message. The Tibetans took the news, as usual, nonviolently. "A lot of nations are adopting a policy of appeasement" toward China, observed Samdhong Rinpoche, prime minister of Tibet's government in exile. "I understand why Obama is not meeting with the Dalai Lama before his Chinese trip. It is common sense. Obama should not irritate the Chinese leadership."

The Obama administration has its diplomatic reasons. Since the uprisings of 2008, the Chinese government has been particularly sensitive on the topic of Tibet. Chinese President Hu Jintao is a guest in the United States this week. And administration officials hint that Obama will eventually meet with the Dalai Lama after the president's own visit to China in November.

Yet between the gold medal and the cold shoulder, a large diplomatic signal is being sent.

It is not that Obama is completely unwilling to anger the Chinese. This month he imposed a 35 percent tariff on tire imports from China, leading to talk of a trade war. The head of the United Steelworkers said the president was willing to "put himself in the line of fire for the jobs of U.S. workers." But Obama is clearly less willing to put himself in the diplomatic line of fire for other, less tangibly political reasons.

In great-power politics, morality often gets its hair mussed. Every president needs room for diplomatic maneuvering. But rebuffing the Dalai Lama is part of a pattern. Secretary of State Hillary Clinton has argued that pressing China on human rights "can't interfere with the global economic crisis, the global climate change crisis and the security crisis"—a statement that left Amnesty International "shocked and extremely disappointed." Support for Iranian democrats has been hesitant. Overtures to repressive governments in Iran, Cuba, North Korea, Venezuela, Syria and Egypt have generally ignored the struggles of dissidents and prisoners in those nations. So far, the Obama era is hardly a high point of human rights solidarity.

Those who donate to Amnesty International and put "Free Tibet" stickers on their Volvos often assume these commitments are served by supporting liberal politicians. But it really depends. On human rights, modern liberalism is a house divided. In a recent, brilliant essay in the New Republic, Richard Just describes the "contradictory impulses of liberal foreign policy: the opposition to imperialism and the devotion to human rights. If liberals view anti-imperialism as their primary philosophical commitment, then they will be reluctant to meddle in the affairs of other countries, even when they are ruled by authoritarian governments . . . that abuse their own people. But if liberalism's primary commitment is to human rights, then liberals will be willing to judge, to oppose, and even to undermine such governments."

During the Cold War, Just argues, these impulses were united in opposition to pro-American despots such as Chile's Augusto Pinochet. "But history does not always present such convenient circumstances; and since the end of the Cold War, every time the United States has undertaken a humanitarian intervention—or, as in Afghanistan and Iraq, interventions with humanitarian implications—this fundamental split has, in one form or another, returned to the center of the liberal debate."

This split is now evident within the Obama administration. It includes some very principled, liberal defenders of human rights such as U.N. Ambassador Susan Rice and National Security Council staffer Samantha Power. But it seems dominated, for the moment, by those who consider the human rights enterprise as morally arrogant and an obstacle to mature diplomacy.

Which raises the question: What is left of foreign policy liberalism when a belief in liberty is removed?

[From the Washington Post, Sept. 22, 2009]

U.S. FACES DOUBTS ABOUT LEADERSHIP ON HUMAN RIGHTS

(By Colum Lynch)

UNITED NATIONS.—From the beginning, the Obama administration has unabashedly embraced the United Nations, pursuing a diplomatic strategy that reflects a belief that the world's sole superpower can no longer afford to go it alone. But, as the U.N. General Assembly gets underway this week, human rights activists and political analysts say the new approach has undercut U.S. leadership on human rights issues.

Rights advocates have been frustrated by several episodes. They say U.S. diplomats have sent mixed messages about their intention to reward—or punish—the Sudanese government for its alleged role in genocide in Darfur. The United States rejected a U.N. proposal to compel Israel and Hamas to conduct credible investigations into war crimes in the Gaza Strip. And the administration has pursued a low-profile approach to Sri Lanka, where a military offensive against rebels is believed to have killed thousands of civilians.

The administration continues to assert that "the United States is not going to preach its values and not going to impose its values," said Kenneth Roth, executive director of Human Rights Watch. "The problem is they are not American values—they are international values."

U.S. officials assert they have shown leadership on human rights, citing the administration's decision to weigh prosecutions of CIA interrogators. They note that the administration joined the U.N. Human Rights Council, reversing the Bush administration's policy of shunning the troubled rights agency in the hopes of reforming it. A U.S. vote on the Security Council in June was crucial in ensuring continued U.N. scrutiny of Sudan's rights record.

BEING A TEAM PLAYER

But U.S. officials say that American credibility also lies in their willingness to be team players. In the past several months, the United States has pledged to sign U.N. arms control and human rights treaties, and has committed to sending U.S. officers to far-flung U.N. peacekeeping missions. Susan E. Rice, the U.S. ambassador to the United Nations, says cooperation with the global organization is essential for coordinating international efforts to combat terrorism, scrap nuclear weapons arsenals and fight pandemics.

"No single country, even one as powerful as our own, can deal with these challenges in isolation," Rice said. "We are fundamentally living in an era when our security and our well-being are very much linked to the security and well-being of people elsewhere. That's a simple recognition of reality."

John R. Bolton, one of the U.S. ambassadors to the United Nations under President George W. Bush, said the Obama administration's strategy at the United Nations resembles a religious "act of faith." He questioned the wisdom of empowering the organization.

The United Nations' contribution to the "great questions of our time"—counterterrorism and nonproliferation—have been only "marginally effective," Bolton said.

He also has criticized U.S. support for the Human Rights Council, a body that "spends its time attacking Israel and the United States."

In April, the council, based in Geneva, called for an investigation into alleged abuses during the war in Gaza last winter. Richard Goldstone, a South African judge who headed the probe, insisted on expanding the investigation to examine abuses by

Hamas and other Palestinian militants. His report accused both sides of committing war crimes and called on the Security Council to compel Israel and Hamas to conduct credible investigations.

Human rights advocates urged the United States to back Goldstone, saying it would show that the United States is willing to hold even its closest ally to account for abuses. But Rice rejected his recommendations, saying the ''weight of the report is something like 85 percent oriented towards very specific and harsh condemnation and conclusions related to Israel. . . . In that regard it remains unbalanced, although obviously less so than it might have been.''

TROUBLED ABOUT DARFUR

Jerry Fowler, executive director of the Save Darfur Coalition, said the administration's approach to Darfur has been troubling. In recent months, Obama's special envoy, retired Air Force Maj. Gen. J. Scott Gration, has pursued a more conciliatory approach toward Sudan, saying that genocide was no longer taking place in Darfur and that it was time to ease some sanctions.

''We have been pushing consistently for a balance of incentives and pressures, and so far we haven't really seen that balance,'' Fowler said. ''Publicly, there has been more of an emphasis on incentives.''

Rice said Gration's ''vitally important'' efforts to pursue a political settlement to crises in Sudan should not be interpreted to mean ''that we are any less concerned'' about Sudan's commission of atrocities ''or that we are prepared to wield carrots in advance of concerted and very significant steps on the ground. That's not the policy of the United States.''

SILENCE ON SRI LANKA?

The other major concern of human rights advocates monitoring developments at the United Nations is Sri Lanka.

When the government launched its final offensive this year against the country's Liberation Tigers of Tamil Eelam (LTTE), it was Mexico and Austria that first raised the alarm in the Security Council. France and Britain sent their foreign ministers to the Sri Lankan capital, Colombo, to press the government to show restraint.

The United States supported those efforts to draw attention to the crisis in the Security Council, which China and Russia opposed. It backed a compromise that allowed for discussion on the Sri Lanka conflict in the U.N. basement.

''The U.S. government remained relatively silent on the Sri Lankan crisis, especially in the early stages of the fighting,'' said Fabienne Hara, vice president for multilateral affairs at the International Crisis Group. Its response to Sri Lanka ''did not seem to match the commitment to preventing mass human rights abuses stated during the presidential campaign,'' she said.

Rice challenged that assessment, saying ''my perception is that we spoke out very forcefully.'' She said that the United States had a strong ambassador on the ground in Sri Lanka, conveying American concerns, and that the assistant secretary of state for refugees traveled there to conduct an assessment mission. Secretary of State Hillary Rodham Clinton, Rice said, had been personally focused on the issue.

''I think that is an instance where our stand was clear, consistent and principled,'' she said.

A PROCLAMATION HONORING KYRA TUCKER FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Kyra Tucker showed hard work and dedication to the sport of softball; and

Whereas, Kyra Tucker was a supportive team player; and

Whereas, Kyra Tucker always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Kyra Tucker on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

HONORING ENVIRONMENTAL TECTONICS CORPORATION

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to congratulate and to honor Environmental Tectonics Corporation on their 40th anniversary. Through innovation and determination, ETC continues to help our local economy grow and prosper, with new jobs, despite the tough economic times.

ETC has been a leader in simulation technologies, from creating entertaining simulation safari rides for amusement parks, to their state of the art aerospace training simulators. Their simulators have prepared civilian and military personnel for real life emergency situations, while keeping our heroes out of harm's way. They have saved countless lives by using the most technologically advanced training systems available anywhere in the world.

Starting with their partnership with United States Navy in 1971 creating rapid high-altitude decompression chambers and eventually evolving into the leading provider of aerospace simulation training, ETC is a world leader and today I am honored to recognize them on 40 years of exemplary work.

Madam Speaker, ETC has provided training to make the world a safer place and created jobs to spur the local economy. They are a welcome example of a civic minded corporation, dedicated to our national security. I highly value their commitment to our community, and I am proud to work with them as they develop cutting-edge technology to serve our nations best and brightest.

HONORING SCOTT HAMILTON

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mrs. BLACKBURN. Madam Speaker, I rise today to ask my colleagues to join me in honoring world recognized, figure skating star and cancer prevention activist, Scott Hamilton, as he receives the Excellence in Cancer Awareness Award from the Congressional Families Cancer Prevention Program today in Washington.

At the age of 13, Scott began training with former Olympic Gold Medal Winner, Pierre Brunet, and was only able to continue his training because an anonymous couple volunteered their financial sponsorship. By 1980, Scott was taking the ice skating world by storm.

Over the years, Scott has claimed over 70 titles to include: national and world skating champion, 1984 Olympic Gold Medalist, professional ice skater, Emmy nominee, best-selling author, actor, and television commentator. A member of the United States Olympic Hall of Fame and a member of the World Figure Skating Hall of Fame, he was the first solo male to receive the Jacques Favart Award from the International Skating Union, and also the first figure skater to ever be inducted into Madison Square Garden's Walk of Fame.

Scott has accomplished many notable achievements in his skating career, yet he has also overcome significant challenges. Scott courageously battled and survived testicular cancer in 1997, and he is successfully recovering from his 2004 diagnosis of a benign pituitary brain tumor.

Scott is the official spokesperson for Target House at St. Children Hospital in Memphis and is very involved in the Scott Hamilton C.A.R.E.S., Cancer Alliance for Research, Education and Survivorship, Initiative at the Cleveland Clinic Taussig Center. He promotes his informative and educational website, www.chemocare.com, and he also serves on the board of directors for the Special Olympics. In his leisure time, Scott can be found on the golf course or spending time with his wife and two sons, Aidan, age five, and Maxx, age one, at their home in Nashville.

Madam Speaker, Scott is a true testament to determination and the human spirit, and I ask my colleagues to join me in recognizing his life-time of achievements and notable contributions to cancer prevention.

A PROCLAMATION HONORING TIFFANY HERBERT FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Tiffany Herbert showed hard work and dedication to the sport of softball; and

Whereas, Tiffany Herbert was a supportive team player; and

Whereas, Tiffany Herbert always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Tiffany Herbert on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

UNITED NATIONS' GOLDSTONE REPORT ON ISRAEL

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. TIAHRT. Madam Speaker, in April 2009 the United Nations (UN) set upon an ''investigation'' and ''fact-finding'' mission into the recent Israel-Gaza border conflict and released a report on findings on September 15th. Although the facts clearly showed that the terrorist Hamas government in Gaza had launched thousands of rockets on Israel prior to any Israeli response, the UN Goldstone Mission came to a surprising conclusion. It found ''violations of international human rights law . . by the occupying power, Israel.'' This outrageous conclusion was predetermined by the originating mandate's anti-Israel bias.

After lasting six months and producing a 575-page report, the Goldstone Mission apparently had no interest in fairness or engaging in a real investigation. This ''fact-finding'' mission was nothing more than a charade that demonizes a nation for protecting its own citizens, all the while protecting terrorist organizations and damaging any chance of true peace in the Middle East. The Goldstone Report is just another example of the UNHRC's dismal track record.

The Goldstone Report is the epitome of what is wrong with the United Nations in general and the United Nations Human Rights Council (UNHRC) in particular. Dominated by anti-democratic, anti-Semitic nations opposed to any semblance of human rights, the UNHRC has proven itself to be lacking objectivity and interest in truth or advancing the real cause of human rights.

My central concern with the Goldstone Report is the lack of recognition of Israel's right to defend itself against attacks from the internationally-recognized terrorist organization, Hamas, which currently controls Gaza. Despite video documentation, the report alleges no conclusive evidence of Hamas's extraordinary use of civilians and civilian infrastructure for military purposes, and accuses Israel of war crimes. The Goldstone Report shamefully accuses the victims with little mention of the aggressors. It even leaves open the possibility of Israel's prosecution at the International Criminal Court for simply protecting its citizens.

No nation can sit idly by while its people are killed, its children are traumatized, and the daily life of its citizens is severely disrupted by terrorism. Ask yourself, would America tolerate 10,000 rockets being launched against our homeland? No, we would protect our people. Israel has the same responsibility to protect its people as it did in Gaza. To suggest otherwise is a failure to accept the facts.

Americans look forward to peace in Israel and the Middle East; but until Hamas and its terrorist allies relinquish their arms, renounce violence, and acknowledge the right of Israel to exist, the hope for peace can not be realized. Israel can not do it singlehandedly. The UN must recognize Hamas for what it is—a terrorist organization that prevents peace in the Middle East. The Goldstone Report, by rejecting truth and objectivity, brings us no closer to that ultimate goal. It is a disgrace and should be viewed as such by the international community.

HONORING ELAN CORPORATION

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SESTAK. Madam Speaker, I rise to honor the Elan Corporation which this year will celebrate four decades of extraordinary work dedicated to advancing neuroscience, developing disease-modifying treatments that are defining the future of therapy for degenerative neurological conditions, and playing a significant role in the drug delivery and technology field.

On September 21 the world marked World Alzheimer's Day 2009. It is therefore fitting to acknowledge Elan Corporation's research, development, and commercial activities for neurodegenerative diseases including Alzheimer's. An estimated 5 million Americans have Alzheimer's disease, including one in eight Americans over 65 and nearly half of Americans over 85. A new Alzheimer patient is diagnosed every 71 seconds and 1 in 10 Americans have a family member living with the disease. In Pennsylvania, more than 500,000 individuals suffer from Alzheimer's and there are nearly 431,000 family caregivers. Elan's work in this area has the potential to dramatically improve the quality of life for those afflicted with that terrible disease as well as the tens of millions of caregivers the world over, who struggle with the physical and emotional burden of seeing their loved one grow more distant and disabled each day throughout the course of a very lengthy affliction.

The dedicated team at Elan also is working to overcome a host of other devastating and debilitating challenges including Parkinson's disease, multiple sclerosis, Crohn's disease, and severe chronic pain. The commitment of this corporation to defeating so many destructive conditions affecting the human brain is impressive. As our nation continues to discuss the future of health care, it is vital to remember that the development of therapies that will free millions of minds from the shackles of neurologic impairment offers incalculable value to our collective well-being, our economy and could inspire us to tackle even greater challenges in science, medicine, engineering and other vital aspects of life.

I am proud that King of Prussia, Pennsylvania is home to an office of the Elan Corporation. The exceptional employees of that office are actively contributing to Pennsylvania's reputation as a center of innovation in the life sciences. From King of Prussia, PA, leading edge pharmaceuticals are enhancing the lives of millions of patients worldwide.

I join all of the residents of the Seventh Congressional District of Pennsylvania in wishing the 1,500 employees of the Elan Corporation four times forty more years of successful research, development and delivery of life changing pharmaceuticals to patients throughout the world. That you ''view the human brain as the last great frontier in scientific research and therapy development with no greater challenge and no greater opportunity to make a meaningful difference in patients' lives'' is noble and appreciated.

A PROCLAMATION HONORING SARAH RIGGS FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Sarah Riggs showed hard work and dedication to the sport of softball; and

Whereas, Sarah Riggs was a supportive team player; and

Whereas, Sarah Riggs always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Sarah Riggs on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

RECOGNIZING ENVIRONMENTAL TECTONIC CORPORATION'S 40TH ANNIVERSARY

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to recognize a very special company located in my district in Southampton, Bucks County, Pennsylvania. This Saturday, September 26, 2009, Environmental Tectonics Corporation will celebrate its 40th anniversary of producing world-class technology for a variety of markets.

I am proud to say that Environmental Tectonics Corporation, ETC, is located in my congressional district in Southampton, Bucks County, Pennsylvania. They employ more than 260 employees and subcontract with dozens of local suppliers throughout Pennsylvania creating hundreds of jobs and generating millions of dollars annually in local economic development.

On Monday, February 2nd, ETC announced a $20 million contract with the United States Navy for the manufacture of a next-generation, motion-based research device that will improve the health and safety of pilots. ETC estimates that the contract will generate three hundred jobs in our region.

Founded in 1969, ETC is a cutting-edge, high technology manufacturing and integration company that services the requirements of a broad base of customers. As one of the most important innovative manufacturers in Bucks County, ETC remains a driving force of our economy and is at the forefront of technology manufacturing. ETC provides high-paying jobs to local employees in the areas of manufacturing, engineering, software development and other high-tech careers. ETC has partnered with local technical and engineering institutions of higher learning to provide hands-on training for local students pursing careers in the science, technology and manufacturing fields. ETC's NASTAR Center is truly a global leader in preparing for the next generation of sub-orbital space flight guaranteeing local economic development for decades. It gives me a

tremendous sense of pride that in the future the departure desk for space will be in my home district.

On September 26th, the ETC family will gather to celebrate its past success and prepare for a future of remarkable achievement. Madam Speaker, I want to congratulate the entire ETC team on their past and continued success and I look forward to representing them in our nation's Capitol for years to come.

A PROCLAMATION HONORING NATALIE GAUSE FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Natalie Gause showed hard work and dedication to the sport of softball; and

Whereas, Natalie Gause was a supportive team player; and

Whereas, Natalie Gause always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Natalie Gause on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

TRIBUTE TO MR. JOSEPH A. WASSERMAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. UPTON. Madam Speaker, I rise today to pay special tribute to Mr. Joseph A. Wasserman of southwest Michigan. After nearly four decades in health administration, Mr. Wasserman will be retiring as the president and CEO of Lakeland HealthCare.

A man of the Midwest, Joseph was born in Lima, Ohio. He went on to receive his bachelor's degree in business administration from the University of Toledo and his master's in health administration from the University of Michigan. Joseph was named the president and CEO of Lakeland HealthCare in 1984 and has served in his position with distinction and honor.

Throughout his career as president and CEO, Joseph Wasserman has played a vital role in the success of Lakeland HealthCare. He managed the merger of four hospitals in the system, including the consolidation of the organizational structure to enhance the quality and value of services for southwest Michigan residents. Joseph introduced key services and technology to provide a continuum of care in areas such as oncology, outpatient services, long-term care, and home care. He led the healthcare industry in the area of evidence-based design by creating spaces that promote healing. He also launched an innovative five-star service program to create a service-minded, patient-centered culture. These impressive achievements earned Joseph such honors as the 2009 Health Care Weekly Review Excellent Administrator of the Year Award and the 2008 MHA Meritorious Service Award, and earned Lakeland HealthCare the Gold Seal of Approval for Primary Stroke Centers from the Joint Commission and the 2008 VHA Leadership Award for Clinical Excellence.

Throughout his nearly four decades in healthcare administration, Joseph Wasserman's leadership skills, compassion, and commitment to outstanding service have made him an asset not only to Lakeland HealthCare, but to the entire State of Michigan. As Mr. Wasserman prepares for his retirement this September, he leaves a legacy that will benefit the community for generations to come.

A PROCLAMATION HONORING LISA REIFENSCHNEIDER FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Lisa Reifenschneider showed hard work and dedication to the sport of softball; and

Whereas, Lisa Reifenschneider was a supportive coach; and

Whereas, Lisa Reifenschneider always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Lisa Reifenschneider on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

HONORING MAYOR JOSEPH DIGIROLAMO

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Mayor Joseph DiGirolamo as a 2009 recipient of the Bensalem Outreach Center Community Service Award.

Serving his community of Bensalem as its Mayor for nearly fifteen years, Joe DiGirolamo embodies what it means to be a public servant. Since being elected as Mayor in 1994, he has brought countless community improvements to Bensalem, including new state-of-the-art parks, transportation system upgrades, reduced real estate taxes, and infrastructure improvements.

Mr. DiGirolamo has also helped to ensure a brighter future for his community's youth through his efforts with programs like "Kids at Work" and by founding the Joseph DiGirolamo Scholarship Foundation.

As a former farmer, he understands the importance of responsible land management and respect for the environment. He has demonstrated this by maintaining a policy of preserving open space and the natural beauty of Bensalem.

Mr. DiGirolamo is also a family man in every sense of the word. He has been married to his wife Mary for 53 years, and is the proud grandfather of seven and great-grandfather of three.

IT's been an honor to work with the Mayor over the past three years, but an even greater honor to be able to call him a friend.

Madam Speaker, I am proud to recognize Mayor Joseph DiGirolamo for his outstanding commitment to public service, his community, and his country. I am honored to serve as his Congressman.

A PROCLAMATION HONORING NICKI CREGAN FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Nicki Cregan showed hard work and dedication to the sport of softball; and

Whereas, Nicki Cregan was a supportive team player; and

Whereas, Nicki Cregan always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Nicki Cregan on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

PERSONAL EXPLANATION

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. GRIJALVA. Madam Speaker, on September 22, 2009, I was unavoidably detained and was unable to be present for the recorded votes. Had I been present, I would have voted "yea" on rollcall #720, "yea" on rollcall #721, and "yea" on rollcall #722.

HONORING ALBERT A. GRENIER AND HIS CONTRIBUTIONS TO THE BALTIC FIRE DEPARTMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. COURTNEY. Madam Speaker, I rise today to honor the service and dedication of a man who has been a pillar in his community for more than half a century. For the past 50 years, Albert A. Grenier has dedicated much of his personal time to the Baltic Fire Department and the residents of Baltic, Connecticut.

This year marks his 50th year as a volunteer firefighter for the department, and I am honored to offer my sincere thanks and gratitude for his many years of service

Albert Grenier joined the Baltic Fire Department as a volunteer firefighter in 1959 where he put his life on the line regularly to protect his community and the families of Sprague, Connecticut. During his many years as a volunteer firefighter, Grenier also worked for the Connecticut Department of Transportation. As a member of the Baltic Fire Department, Albert embraced several leadership roles recruiting new volunteers, maintaining the department's facilities, and competing on the department's recreational Water Team. Most notably, he was a key player in establishing the Emergency Squad in 1961, which acted as a foundation for the Emergency Medical Services (EMS) teams we see in use today.

While always a public servant, perhaps the most important role Albert has played is that of husband, father and grandfather. For the past 57 years, Albert has been happily married to his wife Rita Fortin, with whom he raised three children. Albert and Rita have been blessed with five grandchildren and eight great grandchildren.

Madam Speaker, our communities are safe because of dedicated volunteers like Albert Grenier We are grateful for his extraordinary contribution to our region and look forward to his continued efforts in the years to come. I ask my colleagues to join me and the residents of Baltic in recognizing his decades of service.

A PROCLAMATION HONORING KYLIE FLICKINGER FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP.

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Kylie Flickinger showed hard work and dedication to the sport of softball; and

Whereas, Kylie Flickinger was a supportive team player; and

Whereas, Kylie Flickinger always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Kylie Flickinger on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

TRIBUTE TO BOB FENNER

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. BACA. Madam Speaker, I would like to bring to your attention today the many outstanding achievements of Bob Fenner, a businessman, community leader and 2003–04 past President of the Carlsbad Hi-Noon Rotary Club.

Bob has contributed enormously and made a tremendous difference to the Carlsbad Hi-Noon Rotary Club, the citizens of Carlsbad, and the mission of Rotary International.

Mr. Fenner's accomplishments are many and varied. Under his leadership, the Carlsbad Hi-Noon Rotary Club has supported the Worldwide Polio Eradication Program, a program designed to eradicate polio worldwide. Mr. Fenner has also sponsored a Youth Exchange Summer Camp, a program that fosters international understanding along with supporting RYLA, a Rotary Youth Leadership Conference, which helps to instill values and train high school students. Mr. Fenner was also instrumental in further enhancing international relations by directing the efforts of Hi-Noon Rotarians to support Project Mercy.

Mr. Fenner's leadership has also made an extraordinary difference to others in need of a helping hand. With the assistance of Carlsbad Hi-Noon Rotary volunteers, the Christmas Bureau Distribution Program delivered food, clothing, and other gifts to over 3,400 needy individuals.

There are many other contributions that the Carlsbad Hi-Noon Rotary Club has achieved during Mr. Fenner's Rotary service, including sponsoring a Christmas dinner party and gifts for elementary school students in need. He also provided financial support and volunteers to the Boys and Girls Club of Carlsbad while supporting the La Posada Carlsbad Homeless Shelter by contributing food, clothing, blankets and other items to the needy.

Mr. Fenner also serves on the Board of The Hospice of the North Coast, and has hosted six foreign students, contributing to a better understanding of our culture and the cultures of other countries.

Madam Speaker I hope you will join me in recognizing the many fine achievements of Bob Fenner. Without question, his leadership and contributions to Rotary, and his community are worthy of recognition.

A PROCLAMATION HONORING SARAH AMISTADI FOR WINNING THE GIRLS' DIVISION IV STATE SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. SPACE. Madam Speaker:

Whereas, Sarah Amistadi showed hard work and dedication to the sport of softball; and

Whereas, Sarah Amistadi was a supportive team player; and

Whereas, Sarah Amistadi always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Sarah Amistadi on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 24, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 29

Time to be announced
Homeland Security and Governmental Affairs
Business meeting to consider the nominations of Richard Serino, of Massachusetts, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, and Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.
S–216, Capitol

9:30 a.m.
Environment and Public Works
Children's Health Subcommittee
To hold hearings to examine promoting and improving children's health protections.
SD–406

Judiciary
Immigration, Refugees and Border Security Subcommittee
To hold hearings to examine comprehensive immigration reform, focusing on faith-based perspectives.
SD–226

10 a.m.
Homeland Security and Governmental Affairs
Contracting Oversight Subcommittee
To hold hearings to examine improving transparency and accessibility of federal contracting databases.
SD–342

Banking, Housing, and Urban Affairs
To hold hearings to examine strengthening and streamlining Prudential Bank supervision.
SD–538

10:30 a.m.
Appropriations
Financial Services and General Government Subcommittee
To resume hearings to examine the use, impact, and accomplishments of Federal appropriations provided to improve the education of children in the District of Columbia.
SD–192

Commission on Security and Cooperation in Europe
To hold hearings to examine the Western Balkans, focusing on policy responses to today's challenges, including current United States and the European Union efforts to maintain stability in the Western Balkans and prepare the countries of the region for European and Euro-Atlantic integration.
SVC–212/210

11 a.m.
Small Business and Entrepreneurship
To hold hearings to examine reform, focusing on health care solutions for America's small businesses.
SD–562

2:30 p.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine body building products and hidden steroids, focusing on enforcement barriers.
SD–226

SEPTEMBER 30

9:30 a.m.
Veterans' Affairs
To hold hearings to examine Veterans Affairs contracts for health services.
SR–418

10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the nominations of Bartholomew Chilton, of Maryland, Jill Sommers, of Kansas, and Scott D. O'Malia, of Michigan, all to be a Commissioner of the Commodity Futures Trading Commission, Edward M. Avalos, of New Mexico, to be Under Secretary for Marketing and Regulatory Programs, Edward M. Avalos, and Harris D. Sherman, of California, to be Under Secretary for Natural Resources and Environment, both to be a Member of the Board of Directors of the Commodity Credit Corporation, both of the Department of Agriculture, and Kenneth Albert Spearman, of Florida, to be a Member of the Farm Credit Administration Board, Farm Credit Administration.
SR–328A

Health, Education, Labor, and Pensions
Business meeting to consider an original bill entitled ''Ryan White HIV/AIDS Treatment Extension Act of 2009'', and the nominations of Brenda Dann-Messier, of Rhode Island, to be Assistant Secretary for Vocational and Adult Education, and Alexa E. Posny, of Kansas, to be Assistant Secretary for Special Education and Rehabilitative Services, both of the Department of Education, and George H. Cohen, of Virginia, to be Federal Mediation and Conciliation Director, Federal Mediation and Conciliation Service, and any pending nominations.
SD–430

Homeland Security and Governmental Affairs
To hold hearings to examine 8 years after 9/11, focusing on confronting the terrorist threat to the homeland.
SD–342

Judiciary
To hold hearings to examine advancing freedom of information in the New Era of Responsibility.
SD–226

Joint Economic Committee
To hold hearings to examine women and the economy.
210, Cannon Building

11 a.m.
Aging
To hold hearings to examine how successful health systems keep costs low and quality high.
SD–106

2:30 p.m.
Judiciary
Administrative Oversight and the Courts Subcommittee
To hold hearings to examine responding to the growing need for Federal judgeships, focusing on the Federal Judgeship Act of 2009.
SD–226

Banking, Housing, and Urban Affairs
Security and International Trade and Finance Subcommittee
To hold hearings to examine international cooperation to modernize financial regulation.
SD–538

3 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine controlled substance abuse in Medicaid.
SD–342

OCTOBER 1

9:45 a.m.
Energy and Natural Resources
To hold hearings to examine energy and related economic effects of global climate change legislation.
SD–366

2:30 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of David S. Ferriero, of North Carolina, to be Archivist of the United States, National Archives and Records Administration.
SD–342

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine managing Federal forests in response to climate change, including for natural resource adaptation and carbon sequestration.
SD–366

OCTOBER 8

9:30 a.m.
Veterans' Affairs
To hold hearings to examine the Department of Defense and Veterans' Affairs response to certain military exposures.
SD–562

OCTOBER 21

9:30 a.m.
Veterans' Affairs
To hold hearings to examine pending legislation.
SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9693–S9759

Measures Introduced: Eight bills and five resolutions were introduced, as follows: S. 1695–1702, S. Res. 281–284, and S. Con. Res. 41. **Page S9733**

Measures Passed:

Government of Libya: Committee on Foreign Relations was discharged from further consideration of S. Res. 253, expressing the sense of the Senate that the Government of Libya should apologize for the welcome home ceremony held to celebrate the release of convicted Lockerbie bomber Abdel Baset al-Megrahi, and the resolution was then agreed to. **Pages S9705–06**

Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act: Committee on Environment and Public Works was discharged from further consideration of H.R. 1035, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S9757**

Feinstein (for Bingaman) Amendment No. 2546, to strike the authorization of appropriations. **Page S9757**

Senior Caregiving and Affordability: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H. Con. Res. 59, supporting the goals and ideals of senior caregiving and affordability, and the resolution was then agreed to. **Pages S9757–58**

Helen Keller Statue: Senate agreed to S. Con. Res. 41, providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama. **Page S9758**

Hurricane Hugo 20th Anniversary: Senate agreed to S. Res. 282, remembering the 20th anniversary of Hurricane Hugo, which struck Charleston, South Carolina on September 21 through September 22, 1989. **Page S9758**

National Wild Horse and Burro Adoption Day: Senate agreed to S. Res. 283, expressing support for the goals and ideals of the first annual National Wild Horse and Burro Adoption Day taking place on September 26, 2009. **Pages S9758–59**

National Health Information Technology Week: Senate agreed to S. Res. 284, expressing support for the designation and goals of "National Health Information Technology Week" for the period beginning on September 21, 2009, and ending on September 25, 2009. **Page S9759**

Measures Considered:

Department of the Interior, Environment, and Related Agencies Appropriations Act—Agreement: Senate continued consideration of H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto: **Pages S9706–27**

Rejected:

Vitter motion to recommit the bill to the Committee on Appropriations, with instructions to report the same back to the Senate forthwith with Vitter Amendment No. 2508 (to the instructions on Vitter motion to recommit the bill), to prohibit the use of funds to delay the implementation of the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015. (By 56 yeas to 42 nays (Vote No. 293), Senate tabled the motion.) **Page S9724**

Feinstein (for McCaskill) Amendment No. 2514, to strike the earmarks for the Save America's Treasure program and to provide criteria for the distribution of grants under that program. (By 72 yeas to 26 nays (Vote No. 294), Senate tabled the motion.) **Pages S9723–24, S9725**

Pending:

Carper Amendment No. 2456, to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions. **Page S9706**

Collins Amendment No. 2498, to provide that no funds may be used for the administrative expenses of any official identified by the President to serve in a position without express statutory authorization and

which is responsible for the interagency development or coordination of any rule, regulation, or policy unless the President certifies to Congress that such official will respond to all reasonable requests to testify before, or provide information to, any congressional committee with jurisdiction over such matters, and such official submits certain reports biannually to Congress. **Page S9706**

Isakson Modified Amendment No. 2504, to encourage the participation of the Smithsonian Institution in activities preserving the papers and teachings of Dr. Martin Luther King, Jr., under the Civil Rights History Project Act of 2009. **Page S9706**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, September 24, 2009, and that the filing deadline for second-degree amendments be 10:30 a.m., on Thursday, September 24, 2009. **Page S9759**

Messages from the House: **Page S9731**

Measures Referred: **Pages S9731–32**

Executive Communications: **Pages S9732–33**

Additional Cosponsors: **Pages S9733–35**

Statements on Introduced Bills/Resolutions: **Pages S9735–50**

Additional Statements: **Pages S9730–31**

Amendments Submitted: **Pages S9750–57**

Authorities for Committees to Meet: **Page S9757**

Record Votes: Two record votes were taken today. (Total—294) **Pages S9724, S9725**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:38 p.m., until 9:30 a.m. on Thursday, September 24, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9759.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Anne S. Ferro, of Maryland, to be Administrator of the Federal Motor Carrier Safety Administration, who was introduced by Senator Cardin, and Cynthia L. Quarterman, of Georgia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, both of the Department of Transportation, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Finance: Committee continued consideration of an original bill entitled, ''America's Healthy Future Act of 2009'', but did not complete action thereon, and recessed subject to the call and will meet again on Thursday, September 24, 2009.

DEFENSE CONTRACT AUDIT AGENCY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Defense Contract Audit Agency, focusing on reform, which would include legislative measures to help enhance effectiveness and independence, after receiving testimony from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, and Gayle L. Fischer, Assistant Director, Financial Management and Assurance, both of the Government Accountability Office; and Robert F. Hale, Under Secretary, Comptroller, Gordon S. Heddell, Inspector General, and April G. Stephenson, Director, Defense Contract Audit Agency, all of the Department of Defense.

USA PATRIOT ACT REAUTHORIZATION

Committee on the Judiciary: Committee concluded a hearing to examine reauthorizing the USA PATRIOT Act, after receiving testimony from David Kris, Assistant Attorney General, Glenn A. Fine, Inspector General, both of the Department of Justice; and Suzanne E. Spaulding, Bingham Consulting Group, Lisa Graves, Center for Media and Democracy, and Kenneth L. Wainstein, O'Melveny and Myers LLP, all of Washington, DC.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Jacqueline H. Nguyen, who was introduced by Senator Boxer, and Dolly M. Gee, both to be a United States District Judge for the Central District of California, and Richard Seeborg and Edward Milton Chen, both to be a United States District Judge for the Northern District of California, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 3630–3636; 2 private bills, H.R. 3637–3638; and 6 resolutions, H. Con. Res. 190; and H. Res. 764–765, 767–769 were introduced.

Pages H9898–99

Additional Cosponsors: **Pages H9899–H9900**

Report Filed: A report was filed today as follows:

H. Res. 766, providing for consideration of motions to suspend the rules (H. Rept. 111–264).

Pages H9871, H9898

Speaker: Read a letter from the Speaker wherein she appointed Representative Holden to act as Speaker Pro Tempore for today. **Page H9809**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Martha Taylor, Elmhurst Presbyterian Church, Oakland, CA. **Page H9809**

Discharge Petition: Representative Walden moved to discharge the Committee on Rules from the consideration of H. Res. 554, amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes (Discharge Petition No. 6).

Page H9811

Suspensions: The House agreed to suspend the rules and pass the following measures:

Defense Production Act Reauthorization of 2009: S. 1677, to reauthorize the Defense Production Act of 1950; **Pages H9813–19**

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958: H.R. 3614, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, by a ⅔ yea-and-nay vote of 417 yeas to 2 nays, Roll No. 726; **Pages H9819–21, 9843–44**

Expressing condolences to the people and government of the Republic of China (Taiwan) in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009: H. Res. 733, amended, to express condolences to the people and government of the Republic of China (Taiwan) in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009; **Pages H9821–23**

Agreed to amend the title so as to read: "Expressing condolences to the people and Government of Taiwan in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009.". **Page H9823**

Amending the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia: H.R. 3593, to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia; **Pages H9823–24**

Expressing the sense of the Congress that we honor, commemorate and celebrate the historic ties of the United States and the Netherlands: H. Con. Res. 178, amended, to express the sense of the Congress that we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today;

Pages H9824–26

Agreed to amend the title so as to read: "Expressing the sense of Congress that we reaffirm the historic ties between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and honoring the enduring values of the settlers of New Netherland that continue to permeate American society.". **Page H9826**

Amending the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy: H.R. 2131, amended, to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy; **Pages H9826–27**

Supporting the goals and ideals of a decade of action for road safety: H. Con. Res. 74, amended, to support the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020; **Pages H9827–29**

Encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium: H. Res. 491, to encourage each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium; **Pages H9829–31**

Recognizing and honoring Howard University School of Law's 140-year legacy of social justice: H. Res. 684, amended, to recognize and honor Howard University School of Law's 140-year legacy of social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars; **Pages H9831–33**

Acknowledging and congratulating Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary: H. Res. 696, to acknowledge and congratulate Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming, by a ⅔ recorded vote of 418 ayes with none voting "no", Roll No. 729; **Pages H9833–34, 9854–55**

Congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship: H. Res. 455, amended, to congratulate the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship; **Pages H9834–35**

Fiscal Year 2010 Federal Aviation Administration Extension Act: H.R. 3607, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund and to amend title 49, United States Code, to extend authorizations for the airport improvement program; **Pages H9835–37**

Expressing condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009: H. Res. 765, to express condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009, and to express gratitude to all of the emergency personnel who continue to work with unyielding determination to meet the needs of Georgia's residents, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 724; and **Pages H9837–40, H9842–43**

Surface Transportation Extension Act of 2009: H.R. 3617, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, by a ⅔ yea-and-nay vote of 335 yeas to 85 nays, Roll No. 731. **Pages H9855–65, H9866–68**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, September 22nd:

John J. Shivnen Post Office Building Designation Act: H.R. 2215, to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the "John J. Shivnen Post Office Building", by a ⅔ recorded vote of 423 ayes with none voting "no", Roll No. 725. **Page H9843**

Santa Cruz Valley National Heritage Area Act: The House passed H.R. 324, to establish the Santa Cruz Valley National Heritage Area, by a recorded vote of 281 ayes to 142 noes, Roll No. 728. **Pages H9840–42, H9844–54**

Agreed to the Bishop (UT) motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with amendments by a yea-and-nay vote of 259 yeas to 167 nays, Roll No. 727. Subsequently, Representative Grijalva reported the bill back to the House with the amendments and the amendments were agreed to. **Pages H9851–53**

Pursuant to the rule, the amendment printed in H. Rept. 111–263 shall be considered as adopted. **Page H9844**

H. Res. 760, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 244 yeas to 177 nays, Roll No. 723, after it was agreed to order the previous question without objection. **Pages H9840–42**

Motion to Adjourn: Rejected the Simpson motion to adjourn by a yea-and-nay vote of 42 yeas to 355 nays, Roll No. 730. **Page H9866**

Motion to Adjourn: Rejected the Kingston motion to adjourn by a recorded vote of 50 ayes to 349 noes, Roll No. 732. **Page H9868**

Legislative Branch Appropriations Act, 2010—Motion to go to Conference: The House agreed to the Wasserman Schultz motion to disagree to the Senate amendment and agree to a conference on H.R. 2918, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, after it was agreed to order the previous question by a recorded vote of 240 ayes to 171 noes, Roll No. 733. **Page H9869**

Rejected the Aderholt motion to instruct conferees on the bill by a yea-and-nay vote of 191 yeas to 213 nays, Roll No. 734. **Pages H9869–71**

The Chair appointed the following conferees: Representatives Wasserman Schultz, Honda, McCollum, Ryan (OH), Ruppersberger, Rodriguez, Obey, Aderholt, LaTourette, Cole, and Lewis (CA). **Page H9871**

Quorum Calls—Votes: Seven yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H9841–42, H9842–43, H9843, H9843–44, H9852–53, H9853–54, H9854–55, H9866, H9867–68, H9868, H9869, H9871. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:35 p.m.

Committee Meetings

EMPLOYMENT NON-DISCRIMINATION ACT

Committee on Education and Labor: Held a hearing on H.R. 3017, Employment Non-Discrimination Act of 2009. Testimony was heard from Representatives Baldwin and Frank of Massachusetts; Stuart J. Ishimaru, Acting Chairman, EEOC; and public witnesses.

AMERICA'S AFFORDABLE HEALTH CHOICES ACT OF 2009

Committee on Energy and Commerce:. Met in open markup session to consider a motion by Mr. Dingell to instruct the Chairman of the Committee on Energy and Commerce to transmit to the Committee on Rules additional recommended amendments included in the motion for consideration, by the Committee on Rules and the House of Representatives, in connection with H.R. 3200, America's Affordable Health Choice Act of 2009, as previously ordered reported by the Committee on Energy and Commerce. The motion was agreed to, amended, by a roll call vote of 28–22.

FINANCIAL REGULATORY REFORM

Committee on Financial Services: Held a hearing entitled ''The Administration's Proposals for Financial Regulatory Reform.'' Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

FINANCE REFORM REGULATOR PERSPECTIVES

Committee on Financial Services: Held a hearing entitled ''Federal Regulator Perspectives on Financial Regulatory Reform Proposals.'' Testimony was heard from Sheila C. Bair, Chairman, FDIC; the following officials of the Department of the Treasury: John C. Dugan, Comptroller, Office of the Comptroller of the Currency; and John E. Bowman, Acting Director, Office of Thrift Supervision; and Joseph A. Smith, Jr., Commissioner of Banks, State of North Carolina.

DISCHARGING EDUCATIONAL DEBT IN BANKRUPTCY

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on an Undue Hardship? Discharging Educational Debt in Bankruptcy. Testimony was heard from Representative Davis of Illinois; and public witnesses.

DISCHARGING EDUCATIONAL DEBT IN BANKRUPTCY

Committee on the Judiciary: Subcommittee on Courts, Terrorism, and Homeland Security held a hearing on an Undue Hardship? Discharging Educational Debt in Bankruptcy. Testimony was heard from public witnesses.

MINORITIES IN THE ECONOMIC DOWNTURN

Committee on Oversight and Government Reform: Held a hearing entitled '' The Silent Depression: How Are Minorities Faring in The Economic Downturn?'' Testimony was heard from Raymond Skinner, Secretary, Department of Housing and Community Development, State of Maryland; and public witnesses.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Committee granted, by voice vote, a rule authorizing the Speaker to entertain motions that the House suspend the rules at any time on the legislative day of September 24, 2009. The resolution applies to motions related to H.R. 3631, the ''Medicare Premium Fairness Act''.

CYBERSECURITY RESEARCH AND DEVELOPMENT AMENDMENTS

Committee on Science and Technology: Subcommittee on Research and Science Education approved for full Committee action a Committee print titled Cybersecurity Research and Development Amendments Act of 2009.

FINANCIAL REGULATORY RESTRUCTURING IMPACTS

Committee on Small Business: Held a hearing entitled ''The Impact of Financial Regulatory Restructuring on Small Businesses and Community Lenders.'' Testimony was heard from public witnesses.

FAA's AIRLINE SAFETY AND PILOT TRAINING

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on the Federal Aviation Administration's Call to Action on Airline Safety and Pilot Training. Testimony was heard from J. Randolph Babbitt, Administrator, FAA, Department of Transportation; and public witnesses.

FEDERAL BUILDING SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on

Risk-based Security in Federal Buildings: Targeting Funds to Real Risks and Eliminating Unnecessary Security Obstacles. Testimony was heard from John Porcari, Deputy Secretary, Department of Transportation; Mark Goldstein, Director, Physical Infrastructure, GAO; Robert Peck, Commissioner, Public Buildings Service, GSA; William G. Dowd, Director, Physical Planning Division, National Capital Planning Commissioner; the following officials of the U.S. Immigration and Customs Enforcement, Department of Homeland Security: Gary Schenkel, Director; and Patrick Moses, Regional Director, National Capital Region; and public witnesses.

VA SENIOR EXECUTIVE SERVICE BONUSES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigation held a hearing on the SES Bonuses and Other Administrative Issues at the U.S. Department of Veterans Affairs. Testimony was heard from the following officials of the Department of Veterans Affairs: James J. O'Neill, Assistant Inspector General, Investigations; and W. Scott Gould, Deputy Secretary.

BRIEFING—AFGHANISTAN/PAKISTAN

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Afghanistan/Pakistan. Testimony was heard from departmental witnesses.

DHS OFFICE OF INTELLIGENCE AND ANALYSIS REFORM EFFORTS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on DHS Office of Intelligence and Analysis Reform Efforts. Testimony was heard from Bart Johnson, Acting Under Secretary, Intelligence and Analysis, Department of Homeland Security; and the following officials of the Office of the Director of National Intelligence: Peter Lavoy, Deputy Director, National Intelligence for Analysis; and Rebecca Strode, Assistant Deputy Director, National Intelligence for Analytic Integrity and Standards.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 24, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the President's decision on missile defense in Europe, 10 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Emergency Economic Stabilization Act, focusing on one year later, 9:30 a.m., SD–538.

Committee on Finance: business meeting to continue consideration of an original bill entitled "America's Healthy Future Act of 2009", Time to be announced, SH–216.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the government, focusing on performance, 10:30 a.m., SD–342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine a review of United States diplomatic readiness, focusing on the staffing and foreign language challenges facing the foreign service, 2:30 p.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 1692, to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1670, to reform and modernize the limitations on exclusive rights relating to secondary transmissions of certain signals, and the nominations of Paul Joseph Fishman, to be United States Attorney for the District of New Jersey, Jenny A. Durkan, to be United States Attorney for the Western District of Washington, Florence T. Nakakuni, to be United States Attorney for the District of Hawaii, Deborah K. R. Gilg, to be United States Attorney for the District of Nebraska, and Ignacia S. Moreno, of New York, to be Assistant Attorney General, all of the Department of Justice, and Joseph A. Greenaway, Jr., of New Jersey, to be United States Circuit Judge for the Third Circuit, Roberto A. Lange, to be United States District Judge for the District of South Dakota, Irene Cornelia Berger, to be United States District Judge for the Southern District of West Virginia, and Charlene Edwards Honeywell, to be United States District Judge for the Middle District of Florida, 10 a.m., SD–226.

Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Armed Services, Defense Acquisition Reform Panel, hearing on DOD Supply Chain Management: Can the Department Identify and Meet Its Supply Needs Efficiently ? 9:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications, Technology and the Internet, hearing entitled "A National Interoperable Broadband Network for Public Safety: Recent Developments," 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled "Experts' Perspectives on Systemic Risk and Resolution Issues," 10 a.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled "Recent Innovations in Securitization," 2:30 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled "I&A Reconceived: Defining A Homeland Security Intelligence Role," 10 a.m., 311 Cannon.

Committee on Oversight and Government Reform, hearing entitled "Credit Rating Agencies and the Next Financial Crisis;" followed by consideration of the following measures: H. Con. Res. 186, Supporting the goals and ideals of Sickle Cell Disease Awareness Month; H. Res. 725, Congratulating the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series Championship; H. Res. 734, Expressing the support for and honoring September 17, 2009 as "Constitution Day;" H. Res. 693, Honoring the life and accomplishments of Jim Johnson and extending the condolences of the House of Representatives to his family on the occasion of his death; H.R. 3547, To designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building;" and H. Res. 16, Supporting the goals and ideals of National Life Insurance Awareness Month, 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on the Potential Need for Measurement Standards to Facilitate the Research and Development of Biologic Drugs, 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Contracting and Technology, hearing entitled "The Roles of Federal Labs in Spurring Innovation and Entrepreneurship Across the U.S." 12:30 p.m., 2360 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the future of newspapers, focusing on the impact on the economy and democracy, 10 a.m., 210–CHOB.

Committee on Transportation and Infrastructure, to consider the following: H.R. 3619, Coast Guard Authorization Act of 2009; H.R. 3618, Clean Hull Act of 2009; H.R. 3305, To designate the Federal building and United States courthouse located at 224 South Boulder Avenue in Tulsa, Oklahoma, as the "H. Dale Cook Federal Building and United States Courthouse;" H. Con. Res. 138, Recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas; H. Res. 465, Recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary; H.R. 719, Commending Russ Meyer on his induction into the National Aviation Hall of Fame; H.R. 1700, National Women's History Museum Act of 2009; and GSA Capital Investment Program Resolutions, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on Honoring the Fallen: How Can We Better Serve America's Veterans and Their Families? 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing on the following bills: H.R. 294, Veteran-Owned Small Business Promotion Act of 2009; H.R. 1169, To amend title 38, United States Code, to increase the amount of assistance provided by the Secretary of Veterans Affair to disabled veterans for specially adapted housing and automobiles and adapted equipment; H.R. 1182, Military Spouses Residency Relief Act; H.R. 2416, To require the Department of Veterans Affairs to use purchases of goods or services through the Federal supply schedules for the purpose of meeting certain contracting goals for participation by small business concerns owned and controlled by veterans, including veterans with service-connected disabilities; H.R. 2461, Veterans Small Business Verification Act; H.R. 2614, Veterans' Advisory Committee on Education Reauthorization Act of 2009; H.R. 2696, Servicemembers Rights Protection Act; H.R. 2874, Helping Active Duty Deployed Act of 2009; H.R. 2928, To amend title 38, United States Code, to provide for an apprenticeship and on-job training program under the Post 9/11 Veterans Educational Assistance Program; H.R. 3223, to amend title 38, United States Code, to improve the Department of Veterans Affairs contracting goals and references for small business concerns owned and controlled by veterans; H.R. 3554, National Guard Education Equity Act; H.R. 3561, To amend title 38, United States Code, to increase the amount of educational assistance provided to certain veterans for flight training; H.R. 3577, Education Assistance to Realign New Eligibilities for Dependents (EARNED) Act of 2009; and other draft legislation, 1 p.m., 334 Cannon.

Select Committee on Energy Independence and Global Warming, hearing entitled "Solar Heats Up: Accelerating Widespread Deployment," 1:30 p.m., 2318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 24

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2996, Department of the Interior, Environment, and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 24

House Chamber

Program for Thursday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Baca, Joe, Calif., E2352
Berkley, Shelley, Nev., E2339
Blackburn, Marsha, Tenn., E2349
Boozman, John, Ark., E2338
Bordallo, Madeleine Z., Guam, E2342
Chandler, Ben, Ky., E2343
Childers, Travis W., Miss., E2343
Coble, Howard, N.C., E2344
Costa, Jim, Calif., E2340
Courtney, Joe, Conn., E2351
Gerlach, Jim, Pa., E2345
Goodlatte, Bob, Va., E2345
Graves, Sam, Mo., E2340
Grijalva, Raúl M., Ariz., E2351
Harman, Jane, Calif., E2344
Hastings, Alcee L., Fla., E2338
Hensarling, Jeb, Tex., E2341
Hoekstra, Peter, Mich., E2338
Jackson-Lee, Sheila, Tex., E2337, E2346
Johnson, Henry C. ''Hank'', Jr., Ga., E2342
Kildee, Dale E., Mich., E2337, E2344
Kirk, Mark Steven, Ill., E2343
Klein, Ron, Fla., E2339
Kucinich, Dennis J., Ohio, E2337, E2341
McIntyre, Mike, N.C., E2341
Maloney, Carolyn B., N.Y., E2337, E2344
Mitchell, Harry E., Ariz., E2343
Murphy, Patrick J., Pa., E2347, E2349, E2350, E2351
Murtha, John P., Pa., E2339
Nunes, Devin, Calif., E2339
Sestak, Joe, Pa., E2350
Shuler, Heath, N.C., E2343
Smith, Adrian, Nebr., E2341
Smith, Lamar, Tex., E2343
Souder, Mark E., Ind., E2345
Space, Zachary T., Ohio, E2346, E2347, E2349, E2349, E2350, E2351, E2351, E2351, E2352, E2352
Speier, Jackie, Calif., E2346
Thompson, Mike, Calif., E2342
Tiahrt, Todd, Kans., E2350
Towns, Edolphus, N.Y., E2340
Upton, Fred, Mich., E2351
Van Hollen, Chris, Md., E2346
Wolf, Frank R., Va., E2343, E2347

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