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No. 136

House of Representatives

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

PRAYER

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

In praying, "Deliver us from evil, Lord," it often seems we are moved by a fear that evil is around us or beyond us, so we call out to You as the One who can distance this strange feeling—this stranger, alien, foreign enemy—even further away from us.

Yet You see what we are unable to see. You understand and continue to love what we are yet unable to accept and so fear.

Rather than take flight from the ground upon which we stand, Lord, Your Spirit alone enables us to go inward. There, without fear, we can admit that evil is so subtle, yet so real, that it hides itself under the cloak of our own self-righteousness.

You alone, Lord, can deliver us from this evil because only true forgiveness can free us from the past. Only after we find forgiveness in ourselves can we look around us and see others like ourselves who can join in the work of reconciliation, creating new ground and inspiring others to place all their trust in You, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER) come forward and lead the House in the Pledge of Allegiance.

Mrs. DAHLKEMPER 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 59. Concurrent resolution supporting the goals and ideals of senior caregiving and affordability.

The message also announced that the Senate has passed an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1035. 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.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 41. Concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama.

The message also announced that pursuant to the provisions of Public Law 99-93, as amended by Public Law 99-151, the Chair, on behalf of the Republican Leader, appoints the Senator from Idaho (Mr. RISCH) as a member of the United States Senate Caucus on International Narcotics Control.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

VIOLENCE AGAINST WOMEN ACT

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

Mr. KLEIN of Florida. Madam Speaker, last week, we marked the 15th anniversary of a critical piece of legislation, the Violence Against Women Act.

This bill was a landmark achievement, and it has led to major strides in keeping American women more secure and in ensuring that victims of violence receive the services they need. By cracking down on crimes like stalking, sexual assault and domestic abuse, with tougher sentences for perpetrators and with more support for victims, the Violence Against Women Act has made our country a safer place to live.

As a husband and the father of a wonderful daughter, I am committed to continuing the programs established by this critical legislation—for my family and for all of the families in south Florida.

Much has been accomplished in the last 15 years, but violent crimes against women are still far too common. On this anniversary, we must all rededicate ourselves to better protecting America's women from violence and to supporting survivors of these crimes.

COMMUNICATION FROM THE HONORABLE J. GRESHAM BARRETT, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. PAS-TOR of Arizona) laid before the House the following communication from the Honorable J. GRESHAM BARRETT, Member of Congress:

WASHINGTON, DC,
September 22, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives, H-232, The
Capitol, Washington, DC.

Dear Madam Speaker: Effective Thursday, September 24, 2009, I will be resigning from

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H9901

my position on the Committee on Standards of Official Conduct. Please contact me if you have any additional questions or concerns.
Sincerely,

J. GRESHAM BARRETT,
Member of Congress.

ELECTING A MINORITY MEMBER TO A STANDING COMMITTEE

Mr. PENCE. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 770

Resolved, That the following member be, and is hereby, elected to the following standing committee:

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT—Mr. McCaul.

Mr. PENCE (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

\$400,000 IN TAXPAYER MONEY PROPOSED FOR QADDAFI'S CHILDREN

(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, yesterday, Libyan dictator Qaddafi spoke to the U.N. for almost 2 hours.

Here on the Hill on the same day, we received a State Department notification proposing \$400,000 in U.S. taxpayer money for the foundations of Qaddafi's son and daughter.

You heard that right.

After the murders of 189 Americans aboard Pan Am flight 103 and after watching the bomber being welcomed home from Scotland, the administration is proposing donating \$200,000 to Saif Qaddafi's Qaddafi Development Foundation. Recall that Qaddafi's son, Saif, organized the "welcome home" ceremony for the Pan Am bomber.

The administration also is proposing donating \$200,000 in taxpayer funds to the Waettasmeno/UNDP foundation, which is run by Qaddafi's daughter, Ayesha. She is also conveniently the head of Libya's UNDP.

This is part of a \$2.5 million grant proposed for Libya by the Obama administration—U.S. funding for an oil-rich OPEC nation which is responsible for U.S. national security problems across Africa.

RECOMMIT TO HAVING A ROBUST AMERICAN MANUFACTURING SECTOR

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

Mr. MICHAUD. Mr. Speaker, a major obstacle to our economic recovery is the continued decline of our manufacturing base. We need a genuine recovery that can generate growth without government bailouts or stimulus programs. The current crisis of overspending and the overconsumption of foreign goods was born out of the neglect of our manufacturing sector.

As recently evidenced by the Chinese tire decision, I am pleased that the administration seems to be serious about enforcing trade laws. This is a positive step. Yet, as the President welcomes the world leaders at the G-20 Summit, I ask him and Members of this body to recommit ourselves to a robust manufacturing sector.

We can do this by supporting programs that will help domestic manufacturing get back on its feet. We also need a new approach on trade to stop the predatory foreign practice dead in their tracks. We must make sure that our factories and jobs stay here at home. Doing so will help us create real wealth, good jobs, tax revenues, and an opportunity for hardworking American families.

□ 1015

TWO CLOWNS

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

Mr. POE of Texas. Mr. Speaker, the circus parade hit the United Nations yesterday. Libya's Omar Qaddafi treated everyone to a 100-minute rambling rant. It seems he thinks President Kennedy's assassin, Lee Harvey Oswald, was a spy and working for Israel. He says capitalism is the cause of all the world's problems and the U.N. was founded by terrorist nations like the United States.

The little fella from the desert of Iran, Ahmadinejad, gave a speech that cleared the room. The United States and other diplomats walked out. The tiny tyrant accused Israel of genocide and denies the Holocaust. The dictator praised his own glorious election this summer. You know, that's the one when his government murdered Iranian protestors.

These twin tyrants rant about death, destruction and doom to America and Israel. They preach hate and murder in the name of religion. These two twin threats to world peace cannot be brushed aside as laughable clowns.

The United States must take their hate speech and intimidation seriously. Our Nation must be prepared to defend America from their arrogant, aggressive threats.

And that's just the way it is.

MAKE MAJOR IMPROVEMENTS TO PROVIDE HEALTH CARE

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

Mrs. DAHLKEMPER. Mr. Speaker, in this health care debate, we have called on health insurance companies, health care providers and the Federal Government to make major improvements to how they provide health care. Yet we have not asked the benefactors of these changes to make a contribution to reform. We have not asked anything of the American people.

Successful health care reform must include a robust public policy to encourage personal responsibility and healthy living. Insurance discounts are a straightforward means to encourage healthy living.

Most automobile insurers offer safe driver discounts for responsibility behind the wheel. A healthy living discount can reward healthy behavior and encourage personal responsibility.

I urge my colleagues to adopt H.R. 3472, a bill to create health insurance premium discounts of up to 20 percent for healthy behavior and improvements toward healthy behavior.

It's good public policy to help Americans live well. My bill creates a tangible incentive to live well and live healthy.

MISSILE DEFENSE

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

Mr. PITTS. Mr. Speaker, the recent shift in missile defense strategy weakens both our allies in Eastern Europe and our position with Russia and Iran.

The announcement that we would abandon the ballistic missile defense infrastructure in Poland and the Czech Republic could not have come on a worse date, the 70th anniversary of the Soviet invasion of Poland.

A Polish spokesman called the decision "catastrophic for Poland." Only Russia has expressed satisfaction with the announcement.

This shift in strategy comes as Russia has been increasingly willing to project its power in the region either through military force or by withholding natural gas. This decision undermines every pro-Western politician in Poland and the Czech Republic, our allies. Their careers are ruined.

People are saying you can't trust U.S. commitments. We pleased the Russians with nothing to show in return. Now is not the time to appease. Our actions are seen as weakness and dangerous. It undermines our national security.

OUR FUTURE WORKFORCE NEEDS HEALTH INSURANCE

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to urge my colleagues to pass comprehensive health reform, not this decade, not next year but this year.

Our constituents need help now. My constituents have told me that health care costs are beyond their reach. Some can't afford insurance at all and others have been denied coverage or dropped the minute they got sick. These problems plague our entire population, but disproportionately affect Hispanics.

Hispanics have an unbelievable uninsured rate of 31 percent. Our health system must provide essential services to all Americans, including those of Hispanic descent.

Hispanic Americans are the fastest-growing demographic group in this country. They are our future workforce.

Without health care coverage for all Americans, our country's economic future is at risk. Health care reform means having the peace of mind that if something unexpected should happen, an accident or an unexpected illness, people won't fall into economic ruin. Health care coverage for all Americans means a healthier, more productive America.

The time for health care reform is now.

UNITED NATIONS

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

Mr. PENCE. Mr. Speaker, following the defeat of tyranny throughout Europe in 1945, and in the ashes of the Holocaust, the United Nations was born. It was formed to create a forum to confront dictators before they rose to global power.

President John F. Kennedy in his inaugural address warned some four decades ago that the United Nations must not become a forum for invective against the West. But as we saw yesterday, with the leader of Libya decrying Israel in terms of "the Israeli demon," as we saw the leader of the discredited regime in Tehran denounce the "barbaric" attacks of the Zionist regime and continue to deny the Holocaust in public forums, we have seen the United Nations become not only a forum for invective against the West but especially a forum for invective against our most cherished ally, Israel.

Today the American people provide 20 percent of the financial support for the United Nations. Today the American people are asking why.

HEALTH CARE REFORM AND PRIMARY CARE

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

Ms. SCHWARTZ. Mr. Speaker, I rise to address the importance of primary care in comprehensive health care reform. As we find a uniquely American solution for all Americans to have access to affordable, meaningful health

coverage, we must remember that insurance coverage alone means little if patients do not have access to health care providers or health care services.

Primary care providers are on the front line of the health care system, treating acute and chronic conditions and keeping costly conditions from worsening. Despite this essential role, it is primary care where we face the most acute shortages. Since 1998 the percentage of internal medicine residents choosing primary care has dropped from 50 percent to 20 percent. By 2025, America will have a shortage of 46,000 primary care providers.

I have championed efforts to bolster our primary care workforce, including new loan-repayment programs and increasing payments for primary care providers, as well as elimination of co-payments for preventive services for seniors and strengthening their ongoing relationship with their doctor.

I am proud that the health care reform bill includes this essential reform. I look forward to action on health care reform that addresses primary care.

PLIGHT OF FARMERS AND FARM WORKERS IN CENTRAL CALI- FORNIA

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

Mr. DUNCAN. Mr. Speaker, over the last few days, thanks to Sean Hannity, millions of people have seen or heard about the plight of farmers and farm workers in central California. In some areas, over 40 percent are unemployed and many thousands are having to stand in food lines so their families can have something to eat.

Farms have dried up because the Federal Government has cut off their water to save a 2-inch minnow elsewhere. This will drive up food costs elsewhere.

What many do not know is that the House voted on this issue twice, on June 18 and again on July 23. On the first vote, 171 Republicans voted for the farmers, 215 Democrats voted for the minnow. On the second vote, 176 Republicans, all but one, voted for the farmers. All but three Democrats voted for the fish.

Unfortunately, neither vote was close. Wealthy environmentalists won. The farmers and farm workers lost.

EXTEND UNEMPLOYMENT TO ALL REGIONS

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

Mr. PERRIELLO. Mr. Speaker, the House acted in a bipartisan way this week to address the issue of extending unemployment benefits. It was an important act in this very difficult economic time to reach out to those who through no fault of their own have lost

the lifeline to be able to support their own families.

However, with the way that this was done, it was looking at unemployment levels State by State. That meant that even areas of tremendous economic distress in certain States did not benefit from this program.

There are parts in my district in southern Virginia with over 20 percent unemployment, but this act as written will not apply to them. Rural counties with 12 to 18 percent unemployment are not covered.

While this was an important act of bipartisanship to help those who are struggling in this economy, we must do better. We must find a way to make sure that unemployment benefit extensions and other relief efforts are targeted at the areas of greatest economic distress, even if those exist in States that are doing relatively well.

I hope that the areas around the country that are like southern Virginia, small manufacturing towns and farming communities, are not left out of these future efforts. I will continue to fight to make sure all those that are struggling get relief.

OFFSHORE ENERGY

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

Mr. BROWN of South Carolina. Mr. Speaker, last year Congress and President Bush announced an end to the decade-long ban on offshore drilling. But the Obama administration stopped progress on meeting our Nation's energy needs by instituting an extended 6-month public comment period.

That period ended Monday, but according to the Secretary of the Interior, Ken Salazar, expanded offshore drilling may not happen until 2012, turning a 6-month delay into a 3-year ban. With the unemployment rate well over 9 percent nationwide and close to 12 percent in South Carolina, it is irresponsible for the administration to ignore the economic benefits that will come with America's energy production.

According to recent reports, drilling in the Outer Continental Shelf could generate \$8 trillion in gross domestic products over the next 30 years, 1.2 million American jobs and \$70 billion in wages annually. In South Carolina alone, offshore exploration could generate up to \$250 million in revenue annually, and would create over 2,000 jobs in the Palmetto State.

Mr. Speaker, we need to be sure that we are able to continue to develop our resources.

NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK

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

Mr. SMITH of Washington. Mr. Speaker, I rise today to recognize the

fourth annual National Health Information Technology Week. Health information technology is a critical piece of health care reform.

The cost of our health care system is the main burden. As we look for ways to expand coverage to the millions of Americans who don't have it, getting costs under control is absolutely critical.

Health care information technology is one way to do that. If we can improve the quality of our IT systems and our health care system, we can improve the quality of health care for millions of Americans by getting better information to both doctors and patients more quickly.

Right now the system is woefully behind most other businesses in developing and improving IT. This House took an important step in the stimulus package passed last January by putting \$19 billion towards improving health care information technology.

It's critical that that money is well spent. It is critical that we improve our health IT systems if we are going to improve the quality of our health care system for all Americans.

NEW YORK TIMES GIVES MILES OF COVERAGE TO OBAMA

(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, President Obama and his agenda are in the news so much that media research groups are finding new ways to measure the coverage.

According to the Center For Media and Public Affairs, The New York Times has featured 405 stories about the Obama administration on its front page in the last 8 months. These stories total 120,000 column entries. That equals almost 2 miles of coverage devoted to President Obama and his agenda.

Not surprisingly, the New York Times featured more positive coverage of the President than any other news outlet, according to the Center For Media and Public Affairs. The national media should devote more time and a few more inches to covering the other side of the story.

AUTOMOBILE DEALERS WHO WERE FORCED TO CLOSE THEIR DOORS

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

Mr. BUTTERFIELD. Mr. Speaker, I rise today to voice concern over the thousands of automobile dealers who have been forced to close their doors as the industry is now reshaping. While the national conversation has shifted from the auto industry to health care, we must remember that car dealerships continue to be shuttered and thousands of hardworking Americans continue to lose their jobs.

In my State of North Carolina, 49 Chrysler and General Motors dealerships have closed, along with all of the Pontiac dealers. Thirty Cadillac dealers are slated to close and, unfortunately, the closures are continuing.

One of the dealerships is J.C. Harris Pontiac and Cadillac. This dealership is in my hometown of Wilson, North Carolina. They have been serving the community for more than 40 years. Despite the fact that they lead Cadillac dealerships statewide in sales, service and customer satisfaction, J.C. Harris is being forced to close its doors. Customers from the region will be forced to drive 120 miles round trip for sales and service.

With American taxpayers becoming investors in GM, they should expect better.

□ 1030

OFFSHORE DRILLING

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

Mr. HASTINGS of Washington. Mr. Speaker, last week, Interior Secretary Salazar stated that the Obama administration would "move expeditiously" on finalizing a new offshore drilling plan. While I hope this to be true, unfortunately, this administration has proposed one delay after another to block new energy production and new jobs.

In February, the administration stalled new offshore drilling with an extended 6-month comment period. Now we've learned they may wait until 2012 before implementing a new offshore drilling plan. This means the offshore drilling ban that was lifted last year by the President and by the Congress would effectively remain in place for 3 more years. With 10 percent unemployment, Mr. Speaker, Americans can't wait 3 more years to begin producing more energy and millions more jobs.

It's time to lift the de facto ban on new offshore drilling. It's time to act on the Republicans' all-of-the-above energy plan that will create green jobs, drilling jobs, wind and solar jobs, and nuclear jobs.

Let's get America to work producing more energy.

THE PROGRESS OF THE ECONOMY

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

Mr. SIREs. Mr. Speaker, today I rise to highlight the progress that our economy has made. When President Obama took office, he faced the greatest economic crisis in a generation: home foreclosures were at a record level, banks were in crisis, and we had just lost 700,000 jobs in January 2009 alone.

Congress took action, and it is starting to work. In just 200 days since the

American Recovery and Reinvestment Act was signed into law, 30,000 projects have been approved, including community health center upgrades and transportation improvements; the rate of job loss has declined; the jobs of thousands of police officers, nurses, and teachers have been saved; and 95 percent of working Americans received a tax cut in their paychecks.

Moreover, employers are hiring again, consumer confidence is rising, consumer spending is increasing, and the housing market is turning around.

While we're beginning to see the end of the recession, there's still more work to be done. We must continue to build on the progress we have made in the Recovery Act to further jump-start our economy and build a new foundation for a lasting recovery.

NAS ATLANTA

(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 honor Naval Air Station Atlanta. Since April of 1959, NAS Atlanta, located close to my home in Marietta, Georgia, has played a critical role in providing for our Nation's defense.

Over the past 50 years, NAS Atlanta has seen its mission change from training, to fleet logistics, to housing Navy Attack Squadrons and Carrier Early Airborne Warning Squadrons. In the 1990s, the Marines joined NAS Atlanta with MAG-42 and Marine Fighter Attack Squadron 142.

Units from NAS Atlanta have been instrumental to our causes in the war on drugs and global war on terror, as well as to the relief efforts following Hurricane Katrina. NAS Atlanta and those who have served there have proven an invaluable asset to the United States.

This Saturday, NAS Atlanta's distinguished history will come to a close as the base will officially become the home of the Georgia National Guard, as mandated by the BRAC round.

To all the personnel who are and have been stationed at NAS Atlanta: thank you for a job well done and for your service to our community. You will be missed.

THE STUDENT LOAN BILL AND THE ECONOMY

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

Mr. ARCURI. Mr. Speaker, I want to make sure that I take time to promote a bill that I think has been lost in the constant and necessary debate regarding health care reform over the past several months.

While reforming our Nation's health care system is absolutely critical, last week in Congress we passed a bipartisan piece of legislation that will

greatly benefit prospective college students of all ages from across the country.

The Student Aid and Fiscal Responsibility Act will transform the way student loan programs operate by boosting Federal loan rates across the board, including a \$40 billion increase in Pell Grant scholarship programs. It will keep interest rates low and make loan application forms simpler to understand and complete, doing away with the cumbersome paperwork that now makes applying for aid a daunting task.

I have 14 colleges and universities in my district. In many cases, these institutions are the main economic engine for the towns and cities in which they are located. This piece of legislation will benefit all of them as more students can go to college and come to these great towns that provide an economic boost for the surrounding regions.

This legislation will also have a positive impact on our economy's sustainability, as it will save taxpayers \$87 billion over 10 years by switching to the cheaper Direct Loan Program.

I think this piece of legislation is a win-win.

OCCUPIED TERRITORY

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

Mr. GOHMERT. President Obama has indicated before that, basically, Israel needs to not be occupying land that was acquired during war. Yesterday, to the U.N. he said that a big part of the goal is this: a viable, independent Palestinian state with contiguous territory that ends the occupation that began in 1967 and realizes the potential of the Palestinian people. Well, he has also indicated this Nation, the United States, will not be hypocritical any longer around the world.

Terrible news this is for California—all of California, Arizona, Utah, Nevada, most of New Mexico, Colorado, and Wyoming, because it means you're about to be given back to Mexico, territory that we acquired in 1848 as a result of a war.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 766 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 766

Resolved, That it shall be in order at any time through the legislative day of September 24, 2009, for the Speaker to entertain motions that the house suspend the rules relating to the bill (H.R. 3631) 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.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during the consideration of the rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, this rule provides for consideration of H.R. 3631, the Medicare Premium Fairness Act, under suspension of the rules. It allows this body to consider time-sensitive legislation under an expedited process to shield millions of Medicare beneficiaries from harmful premium increases for the coming year.

Due to the struggles facing our economy today, many seniors will not receive Social Security COLAs this year, even though the Medicare part B premiums will still rise. The Medicare Premium Fairness Act addresses this problem by protecting Medicare beneficiaries from bearing the burden of increased premiums because of an economic downturn largely outside of their control. And it does so without adding to the deficit.

Without today's bill, seniors who are new to the Medicare program will see their monthly premiums jump dramatically. Other part B recipients will shoulder an unfairly large share of cost increases because of the way current law requires part B to be funded. Cash-strapped States will be forced to bear the burden of higher Medicare costs for dual-eligible beneficiaries.

For these reasons, I believe my colleagues will agree with me that inaction is not an option here today. As our country begins to climb back out of one of the largest recessions in recent memory, now is the worst possible moment to saddle our seniors with increased premiums.

Many respected outside groups agree with this statement and have endorsed the Medicare Premium Fairness Act. AARP, the National Committee to Preserve Social Security and Medicare, the Center for Medicare Advocacy, and the Alliance for Retired Americans have all endorsed H.R. 3631.

These groups understand that we're living through a time when rising costs have threatened the health care people in this country have and deserve. This is true for Medicare beneficiaries and non-beneficiaries alike.

For this reason, making health care more affordable for all Americans is our top priority. And protecting and strengthening Medicare is an essential

part of this vision. I urge my colleagues to support today's rule and the underlying bill so that beneficiaries can continue to see their doctors; so that they can continue to afford their prescriptions, especially medications; so that they can continue to have money to spend and cycle back through our recovering economy.

By acting quickly and decisively on today's bill, we underscore our commitment to preserve Medicare for millions of people who have earned the security it represents and who count on the stability and the dignity it provides. In doing so, we will keep our collective promise to stand with America's seniors as they age and to ensure they have the health care they need to live long and fruitful lives.

We must never forget that Medicare is an essential part of our country's social contract. It guarantees that America's seniors will not be forced to fend for themselves when the economy momentarily turns sour or when they get sick or as they age. This is the living legacy of the Medicare program, and it is a legacy we build upon today.

But we do not have much time to act, Mr. Speaker. We must pass this legislation before October 1. This is so that the Social Security Administration can program updated premiums into a system in time to ensure that Medicare premium increases do not hit seniors in their pocketbooks and in their doctors' offices. Speed and bipartisan cooperation are of essence if we are to avoid this problem.

The suspension authority this rule provides will allow the House to move quickly and decisively to move this fix over to the Senate. The sooner we have this bill on the President's desk, the better off millions of Medicare beneficiaries will be. I urge my colleagues to recognize that passing this bill quickly is in the best interest of our constituents, of the Medicare program, and of our country.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I'd like to thank my friend, the gentlewoman from California (Ms. MATSUI) for the time, and I yield myself such time as I may consume.

House Resolution 766 provides that it will be in order at any time on the legislative day of today to consider H.R. 3631, the Medicare Premium Fairness Act. That underlying legislation would freeze the Medicare part B premium for 2010 at the 2009 rate for beneficiaries who, under current law, will see a premium increase, along with an expected freeze in the Social Security cost-of-living adjustment, COLA, for 2010 and 2011. Both of those combined would leave seniors with less income next year if Congress does not act. So I support underlying legislation.

Although I support the underlying legislation that is being brought to the floor under this rule, I have reservations with the process the majority is proposing today. And I'm not the only one who has reservations with that process.

In the past, a senior member of the current majority on the Rules Committee referred to this process as “outside the normal parameters of the way the House should conduct its business. It effectively curtails our rights and responsibilities as serious legislators.”

The reason members of the majority previously opposed rules such as this is because they block Members from offering amendments and the minority from offering a motion to recommit. That, as you know, Mr. Speaker, is a very important procedural vehicle. Yet today, the majority considers this process to be completely legitimate.

So it's interesting how they thought it was wrong when they were in the minority, but once in the majority, it's a fine process.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentlelady and also my colleague from Florida. I rise to support this rule and the underlying bill. The seniors in my district in south Florida are grateful to my friend, Congresswoman TITUS; the chairman of the Ways and Means Committee, Mr. RANGEL; and the Health Subcommittee chairman, Mr. STARK, for acting swiftly to address one of the biggest issues facing our seniors as we speak.

□ 1045

Mr. Speaker, for the first time in 35 years, our seniors face a year without the traditional cost-of-living adjustment, or COLA, as we call it, in their Social Security payments because inflation has not increased. Of course, if you try telling our seniors that inflation isn't a concern, the first thing they are going to do is show you their medical bills and prove you wrong, because a fact that our seniors know is fundamentally they have different expenses than a typical family of four because of their medical expenses.

Currently, the cost for seniors who utilize Medicare part B, services like doctor visits or home oxygen equipment, is around \$96 a month. If we do nothing, if we fail to act today, then premiums could skyrocket to almost \$120 a month for the same services.

During these tough economic times, we cannot ask seniors who face staggering losses in the value of their homes and retirement plans and increased medical costs to make additional sacrifices. That is why the Medicare Premium Fairness Act is so important. This bill will ensure that next year's premiums for all Medicare part B beneficiaries will not increase by a dime.

Earlier this week, this body acted to extend unemployment benefits. Florida will be one of the beneficiaries of that. Giving Americans a hand up during these tough economic times was the right thing to do then, and giving a hand up to our Greatest Generation is without question the right thing to do now.

I urge my colleagues to pass this rule and pass the Medicare Premium Fairness Act.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The rule before us today allows the House to consider a very important and time-sensitive piece of legislation under suspension of the rules. It will help this body expedite a bill that most of us recognize needs to be passed as quickly as possible. Because there will be no Social Security COLA this year, millions of seniors will see their part B premiums rise with no offsetting bump in Social Security benefits.

Now is not the time to turn our back on people who depend on Medicare for essential health care services. This is particularly true as we continue our drive to make health insurance, including Medicare, more stable, secure, and affordable for everyone in this country. I urge my colleagues to consider the needs of the Medicare-dependent constituents. Vote for the previous question and for the rule, and approve the underlying legislation.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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. MATSUI. 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 adoption of House Resolution 766 will be followed by a 5-minute vote on motion to suspend the rules on H. Con. Res. 163.

The vote was taken by electronic device, and there were—yeas 235, nays 132, not voting 15, as follows:

[Roll No. 735]

YEAS—235

Abercrombie	Brown, Corrine	Davis (IL)
Ackerman	Butterfield	Davis (TN)
Adler (NJ)	Capps	DeFazio
Altmire	Capuano	DeGette
Andrews	Cardoza	DeLauro
Arcuri	Carnahan	Dicks
Baca	Carney	Dingell
Baldwin	Carson (IN)	Doggett
Barrow	Castor (FL)	Donnelly (IN)
Bean	Chu	Driehaus
Becerra	Cleaver	Edwards (MD)
Berkley	Clyburn	Edwards (TX)
Berman	Cohen	Ellison
Berry	Connolly (VA)	Ellsworth
Bishop (GA)	Cooper	Engel
Bishop (NY)	Costa	Eshoo
Blumenauer	Costello	Etheridge
Bocchieri	Courtney	Farr
Boren	Crowley	Fattah
Boswell	Cuellar	Filmer
Boucher	Cummings	Foster
Boyd	Chambers	Frank (MA)
Brady (PA)	Davis (AL)	Fudge
Braleigh (IA)	Davis (CA)	Giffords

Gonzalez	Maloney	Roybal-Allard
Gordon (TN)	Markey (CO)	Ruppersberger
Grayson	Markey (MA)	Rush
Green, Al	Marshall	Ryan (OH)
Green, Gene	Massa	Salazar
Griffith	Matheson	Sánchez, Linda T.
Grijalva	Matsui	Sanchez, Loretta
Gutierrez	McCarthy (NY)	Sarbanes
Hall (NY)	McCollum	Schakowsky
Halvorson	McDermott	Schauer
Hare	McGovern	Schiff
Harman	McIntyre	Schrader
Hastings (FL)	McMahon	Schwartz
Heinrich	McNerney	Scott (GA)
Herseht Sandlin	Meek (FL)	Scott (VA)
Higgins	Meeks (NY)	Serrano
Himes	Melancon	Sestak
Hinchey	Michaud	Shea-Porter
Hinojosa	Miller (NC)	Sherman
Hirono	Miller, George	Sires
Hodes	Minnick	Skelton
Holden	Mitchell	Slaughter
Holt	Mollohan	Snyder
Honda	Moore (WI)	Space
Hoyer	Moran (VA)	Spratt
Inslee	Murphy (CT)	Stark
Jackson (IL)	Murphy, Patrick	Stupak
Jackson-Lee	Murtha	Sutton
(TX)	Nadler (NY)	Tanner
Johnson, E. B.	Napolitano	Teague
Kagen	Neal (MA)	Thompson (CA)
Kanjorski	Nye	Thompson (MS)
Kaptur	Oberstar	Tierney
Kennedy	Obey	Titus
Kildee	Oliver	Tonko
Kilpatrick (MI)	Ortiz	Tsongas
Kilroy	Pallone	Van Hollen
Kind	Pascrell	Velázquez
Kirkpatrick (AZ)	Pastor (AZ)	Visclosky
Kissell	Payne	Walz
Klein (FL)	Perlmutter	Wasserman
Kosmas	Perriello	Schultz
Kratovil	Peters	Waters
Kucinich	Peterson	Watson
Langevin	Pingree (ME)	Watt
Larsen (WA)	Polis (CO)	Waxman
Larson (CT)	Pomeroy	Weiner
Lee (CA)	Price (NC)	Welch
Levin	Quigley	Wexler
Lipinski	Rahall	Wilson (OH)
Loeback	Rangel	Woolsey
Lofgren, Zoe	Reyes	Wu
Lowey	Richardson	Yarmuth
Luján	Rodriguez	
Lynch	Ross	
Maffei	Rothman (NJ)	

NAYS—182

Aderholt	Childers	Issa
Akin	Coble	Jenkins
Alexander	Coffman (CO)	Johnson (IL)
Austria	Cole	Johnson, Sam
Bachmann	Conaway	Jones
Bachus	Crenshaw	Jordan (OH)
Baird	Culberson	King (IA)
Bartlett	Davis (KY)	King (NY)
Barton (TX)	Deal (GA)	Kingston
Biggert	Dent	Kirk
Bilbray	Diaz-Balart, L.	Kline (MN)
Billirakis	Diaz-Balart, M.	Lamborn
Bishop (UT)	Dreier	Lance
Blackburn	Duncan	Latham
Blunt	Ehlers	LaTourrette
Boehner	Emerson	Latta
Bonner	Flake	Lee (NY)
Bono Mack	Fleming	Lewis (CA)
Boozman	Forbes	Linder
Boustany	Fortenberry	LoBiondo
Brady (TX)	Fox	Lucas
Bright	Franks (AZ)	Luetkemeyer
Broun (GA)	Frelinghuysen	Lummis
Brown (SC)	Gallely	Lungren, Daniel E.
Brown-Waite,	Garrett (NJ)	Mack
Ginny	Gerlach	Gingrey (GA)
Buchanan	Gingrey (GA)	Gohmert
Burgess	Gohmert	McCarthy (CA)
Burton (IN)	Goodlatte	McCaul
Buyer	Granger	McClintock
Calvert	Guthrie	McCotter
Camp	Hall (TX)	McHenry
Campbell	Harper	Hastings (WA)
Cantor	Hastings (WA)	Heller
Cao	Heller	McMorris
Capito	Hensarling	Rodgers
Carter	Herger	Mica
Cassidy	Hill	Miller (FL)
Castle	Hoekstra	Miller (MI)
Chaffetz	Hunter	Miller, Gary
Chandler	Inglis	Moore (KS)

Moran (KS) Rogers (KY) Souder
 Murphy (NY) Rogers (MI) Stearns
 Murphy, Tim Rohrabacher Sullivan
 Myrick Ros-Lehtinen Taylor
 Neugebauer Roskam Terry
 Nunes Royce Thompson (PA)
 Olson Ryan (WI) Thornberry
 Paul Scalise Tiahrt
 Paulsen Schmidt Tiberi
 Pence Schock Turner
 Petri Sensenbrenner Upton
 Pitts Sessions Walden
 Poe (TX) Shadegg Wamp
 Posey Shimkus Westmoreland
 Price (GA) Shuler Whitfield
 Putnam Shuster Wilson (SC)
 Radanovich Simpson
 Rehberg Smith (NE) Wittman
 Reichert Smith (NJ) Wolf
 Roe (TN) Smith (TX) Young (AK)
 Rogers (AL) Smith (WA) Young (FL)

NOT VOTING—15

Barrett (SC) Doyle Lewis (GA)
 Clarke Fallin Platts
 Clay Graves Rooney
 Conyers Israel Speier
 Delahunt Johnson (GA) Towns

□ 1115

Messrs. PETRI, PENCE, CULBERSON and MOORE of Kansas 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.

NATIONAL JOB CORPS DAY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 163.

The Clerk read the title of the concurrent resolution.

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 agree to the concurrent resolution, H. Con. Res. 163.

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 413, noes 4, not voting 15, as follows:

[Roll No. 736]

AYES—413

Abercrombie Barton (TX) Boozman
 Ackerman Bean Boren
 Aderholt Becerra Boswell
 Adler (NJ) Berkeley Boucher
 Akin Berman Boustany
 Alexander Berry Boyd
 Altmire Biggart Brady (PA)
 Andrews Bilbray Brady (TX)
 Arcuri Bilirakis Braley (IA)
 Austria Bishop (GA) Bright
 Baca Bishop (NY) Brown (SC)
 Bachmann Blumenauer Brown, Corrine
 Bachus Blunt Brown-Waite,
 Baird Boccieri Ginny
 Baldwin Boehner Buchanan
 Barrow Bonner Burgess
 Bartlett Bono Mack Burton (IN)

Butterfield Halvorson McHenry
 Buyer Hare McIntyre
 Calvert Harman McKeon
 Camp Harper McMahon
 Campbell Hastings (FL) McMorris
 Cantor Hastings (WA) Rodgers
 Cao Heinrich McNeerney
 Capito Heller Meek (FL)
 Capps Hensarling Meeke (NY)
 Capuano Herger Melancon
 Cardoza Hersefth Sandlin Mica
 Carnahan Higgins Michaud
 Carney Hill Miller (FL)
 Carson (IN) Himes Miller (MI)
 Carter Hinchey Miller (NC)
 Cassidy Hinojosa Miller, Gary
 Hiron Castle Miller, George
 Castor (FL) Hodes Minnick
 Chaffetz Hoekstra Mitchell
 Chandler Holden Mollohan
 Childers Holt Moore (KS)
 Chu Honda Moore (WI)
 Clarke Hoyer Moran (KS)
 Clay Hunter Moran (VA)
 Cleaver Inglis Murphy (CT)
 Clyburn Insee Murphy (NY)
 Coble Issa Murphy, Patrick
 Coffman (CO) Jackson (IL) Murphy, Tim
 Cohen Jackson-Lee Murtha
 Cole (TX) Jenkins Myrick
 Conaway Johnson (GA) Nadler (NY)
 Connolly (VA) Johnson (IL) Napolitano
 Cooper Johnson, E. B. Neal (MA)
 Costa Johnson, Sam Neugebauer
 Costello Jones Nunes
 Courtney Nye
 Crenshaw Jordan (OH) Oberstar
 Crowley Kagen Obey
 Cuellar Kanjorski Olson
 Culberson Kaptur Olver
 Cummings Kennedy Ortiz
 Dahlkemper Kildee Pallone
 Davis (AL) Kilpatrick (MI) Pascrell
 Davis (CA) Kilroy Pastor (AZ)
 Davis (IL) Kind Paul
 Davis (KY) King (IA) Paulsen
 Davis (TN) King (NY) Payne
 DeFazio Kingston Pence
 DeGette Kirk Perlmutter
 DeLauro Kirkpatrick (AZ) Perriello
 Dent Kissell Peters
 Diaz-Balart, L. Klein (FL) Peterson
 Diaz-Balart, M. Kline (MN) Petri
 Dicks Kosmas Pingree (ME)
 Dingell Kratovil Pitts
 Doggett Kucinich Platts
 Donnelly (IN) Lamborn Poe (TX)
 Dreier Lance Polis (CO)
 Driehaus Langevin Pomeroy
 Duncan Larsen (WA) Posey
 Edwards (MD) Latham Price (GA)
 Edwards (TX) LaTourette Price (NC)
 Ehlers Latta Putnam
 Ellison Lee (CA) Quigley
 Ellsworth Lee (NY) Radanovich
 Emerson Levin Rahall
 Engel Lewis (CA) Rangel
 Eshoo Linder Rehberg
 Etheridge Lipinski Reichert
 Farr LoBiondo Reyes
 Fattah Loeb sack Richardson
 Filner Lofgren, Zoe Rodriguez
 Fleming Lowey Roe (TN)
 Forbes Lucas Rogers (AL)
 Fortenberry Lucas Luetkemeyer Rogers (KY)
 Foster Lujan Rogers (MI)
 Foss Lummis Rohrabacher
 Frank (MA) Lungren, Daniel Ros-Lehtinen
 Franks (AZ) E. Roskam
 Frelinghuysen Lynch Ross
 Fudge Mack Rothman (NJ)
 Gallegly Maffei Roybal-Allard
 Garrett (NJ) Maloney Royce
 Gerlach Maloney Ruppertsberger
 Giffords Manzullo Rush
 Gingrey (GA) Marchant Ryan (OH)
 Gonzalez Markey (CO) Ryan (WI)
 Goodlatte Markey (MA) Salazar
 Gordon (TN) Marshall Sanchez, Linda
 Granger Massa T.
 Grayson Matsui Sanchez, Loretta
 Green, Al McCarthy (CA) Sarbanes
 Green, Gene McCarthy (NY) Scalise
 Griffith McCaul Schakowsky
 Griulva McClintock Schauer
 Guthrie McCollum Schiff
 Gutierrez McCotter Schmidt
 Hall (NY) McDermott Schock
 Hall (TX) McGovern Schwartz

Scott (GA) Stark Walden
 Scott (VA) Stearns Walz
 Sensenbrenner Stupak Wamp
 Serrano Sullivan Wasserman
 Sessions Sutton Schultz
 Sestak Tanner Waters
 Shadegg Taylor Watson
 Shea-Porter Teague Watt
 Sherman Terry Waxman
 Shimkus Thompson (CA) Weiner
 Shuler Thompson (MS) Welch
 Shuster Thompson (PA) Westmoreland
 Simpson Thornberry
 Sires Tiahrt Wexler
 Skelton Tiberi Whitfield
 Slaughter Tierney Wilson (OH)
 Smith (NE) Titus Wilson (SC)
 Smith (NJ) Tonko Wittman
 Smith (TX) Wolf
 Smith (WA) Turner Woolsey
 Snyder Upton Wu
 Souder Van Hollen Yarmuth
 Space Velazquez Young (AK)
 Spratt Visclosky Young (FL)

NOES—4

Blackburn Deal (GA)
 Broun (GA) Flake

NOT VOTING—15

Barrett (SC) Fallin Lewis (GA)
 Bishop (UT) Gohmert Rooney
 Conyers Graves Schrader
 Delahunt Israel Speier
 Doyle Larson (CT) Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1123

Mr. ROYCE changed his vote from “no” to “aye.”

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, 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. LARSON of Connecticut. Mr. Speaker, on rollcall No. 736, had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on September 24, 2009, I was called away on personal business. I regret that I was not present for the following votes:

On the passage of H. Res. 766, had I been present, I would have voted “yea.”

On the passage of H. Con. Res. 163, had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. ROONEY. Mr. Speaker, I was unavoidably detained due to sickness.

Had I been present, I would have voted “yea” on rollcall No. 736, and “nay” on rollcall No. 735.

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 the motion 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.

Any record vote on the postponed question will be taken later.

MEDICARE PREMIUM FAIRNESS ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3631) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3631

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 “Medicare Premium Fairness Act”.

SEC. 2. MEDICARE PART B PREMIUM FOR 2010.

(a) PREMIUM COMPUTATION.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(5) The monthly premium under this subsection for 2010 shall be the monthly premium under this subsection for 2009.”; and

(2) in subsection (i)(3)(A), by adding after and below clause (ii) the following:

“In applying clause (ii) for 2010, the monthly actuarial rate described in such clause shall be such monthly actuarial rate for 2009.”.

(b) OFFSET FROM MEDICARE IMPROVEMENT FUND.—Section 1898(b) of such Act (42 U.S.C. 1395iii(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting the following: “, reduced by the sum of—

“(i) the amount transferred under paragraph (5); and

“(ii) \$567,000,000.”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

“(B) fiscal year 2015, the amount specified in subparagraph (A)(ii); and”;

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

“(5) TRANSFER AND OFFSET.—There are hereby transferred from amounts in the general fund of the Treasury to the Federal Supplementary Medical Insurance Trust Fund an amount equivalent, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, to the aggregate reduction in premiums payable under part B that result from the application of paragraph (5) of section 1839(a) and the last sentence of section 1839(i)(3)(A).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. 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 in the RECORD.

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

There was no objection.

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

I urge my colleagues on both sides of the aisle to support H.R. 3631, the Medicare Premium Fairness Act of 2009, of which I am an original cosponsor.

Unless Congress acts quickly, millions of America’s seniors will find themselves with a smaller Social Security check at a time when they are already stretching every dollar they have. If we don’t act today, 27 percent of Medicare beneficiaries will see their part B premium increase from \$96 to \$110 or \$120. That’s potentially a 25 percent increase in their Medicare part B premiums when they’re getting no increase in their Social Security COLA.

It won’t just be Medicare beneficiaries who are harmed either. Cash-strapped States will also feel a pinch if we don’t act. Most of those impacted by the possible premium increases are dual-eligibles, or those beneficiaries who qualify for both Medicare and Medicaid because they may have low incomes. Their premium increases will have to be paid for by States as part of their Medicaid programs. As we all know, States across the Nation are facing large budget deficits and are being forced to slash critical services and increase taxes. This simply is not the time that the Federal Government should be shifting more costs to States who are simply unable to absorb it.

Mr. Speaker, even though this is an emergency situation, we have found a way to make sure that the bill is completely paid for and does not add one dime to the deficit. It is imperative that Congress act today in order to make sure that every Medicare beneficiary is financially protected and is able to afford the Medicare services he or she deserves.

I once again urge my colleagues on both sides of the aisle to support this bill. Please vote “yes.” Vote to protect America’s seniors.

I reserve the balance of my time.

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

We are here today because the Democrat leadership apparently doesn’t know what our senior citizens have known for the last 6 months. I held a town meeting in Wortham, Texas, in August. The population of Wortham, Texas, is approximately 1,100 people perhaps. A constituent, a senior citizen, stood up at my town hall meeting and asked me if it was true that their Medicare part B premiums were going to go up while their Social Security COLA did not increase. I said that I did not know, but I would check it out. I had my staff check it out, and sure enough, they were telling the truth.

Well, yesterday, right before the Energy and Commerce Committee markup was scheduled to conclude, I got a note from my staff that there was going to be a special meeting of the Rules Committee last evening and that

we were going to have a same-day rule and have an emergency bill put on the floor today to hold harmless our senior citizens who choose Medicare part B and who are having their premiums go up. I asked the distinguished subcommittee chairman, Mr. PALLONE, if he knew anything about it, and to his credit, he said he was aware of it, but he had just become aware of it. I said, Well, why didn’t we have a hearing on this? Why didn’t we have a markup? Why didn’t we find out what the policy is? Why didn’t we do all kinds of things? To his credit, his answer was that it was just something that had to be done.

Well, Mr. Speaker, I’m tired of the Democratic leadership waiting until the last moment. And to give them the benefit of the doubt, they don’t know what’s happening in these programs, so they have to scramble. Or they do know, and they don’t give a darn about what the process is and what the policy is.

□ 1130

I think it’s inexcusable that we are here on the House floor today on a bill that there’s not any serious opposition that we need to do something but I think there is a real policy debate about how to prevent this from happening in the future.

For my friends who don’t really know a lot about Medicare part B, Medicare part B is voluntary. It is the part of Medicare that handles physician payments and outpatient reimbursement. Now, most Medicare recipients choose part B. About 98 percent choose part B.

Within part B there are three classes of Medicare beneficiaries. There are Medicare beneficiaries that have a high income. There are Medicare beneficiaries that have average incomes, and there are Medicare beneficiaries that have low income.

Under current law if you have been covered in Medicare in a prior year and you don’t have a high income, you don’t have a low income, you are held harmless by the current law. But if you’re a new Medicare beneficiary, in other words, you weren’t on the program last year, if you’re a high-income Medicare beneficiary, or if you’re a low-income Medicare beneficiary, then you’re not held harmless.

And those groups, about 25 percent of the total Medicare population, are the people that were going to have their Medicare premium increased. The current premium this year is about \$96, and under current law if you weren’t protected, it would go up to about \$104. So that’s about an \$8 increase or a little over maybe 7 or 8 percent.

So under years when the average inflationary and the consumer price index goes up, there’s a Social Security COLA increase. So if Medicare expenses go up, which they did last year, the Medicare part B premium goes up but the Social Security benefit goes up, and since Medicare part B premiums

are deducted from Social Security, then that is kind of offset.

But this year we didn't have inflation. The consumer price index, because of the recession, didn't go up; so our seniors didn't get their Social Security increase. But Medicare spending went up last year because we haven't reformed the program. So the Medicare part B premium, which is optional, went up; and if you weren't protected, your premium went up.

Now, Mr. Speaker, there are lots of policy questions there. Maybe we need to change the current law. Maybe we need to protect all Medicare part B beneficiaries. Maybe we need to look at these high-income seniors? Did we have that hearing? Did we have that policy debate? No.

The Democrat majority is simply putting this bill on the floor saying let's take \$2.7 billion and let's hold everybody harmless. Well, now that's good politics. I am not negating the politics of it. But is that good policy?

My good friend Mr. PALLONE from New Jersey said not one dime is going to be added to the deficit. Well, he didn't tell you where the money's coming from. Here's where the money is coming from, and I have read the bill. Luckily, it's only two pages; so it's not that hard to read. But here's where the money is coming from: It is coming from something called the Medicare Improvement Fund; \$567 million is coming from the Medicare Improvement Fund. That's a fund that our majority has set up in a bill last year, and I think, and I could be wrong and Mr. PALLONE could tell me, he probably knows, that there's about \$20 billion in that fund. And the rest of it is a transfer that is coming from the Treasury of the Federal Supplementary Medical Insurance Trust Fund, and they're going to take \$567 million from this what I call a temporary fund, and then they are going to take the rest of it from the General Federal Supplementary Medical Insurance Trust Fund.

So they're taking money that has been paid in by our Medicare taxes and they're just saying we're going to use some of that money. That trust fund's going broke. It's in the red and going broke every year. We're just going to take some of that money and use it this year. Plus we're going to take some of the money from the special fund that we set up last year. Now, there are all sorts of policy questions there.

So our friends on the majority are right to say for this year, for this \$2.7 billion, there's no added borrowing; but they are wrong to say, in my opinion, that it's not adding to the deficit because they are taking money out of the general Medicare fund that we're going to need in future years and they're taking money from this special fund which I may be wrong in but I think was set up with borrowed money from the general fund.

Again, the minority is not objecting to the fact that for that 25 percent of

our seniors that are not protected by "hold harmless" that we do something to help them. But we are very upset that it has been done so cavalierly on such short notice with absolutely no process at all.

Democracy cannot work, Mr. Speaker, if we don't let the people know why we are making decisions, what the policy implications are, not to just our senior citizens but to all our citizens.

I am not going to ask for a "no" vote because we do need to do something. But I am going to ask that my friends in the majority really think about holding a hearing on this, even though it will be after the fact, so we can get the facts on the table and that we try to set up a process so that we don't have to next year and the next year and the next year come out here with absolutely no advance warning and no real understanding of what the long-term implications of this are.

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

Mr. PALLONE, Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Energy and Commerce Committee, Mr. WAXMAN.

Mr. WAXMAN, Mr. Speaker and my colleagues, this is a simple bill. It corrects a minor formulaic problem with the calculation of Medicare premiums for some beneficiaries, not all but just some. And we are faced with a very short time in which to act. The administration has told us that the Social Security agency needs to know what premium to program into their system by or about October 1.

This legislation deals with the situation where, under current law, some seniors will face unusually steep premium increases next year. Beneficiaries who pay \$96 today could face premiums of \$110 or even \$120 per month next year if we don't act today. The reason for that is that there's no increase in the cost of living under their Social Security. But for these few Medicare beneficiaries, there would be an increase in their part B premium passed on to them.

About three-quarters of beneficiaries face this steep premium increase. The legislation would protect the other one-quarter, over 11 million beneficiaries. It will help new Medicare enrollees, older civil service retirees, and others who don't receive Social Security benefits and State government benefits. It would not add to the deficit. It would be financed by reductions in other Medicare spending.

It's an important bill. It's not the most important bill that we're going to face in the health care area. That's coming up very soon. But for those of us who have always supported the Medicare program and have been concerned about the Medicare beneficiaries, we see that we've been successful from most of them not having to face this problem. But we need to correct this problem that will be faced by a good number of people and to make sure that it does not happen to

them. I would have liked to have a COLA for all Social Security beneficiaries, but at least don't let them see a reduction in Social Security to pay for an increase in Medicare premiums.

Mr. BARTON of Texas, Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), a member of the committee.

Mr. WHITFIELD, I thank the gentleman for yielding the time.

I'm not going to get into a discussion of process today, but I would like to commend the chairman and the ranking member and the chairman of the subcommittee for bringing this bill to the floor to correct this inequity for our senior citizens.

But I would like to discuss another matter relating to the national health care debate that is of great concern to me.

Last week the Congressional Budget Office, in examining the bill proposed by Senator BAUCUS, said that that bill would reduce by \$123 billion the Medicare Advantage program. This is a program that provides private health insurance for our Medicare beneficiaries. And I might say there are many of them in rural areas and over 10,000 in my district.

One of the companies that provides this private option is Humana Corporation, headquartered in Louisville, Kentucky. They sent out a notice to their Medicare beneficiaries explaining that the Baucus plan would reduce by \$123 billion the amount of money available for Medicare.

When Senator BAUCUS heard about that, he ordered Medicare regulators to investigate and, if necessary, punish Humana for trying to educate its own enrollees about how they would be damaged by the Senate bill. Now, I might add that the acting director of CMS, Jonathan Blum, used to work for Senator BAUCUS.

But the thing that is really troubling about this is that while they are issuing an order against Humana, the Association for the Advancement of Retired Persons, AARP, which claims to represent senior citizens on Medicare, they also have an advantage program through United Health Care that they offer 1.7 million enrollees, and yet they've been sending out information and on their Web site saying that Medicare funds would not be reduced, and yet CMS is not taking any action against them.

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

Mr. PALLONE, Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES, I thank the gentleman for yielding.

Mr. Speaker, this is a very, very important bill, and it's one that we need to pass today.

In August, as was referenced, many of us heard from our constituents that they were going to be in this crunch where, on the one hand, the cost-of-living adjustment for Social Security was

not going up based on the formula that looks at inflation cost but, on the other hand, they were facing an increase in their Medicare part B premium. I pledged actually on the spot that I knew we would come back and we would be trying to take a look at this and explore various options that could help 10 million Medicare beneficiaries across the country, including thousands in Maryland.

There are a number of ways to address this issue. I think what happened was the idea of looking at the Medicare part B premium and making an adjustment there instead of holding it down is one that came into focus recently. We might have been able to go do hearings based on that, but we realized we've got to move quickly because the Medicare program needs to implement this right away if it's going to be put in force. So that's why we're moving quickly.

The bottom line here is people spoke to us and we listened, and that should be an assurance to all those seniors out there who are expressing some anxiety about where we are going generally with our health reform efforts. We are hearing those concerns. They're part of what we're trying to do here to keep the Medicare program strong and to look out for the best interests of our seniors, and that's why we ought to support this legislation today.

Mr. BARTON of Texas. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. HERGER) and ask unanimous consent that he control that time.

The SPEAKER pro tempore. Without objection, the gentleman from California will control the balance of the time.

There was no objection.

Mr. HERGER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

□ 1145

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

Mr. Speaker, I rise today in reluctant support of this bill because I do believe it is a promise that we must keep to our seniors. It is not fair for our seniors to shoulder the burden of this Congress because of the policies passed by the Democrat majority.

However, wouldn't it have been a whole lot better to pay for it from the unused stimulus money?

This savings to seniors will be especially and critically important to Medicare recipients. CBO Director Elmendorf just announced yesterday that seniors can expect to see a reduction in their Medicare benefits if H.R. 3200 is passed. That will mean that some of our poorest citizens will be asked to pay even more for their out-of-pocket medical costs. This is not change that they can afford.

The President and the majority in this House and in the Senate owe our seniors an honest explanation. AARP

also owes an explanation to its members for misleading them about the Medicare cuts contained in H.R. 3200.

According to the CBO Director, 2.7 million seniors will lose their current Medicare Advantage plans under the policies of the House health care bill. When I said the President was flat wrong about cuts to Medicare benefits, this is exactly what I meant.

I am, however, pleased that this bill does work to protect some of our seniors from future financial hardships, but the correct approach would be to scrap H.R. 3200, to fix Medicare first and to pursue a real bipartisan approach that delivers honest reform that the American people actually want.

Mr. PALLONE. Mr. Speaker, may I inquire as to how much time we have remaining on our side?

The SPEAKER pro tempore. The gentleman has 14½ minutes.

Mr. PALLONE. I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 3631, the Medicare Premium Fairness Act, and hope that we have good bipartisan support for this sensible legislation.

We know that everyone, and particularly seniors who are on fixed incomes, have been hard hit by the worst recession in 70 years. The Labor Department data shows that, for people over 65, 447,000 filed for unemployment in August, which is a 127 percent increase over December of 2007. Over the past year, the number of unemployed workers 75 and older has increased by 33 percent. Why are they even going to work? Because seniors are hurting. They need the money. Now they learn there will be no cost-of-living increase in their Social Security checks.

At a time when health care costs are already claiming a big chunk of their Social Security checks and at a time when out-of-pocket costs are rising and they're forgoing much of their needed care, we can't allow their part B premiums to increase. They need help right now.

I strongly support the Medicare Premium Fairness Act, and I urge my colleagues to support the senior citizens and persons with disabilities by passing H.R. 3631.

Mr. HERGER. I would like to inquire as to how much time we have remaining on our side, Mr. Speaker.

The SPEAKER pro tempore. The gentleman has 7 minutes remaining.

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

Mr. PALLONE. I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman from New Jersey.

Mr. Speaker, this is a very important bill that is going to make a real difference in Vermont to about 130,000 seniors. That's the number of people

who receive Social Security benefits in the State of Vermont, and 41 percent, Mr. Speaker—about 52,000 people—rely on Social Security for fully 90 percent of their income. They're going to get a zero increase in their cost of living, but on the other hand, they're going to get an increase in premiums which could be \$110, \$120 a month. That is a hammer to their finances for the month.

We have a bipartisan commitment to Social Security. The situation our seniors face is as a result of the recession, something over which they have no control but are very much affected by. This modest legislation is going to be a lifeline of support for seniors in Vermont, and my hope is that we will pass it on a strong bipartisan basis.

Mr. HERGER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS), who is the sponsor of this legislation.

Ms. TITUS. Thank you, Chairmen RANGEL, STARK, WAXMAN, DINGELL, and PALLONE, for your leadership on this important issue.

Mr. Speaker, my State of Nevada has been particularly hard hit by the economic downturn. In addition to record unemployment and high foreclosure rates, Nevadans have watched as their retirement savings have plummeted in value. This has been especially hard on our senior population, which has been the fastest growing in the country for the last decade.

To make matters worse for our economically strapped seniors, some of whom have had to choose between buying food and buying medicine, it is now projected that Social Security recipients will not receive a cost-of-living increase in their benefits next year for the first time in 35 years. Simultaneously, Medicare part B premiums will continue to rise. So, unless Congress acts quickly and decisively, this could mean a reduction in Social Security benefits at a time when many Nevada seniors count on every dollar to get by.

As the gentleman from Texas pointed out, not all seniors will see a decrease in their Social Security checks caused by part B premium increases, thanks to a hold harmless policy. About 27 percent of enrollees, some 11 million people, however, nationally and thousands in Nevada are excluded from that hold harmless policy. As a result, they will see their Social Security checks shrink if we don't pass this bill.

The Medicare Premium Fairness Act before you today will eliminate this inequity, and it will protect all Medicare enrollees so that no senior will see his or her premium increase or will experience a Social Security check decrease.

Because this bill is fully paid for by using existing funds, including the Medicare Improvement Fund, and because it meets the PAYGO requirements, it's a responsible way to stand up and provide for our seniors during

these tough economic times. So I urge my colleagues on both sides of the aisle to support this crucial legislation.

Mr. HERGER. I yield myself such time as I may consume.

Mr. Speaker, we need to keep in mind the broader challenges facing Medicare. Medicare's trustees have expressed concerns about spending in part B, warning that legislation to avert cuts in physician payments, together with restrictions on premium increases, could "jeopardize part B solvency and require unusual measures to avoid asset depletion." I am concerned that we are doing exactly what the trustees warned us against—placing the Medicare part B program at risk of bankruptcy.

Furthermore, the nonpartisan Congressional Budget Office found that H.R. 3200, the House Democrats' health care bill, would increase Medicare part B premiums by \$25 billion. I find it ironic that the bill before us reduces premiums by about one-tenth the amount that H.R. 3200 would increase seniors' Medicare premiums.

I am also especially concerned that the majority Democrats are attempting to shut down the debate on how their health care bill would affect seniors enrolled in the Medicare Advantage program. The CBO has confirmed that the \$156 billion in Medicare Advantage cuts contained in H.R. 3200 could, indeed, force plans to limit benefits, including premium relief. Yet CMS has issued a gag order prohibiting Medicare Advantage plans from informing their customers of this fact.

At the same time, CMS has apparently taken no action against the sponsor of the largest Medicare Advantage plan, AARP, whose Web site urges seniors to contact their Members of Congress in support of the Democrats' health care bill, which would slash Medicare by more than \$500 billion.

Mr. Speaker, why the double standard? It appears that people are free to express their opinions on health care as long as those opinions are in line with the majority party's.

So, while the House Democrats claim to be helping seniors, the reality is that they're trying to cobble together 218 votes to pass a \$25 billion part B premium increase through the House, and the Obama administration is abusing its regulatory powers to keep that fact from seniors. Mr. Speaker, that is wrong.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I want to thank Chairman PALLONE for yielding me this time, and I really thank him for his leadership on our committee.

Mr. Speaker, this is an important bill. Holding down the cost of Medicare premiums means so much to millions of Americans. We cannot ever lose sight of the plight of our senior citizens, who are struggling to make ends meet.

I want to thank the various chairmen who have decided to move decisively on this measure this week. I would only hope that our Republican friends would work with us on this one. Let's not use this issue as a weapon in the health care reform debate. This is a separate issue. Not only does it affect my district, but it affects all of our districts. In my State of North Carolina, 1.392 million North Carolinians have Medicare, and they need this legislation this week.

I ask my colleagues to join with me in voting for the Medicare Premium Fairness Act.

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

Mr. PALLONE. Mr. Speaker, I yield the remaining time to the gentleman from California (Mr. STARK), and I ask unanimous consent that he control that time.

The SPEAKER pro tempore (Mr. HOLDEN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

Today, we have a bill before us that will basically protect the Social Security checks from dropping in 2010 as a result of what could be called a "quirk" in the relationship between our Medicare part B premiums and the Social Security checks. Some seniors will still be feeling the effects of the recession in 2010, and this bill at least ensures that they will receive stable Social Security checks.

If we fail to act, about 4 million seniors and people with disabilities will see an increase in their part B premiums, which would result in a decrease in their Social Security checks.

I am quite sure that all of us understand that, even among the higher income beneficiaries under Social Security, a Social Security check becomes part of the financial fabric of most of our beneficiaries. They budget it. They know they're going to spend it on rent or on groceries or on presents for their grandkids. It will be difficult for all of us to explain why there was a \$5, a \$10 or even a \$15 cut in their checks.

Some people have suggested we send checks at the end of the year as, I guess, we did last year. I don't think they'd make that connection. I don't think they'd figure out why those checks came and from whom they came.

This levels the playing field so that a small percentage of beneficiaries will not be paying to hold the other 75 percent harmless. There is a very small number of upper-income seniors who will basically receive a cut in their part B benefits. These seniors, this group, already has a higher premium because it's income related, and they pay taxes on their Social Security benefits, which some of the lower-income beneficiaries do not.

□ 1200

Also, we hold harmless some very low-income beneficiaries whose pay-

ments are made by Medicaid. Therefore, if we didn't pass this, some of the States who are already having severe problems with their Medicaid would have an extra burden for that small group.

The bill is paid for out of a Medicare fund which we set up some years ago for just this kind of a program. It's a fund where we set aside money each year in the event we needed dollars to solve a problem. This is a problem that we foresaw coming up for a diverse group of our beneficiaries, and it seemed to be a fair way to not disrupt their financial planning and to provide a level playing field so that all the beneficiaries receive the same treatment and some were not subsidizing others. It's a bill that I hope will have broad bipartisan support, and I think it will serve our Social Security beneficiaries well.

JUDGE DAVID L. BAZELON,
CENTER FOR MENTAL HEALTH LAW,
Washington, DC, September 24, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.
Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington DC.

DEAR CHAIRMAN RANGEL AND CHAIRMAN WAXMAN: The Bazelon Center for Mental Health Law supports H.R. 3631, the "Medicare Premium Fairness Act." This bill will protect the Social Security benefits of persons with disabilities by ensuring that their monthly payments are not reduced due to an increase in Medicare Part B premiums.

It is expected that there will be no cost of living adjustment (COLA) in Social Security benefits paid in 2010, which will cause a hardship for individuals with disabilities and others who receive Social Security payments. However, Medicare Part B premiums are expected to increase. Fortunately, under current law, most of these beneficiaries will be "held harmless" and will not see an actual reduction in their monthly Social Security benefits. However, about 27% of beneficiaries are not covered by the "hold harmless" provision, including low-income individuals who are eligible for both Medicare and Medicaid, new Medicare enrollees, and new enrollees whose Medicare premiums are not deducted from their Social Security checks. Their monthly Social Security benefits, which are the sole source of income for many, could be reduced by more than \$20 per month to pay for the premium increase.

A substantial number of people with mental illness are dually eligible for SSDI and Medicare benefits. However, as major mental illness typically has an age of onset in a person's early twenties, their work history is very short and their benefits are very low (benefit level depends upon quarters you have paid in as well as earnings) making increased Medicare costs even more difficult to bear. H.R. 3631 would extend the current "hold harmless" policy to all Medicare beneficiaries. As a result, no individual with disabilities who is a Social Security beneficiary will see a decrease in his or her monthly Social Security benefits due to Medicare Part B premiums. And former beneficiaries who buy-in to Medicare will be protected.

We support your effort to pass H.R. 3631.
Sincerely,

CHRIS KOYANAGI.

CONSORTIUM FOR
CITIZENS WITH DISABILITIES,
Washington, DC, September 24, 2009.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington DC.

DEAR CHAIRMAN RANGEL AND CHAIRMAN
WAXMAN: The undersigned Co-Chairs of the
Consortium for Citizens with Disabilities
(CCD) Task Forces on Health, Long-Term
Services and Supports, and Social Security,
we support H.R. 3631, the "Medicare Pre-
mium Fairness Act." This bill will protect
the Social Security benefits of persons with
disabilities by ensuring that their monthly
payments are not reduced due to an increase
in Medicare Part B premiums.

It is expected that there will be no cost of
living adjustment (COLA) in Social Security
benefits paid in 2010, which will cause a hard-
ship for individuals with disabilities and oth-
ers who receive Social Security payments.
However, Medicare Part B premiums are ex-
pected to increase. Fortunately, under cur-
rent law, most of these beneficiaries will be
'held harmless' and will not see an actual
reduction in their monthly Social Security
benefits. However, about 27% of beneficiaries
are not covered by the "hold harmless" pro-
vision, including low-income individuals who
are eligible for both Medicare and Medicaid,
new Medicare enrollees, and new enrollees
whose Medicare premiums are not deducted
from their Social Security checks. Their
monthly Social Security benefits, which are
the sole source of income for many, could be
reduced by more than \$20 per month to pay
for the premium increase. Another unpro-
tected group is former beneficiaries of Social
Security disability benefits who are now
working and who "buy-in" to Medicare
under the Ticket to Work and Work Incen-
tives Improvement Act.

H.R. 3631 would extend the current "hold
harmless" policy to all Medicare bene-
ficiaries. As a result, no individual with dis-
abilities who is a Social Security beneficiary
will see a decrease in his or her monthly So-
cial Security benefits due to Medicare Part
B premiums. In addition, former bene-
ficiaries who buy-in to Medicare will be pro-
tected.

We support your effort to pass H.R. 3631.
Sincerely,

MARTY FORD,
*The Arc of the United
States and United
Cerebral Palsy.*

ANDREW MORRIS,
*United Spinal Associa-
tion and National
Spinal Cord Injury
Association.*

SUSAN PROKOP,
*Paralyzed Veterans of
America.*

LIZ SAVAGE,
*The Arc of the United
States and United
Cerebral Palsy.*

PAUL SEIFERT,
*Council of State Ad-
ministrators of Voca-
tional Rehabilita-
tion.*

ETHEL ZELENESKE,
*National Organization
of Social Security
Claimants' Rep-
resentatives.*

AARP APPLAUDS NEW BILL TO HELP SENIORS
STRUGGLING IN TOUGH ECONOMY

WASHINGTON—AARP Executive Vice Presi-
dent Nancy LeaMond issued this statement

applauding the introduction of the "Medi-
care Premium Fairness Act" (H.R. 3631):

"As health care costs continue to soar de-
spite lower inflation throughout the econ-
omy, older Americans are hit particularly
hard. Retirees have seen their savings wiped
away by market losses while their health
care bills continue to climb. People in Medi-
care today spend nearly a third of their in-
come on health care. The lack of a cost-of-
living update in Social Security means that
millions more in Medicare could see their
health care costs rise further out of reach.

"AARP applauds Chairman Rangel, Chair-
man Stark, Rep. Titus, Chairman Henry
Waxman, Chairman Emeritus Dingell and
Chairman Pallone for introducing this im-
portant legislation. By holding Medicare pre-
miums steady for all beneficiaries for the
next year—premiums that have doubled
since 2000—their bill would help ensure that
health care is more affordable for people in
Medicare—without burdening taxpayers or
future generations with new spending.

"We urge every House member who worries
about the health and economic security of
their constituents in Medicare to support
this legislation when it reaches the floor to-
morrow."

ALLIANCE FOR RETIRED AMERICANS,
Washington, DC, September 23, 2009.

Representative CHARLES RANGEL,
Chair, Committee on Ways and Means, House of
Representatives, Washington, DC.

Representative HENRY WAXMAN,
Chair, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMEN RANGEL AND WAXMAN: The
Alliance for Retired Americans, on behalf of
its more than three million members
throughout the nation, supports your legis-
lation, the Medicare Premium Fairness Act,
H.R. 3631, and we urge its prompt passage by
the House of Representatives.

Your legislation will protect members of
the Alliance and all older Americans from
unfair increases in their 2010 Medicare Part
B premiums. Without enactment of this leg-
islation, more than 10 million Medicare Part
B beneficiaries will see their premiums in-
crease even though they will not receive a
Social Security cost of living increase in
2010. Many of those affected by this change
are low income beneficiaries who would be
particularly hard hit without this legisla-
tion. In addition, Alliance members who are
new enrollees to Medicare would also be ad-
versely affected as well.

Passage of the Medicare Premium Fairness
Act is necessary to protect older Americans
from unfair Medicare Part B premiums. If we
can be of assistance, please contact Richard
Fiesta, Director of Government and Political
Affairs, at the Alliance. The Alliance for Re-
tired Americans is committed to enacting
legislation that improves the quality of life
for retirees and all Americans.

Sincerely yours,

EDWARD F. COYLE,
Executive Director.

NATIONAL ACTIVE AND RETIRED
FEDERAL EMPLOYEES ASSOCIATION,
Alexandria, VA, September 23, 2009.

Hon. CHARLES B. RANGEL,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN RANGEL: On behalf of the
National Active and Retired Federal Em-
ployees Association (NARFE), I am writing
to endorse H.R. 3631, the "Medicare Premium
Fairness Act," which you and Reps. Henry A.
Waxman, Fortney "Pete" Stark, Frank
Pallone, Chris Van Hollen and Dina Titus
have introduced to protect all Medicare
beneficiaries from an increase in their Part
B premium in 2010 when they are unlikely to

receive any cost of living adjustment
(COLA).

Under current federal law, about 75 percent
of Medicare beneficiaries do not have to pay
for the increase in Part B premiums in any
year when they receive no Social Security
COLA. However, there are four groups of
older Americans who are *not* protected by
the 'hold harmless' provision, including over
a million federal, state and local government
retirees who are not eligible to receive So-
cial Security benefits. Absent a change in
law, they would not only have to pay the
higher Part B premiums without a COLA,
but also absorb the costs of other Medicare
beneficiaries currently 'held harmless.'

We support your bill because it shields all
older Americans from the Part B premium
increase in 2010, including government retire-
es who are not eligible for Social Security.
That means no one will pay the Part B in-
crease next year. We appreciate that the leg-
islation is fully financed through the Medi-
care Improvement Fund.

NARFE applauds you and Reps. Waxman,
Stark, Pallone, Van Hollen and Titus for
protecting all retirees—public and private—
from premium increases in Medicare in a
year when they are unlikely to receive the
inflation protection needed to shoulder the
rate hike. For that reason, we urge your col-
leagues to vote for this important legislation
when it is considered by the House.

Sincerely,

MARGARET L. BAPTISTE,
President.

NATIONAL COMMITTEE TO PRESERVE
SOCIAL SECURITY AND MEDICARE,
Washington, DC, September 23, 2009.

Hon. CHARLES B. RANGEL,
Chairman Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the mil-
lions of members and supporters of the Na-
tional Committee to Preserve Social Secu-
rity and Medicare, I am writing to express
our support for your legislation, H.R. 3631,
the Medicare Premium Fairness Act, which
will protect certain Medicare beneficiaries
from an increase in their Part B premiums in
2010.

As you know, Social Security's Trustees
are currently projecting that, for the first
time in thirty-five years, seniors will not see
a Cost-of-Living Adjustment (COLA) in 2010,
despite experiencing increases in their out-
of-pocket health care costs. In this cir-
cumstance, current law contains a "hold
harmless" provision that prevents reduc-
tions in Social Security checks for about
three-quarters of beneficiaries by prohibiting
an increase in their Part B premiums. We
share your concern that this "hold harm-
less" provision does not protect new enrol-
lees, higher-income enrollees, enrollees whose
premiums are not deducted from their Social
Security checks, and low-income dual-elig-
ible beneficiaries whose premiums are paid
for through state Medicaid programs.

It is my understanding that your legisla-
tion would extend the current "hold harm-
less" policy to these remaining categories of
Medicare enrollees so that their 2010 Part B
monthly premiums will also remain at the
current \$96.40. This is an important first step
toward protecting America's millions of sen-
iors who are burdened with high health care
costs even with Medicare and we thank you
for your leadership on this important issue.
We look forward to working with you on leg-
islation to further protect our nation's sen-
iors by restoring the 2010 Social Security
COLA.

Cordially,

BARBARA B. KENNELLY,
President and CEO.

CENTER FOR MEDICARE ADVOCACY, INC.,
Washington, DC, September 23, 2009.

TO THE MEMBERS OF THE HOUSE COMMITTEE ON WAYS AND MEANS: The Center for Medicare Advocacy, Inc. is pleased to support H.R. 3631, the "Medicare Premium Fairness Act," sponsored by Representative Titus. This bill would extend the current hold harmless policy to all Medicare enrollees, meaning that 2010 Part B premiums will remain at \$96.40 and no Social Security recipients will see a decrease in their Social Security checks.

Although Social Security benefits will not increase in 2010, many of the fixed expenses faced by Medicare beneficiaries will go up. For example, premiums for Medicare Part D drug plans are expected to increase in 2010, as are the costs for prescription drugs and the cost for other medical expenses. Adults living on fixed incomes, particularly those with limited resources, are unlikely to meet their increased costs. All Social Security recipients should be protected against increased Part B premiums in these circumstances. Beneficiaries should be protected again.

We thank you for your efforts on behalf of Medicare beneficiaries. We look forward to working with you on this issue.

Sincerely,

VICKI GOTTLICH,
Senior Policy Attorney.

I reserve the balance my time.

Mr. HERGER. Mr. Speaker, I yield the gentleman from Michigan, the ranking member of the Ways and Means Committee, Mr. CAMP, the remaining time.

Mr. CAMP. I thank the gentleman for yielding.

The majority wants you to think we are here today to help seniors. This bill will help some seniors, and I intend to vote for it.

But seniors shouldn't sleep well tonight, for they are facing massive cuts in Medicare benefits in pending health legislation proposed by the Democrats and the President. That's what I want to talk about today.

The reality is the majority's health care bill will slash Medicare Advantage benefits for millions of seniors, and the administration is abusing its regulatory powers to keep that fact from seniors. This week we learned that the Centers for Medicare and Medicaid Services has initiated an investigation into at least one provider of Medicare Advantage health care plans for accurately informing its enrollees that Medicare cuts proposed in pending health care legislation could alter their benefits.

CMS has since banned all Medicare Advantage health plans from providing similar information to beneficiaries, and let me just read to you the phrase that was communicated: 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.

Frankly, this is government intimidation, pure and simple. Seniors know the President's Medicare cuts will impact their benefits. The Congressional Budget Office has confirmed these cuts

could negatively impact Medicare benefits and increase seniors' costs. But when health care plans try to share that information with their enrollees, the administration slaps a gag order on them. It is an abuse of power, plain and simple.

So while the government is intimidating Medicare health care plans, shockingly, no such pressure has been applied to those supportive of the President's Medicare cuts. AARP, which boasts the largest Medicare Advantage plan, for example, has directly communicated with its members via e-mail, a Web site and letters. However, their pro-Medicare cut stance has apparently received no scrutiny from the administration. CMS' selective use of its regulatory authority threatens the integrity of the agency and our democracy.

In fact, CMS' unprecedented action is in direct conflict with its own guidance issued during the Clinton administration. The then-director of what was called HCFA at that time, Center for Health Plans and Providers, instructed health plans in 1997 that "Prohibiting such information would violate basic freedom of speech and other constitutional rights of the Medicare beneficiary as a citizen. As long as member materials that discuss the rights and responsibilities of the member and the HMO with regard to HMO membership are not misrepresented in the context of this article, we see no reason for prohibiting the distribution of information."

This policy reversal by CMS is also at odds with Supreme Court decisions in the area. We need to get to the bottom of this, and we need to make sure all Americans, and especially seniors, know the facts about what the President and the congressional Democrats health care bill will mean for them.

Mr. STARK. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 3631, the Medicare Premium Fairness Act. For nearly four decades, Medicare has improved the quality of life for our Nation's seniors. Because of Medicare, Americans no longer live in fear of not having health care when they retire.

Yet keeping Medicare affordable for seniors is consistently a challenge. Under the Medicare formula, most seniors will see no increase in their premiums. However, unless we act, some will.

Our economy is beginning to turn around but is not yet fully recovered. We must ensure that next year seniors living on a fixed income are not forced to pay more for the Medicare that they depend on.

H.R. 3631 will ensure that premiums will not increase for necessary medical services like doctor's visits and imaging scans.

I urge my colleagues to support this legislation and keep the promise of

quality, affordable health care for American seniors.

Mr. HERGER. I yield back the remainder of my time.

Mr. STARK. Mr. Speaker, I am delighted to yield 1 minute to the gentleman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman from California for yielding.

Mr. Speaker, I want to single out and say how much I appreciate the work of Congresswoman DINA TITUS from the State of Nevada, as well as Chairman RANGEL and Chairman WAXMAN and Subcommittee Chairman STARK on this very important issue.

The economic downturn has hit many parts of this country very dramatically, but none more dramatically than in the State of Nevada, and certainly in the southern part of the State that I represent. I have 100,000 Social Security recipients in my congressional district, many of whom will be impacted by the increase in the Medicare part B premiums next year.

Since this increase is not going to be offset by the normal cost-of-living increase in their Social Security checks, I think this is a very important way and a very necessary way of helping to keep my seniors, who rely on Social Security and who will be harmed with this additional payment, keep them whole.

So I want to thank my colleague again and join with her in protecting the seniors in the State of Nevada and throughout the country.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland, the majority leader of the House, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

First of all, I want to congratulate Congresswoman TITUS for her leadership on this issue. She is an extraordinary Member of this House, very able, and, as Congresswoman BERKLEY, her colleague from Nevada just indicated, this will be directed at helping a lot of seniors.

I rise in opposition to this suspension bill.

I have, for a number of years, spoken about how difficult it will be for us to get a handle on entitlements. If we don't get a handle on entitlements, my friends, we will be spending nothing more in another 50 years than money on entitlements and payment on the national debt, and our children will not be happy. They will not congratulate us.

Now, there is no speaker who will speak today who will not speak on behalf of those seniors who, as my colleague SHELLEY BERKLEY just referenced, rely on Social Security to support themselves. We anticipated that concern when we adopted the legislation relating to this subject. And as a result of anticipating that, we said if there is not a cost-of-living increase, we will exempt approximately three-quarters, actually 73 percent, of seniors from any premium increase.

Why? Because we rightfully concluded, as many speakers on this floor have observed, that those seniors would be put under stress because of no cost-of-living increase but having an increase in their premium.

Now, ladies and gentlemen, I don't know how many of you go to sleep at night worried about whether Ross Perot can pay his premium, but this will freeze Ross Perot's basic premium from going up. This will affect every premium payer, including those who make individually \$85,000 or more, and, as a couple, \$170,000 or more.

Now, the problem with doing that is not that we don't have some empathy for those folks—by the way, every one of us who votes on that bill falls in that category. Now, we may not be 65 or above, as I am, but we are in that category.

Now, the issue is, at a time of stress, of fiscal challenge, do we say to Ross Perot, we feel your pain and so we are going to exempt you from an increase? Hear me, we have exempted all of those \$85,000 and below under present law.

My friends, I think that as well meaning as this legislation is, it is not about poor seniors. It's not about those who are less well off who are having greater stress, because they are taken care of.

There are four categories of people who aren't taken care of under present law.

First of all, there are some 2.1 million who are the \$85,000 and above crowd.

There are a lesser number, 1.3 million, who are Medicare newly eligible folks, and they have never paid a premium, so their premium won't go up; their premium will be what it is.

There are 7.3 million who are dual-eligibles, and the dual-eligibles, of course, will not pay anything more because that will be the responsibility of the States. Is this an additional burden on the States? It is. We will either borrow the money or the States will pay it. Our children will pay off our debt. But our law anticipated that if this was the case, that for the 7.3 million dual-eligibles, the States would pick up the difference. People say, well, what if the States don't pick up the difference? The States have an option. I understand that. We don't control that. We could change the law and say they don't have an option, but we haven't done that.

Then there are some 850,000 who did not participate in Social Security.

There are the four categories.

Because they didn't participate in Social Security, they are not covered here and they get a State pension. Now, I tried to get the average of the State pension or the board of education pension or whatever, and I don't have that. I haven't been able to get that information. This bill was considered by the committee yesterday, reported out today.

Do I stand here happy that some seniors around the country are going to

say STENY HOYER was against them? I am not happy about that.

But I have felt it my responsibility to come to this floor, as someone who speaks about entitlement reform, as someone who believes we have got to exercise fiscal discipline, as someone who believes we ought to take care of the less well-off in our country, which are taken care of by the present law, 73 percent, under \$85,000. We take care of that. That's an individual; \$170,000 for a couple.

At some point in time, my friends, we have to buck up our courage and our judgment and say, if we take care of everybody, we won't be able to take care of those who need us most. That's my concern. If we take care of everybody, irrespective of their ability to pay for themselves, the Ross Perots of America, frankly, the Steny Hoyers of America, then we will not be able to take care of those most in need in America.

□ 1215

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. I reflect on what the distinguished majority leader just said. I agree with much of what he advanced. But my concern, I guess, is that what we have done is symbolic of how we have sort of jerry-rigged a system.

We have the entire burden fall upon 27 percent of the population, some of whom perhaps can afford it, others who may not; and we are at a time when there is great stress on a number of these 27 percent. They will bear the entire burden.

I would hope that this would be the last time that we are dealing with a fix of this nature that is surgical, trying to deal with the inherent complexity that we have.

One of the reasons I am supporting comprehensive health care reform and Medicare modernization is so that we can tease out these anomalies; that we can provide an underpinning for all—not just our seniors citizens—but for all our citizens.

I agree this is suboptimal, but from my vantage point, this is the best that we can do in an unpleasant situation.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I think this debate has framed the issues very well. I very much share the concern of our majority leader about entitlement reform. I think part of that will have to be consideration of this issue.

But let's look at what the impact of a failure to act will mean. For the States, they will carry a large bulk of this because of the dual-eligibles. So, essentially, by doing nothing, we would say to the States, When you're in unusual circumstances, we're doing nothing. And for the many new-eligibles, they would, regardless of income, bear

the weight here in times of real stress for them.

These are unusual circumstances for the States and for those who are receiving the benefits, and I think we have no choice now but to vote for this bill and tackle the issues of reform of our entitlements in the future.

So I urge support of this legislation.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of the Medicare Premium Fairness Act, which will protect millions of seniors and people with disabilities from unfair increases in their 2010 Medicare Part B premiums.

Because of very low inflation, it is expected that there will not be a cost-of-living-adjustment (COLA) in Social Security benefits next year. The current law has built-in protections for approximately seventy-five percent of Medicare Part B enrollees in which they will not see an increase in their Part B premiums as a result of not receiving a COLA on their Social Security checks. However, the remaining twenty-five percent of Medicare Part B enrollees will not be held harmless from an increase in their Part B premiums and will instead be responsible for shouldering the entire burden of next year's Part B program cost increase.

This bill, quite simply, would extend the current hold harmless policy to all Medicare enrollees. By taking this action, it will ensure that no senior will face Medicare Part B premium increases next year—including federal and state government retirees who do not pay their Part B premiums out of a Social Security check and so would have been disproportionately burdened without this change.

The legislation is fully paid for and meets PAY-GO requirements. I strongly urge my colleagues to support this very important bill that will help seniors and people with disabilities.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today as a proud original cosponsor of H.R. 3631, the Medicare Premium Fairness Act.

Many of us heard from our senior citizens over the August recess that they would not be receiving a Social Security cost of living increase because of the economic downturn.

This will cause a problem for many seniors because Medicare Part B premiums will still increase as they do yearly to cover the cost of the program. A "hold harmless" policy in existing law ensures that most seniors will not have a decrease in their Social Security checks if the Part B premium increase is projected to be greater than the Social Security cost of living adjustment.

The hold harmless policy will protect most seniors from an increase in their 2010 Medicare premium, but the 27 percent of our seniors will not be protected by these hold harmless provisions and because of the way the law is written, premiums for these enrollees will be disproportionately increased to \$110-\$120 a month.

The Medicare Premium Fairness Act will extend the current hold harmless policy to all Medicare enrollees. Ensuring that no Medicare beneficiary will see a decrease in their social security check due to the 2010 Part B premium increase and they will not see decrease in their Social Security checks.

Our seniors live on a fixed income and any decrease in their monthly social security check puts them in jeopardy of not being able to afford food and medicine. We need to ensure

that even when we cannot increase the cost of living for Social Security we protect our seniors from a reduction in their monthly check.

I urge my colleagues to support his legislation which is fully offset and has the support of the AARP, the National Committee to Preserve Social Security and Medicare, the Center for Medicare Advocacy, the Alliance for Retired Americans, the Medicare Rights Center, and the National Active and Retired Federal Employees Association.

The SPEAKER pro tempore. All time has expired. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3631.

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. HERGER. 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 406, nays 18, not voting 8, as follows:

[Roll No. 737]

YEAS—406

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Billray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bocieri
Boehner
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
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan

Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
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 (GA)
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
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Hall (TX)
McMorris
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hunter
Inglis
Inslee
Issa
Jackson (IL)
Jackson-Lee
 (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones

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
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
 E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
Hall (TX)
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)

NAYS—18

Akin
Baird
Bean
Broun (GA)
Chaffetz
Flake
Garrett (NJ)
Hensarling
Hill
Hoyer
Jordan (OH)
Lamborn
Barrett (SC)
Buyer
Delahunt

NOT VOTING—8

□ 1245

Messrs. HILL and JORDAN of Ohio changed their vote from “yea” to “nay.”

Messrs. FRANK of Massachusetts, FRANKS of Arizona, and COFFMAN of

Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perrillo
Peters
Peterson
Petri
Pingree (ME)
Pitts
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
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
 T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer

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)

Colorado 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.

□ 1245

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SCHRADER). Under the Speaker’s announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. QUIGLEY) is recognized for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, the American people should have serious questions when it comes to the war in Afghanistan, and I believe we need answers before we ever talk about sending additional young men and women into that conflict.

General Stanley McChrystal told us this week that he needs more troops in Afghanistan or else our mission there will likely result in failure, but there seems to be some confusion over what that mission is.

Question one: Are we building nations or hunting terrorists? The administration has stated that its primary goal is preventing al Qaeda from operating, but General McChrystal has stated that his mission is to protect the Afghan civilians and establish good governance. These objects are related, but they are not the same. As the President has stated, we must first define our strategy, and then we will determine how to resource it.

Question two: How many troops will we need? The figure being discussed is an additional 40,000 to 45,000 more troops on top of the 68,000 already in Afghanistan. But experts such as General Charles Krulak put the figure for a successful counterinsurgency at several hundred thousand. The greater our footprint over there, the more it looks like an occupation to a people who have violently resisted occupations for centuries.

Question three: Are we stretching our Army to its breaking point? Many of our troops are on their third or fourth tour. That has an impact on families and communities. Many of our National Guard units have left equipment over there and faced recruitment problems over here.

Question four: How long will these troops be there? It's not enough to decide we can manage it for another year or two with greater deployment. Without a specific end date, a decision to increase deployment today means more troops next year and the year after that.

Question five: Where will we get enough troops with the experience needed in Afghanistan? The military needs more IED experts to diffuse roadside bombs; however, it takes 11 months to train a bomb specialist, and these specialists are already in short supply.

We also need translators, medical officers, and other specialists that could require a great deal of training, yet we continue to kick out such specialists because of the immoral and extraordinarily shortsighted "don't ask, don't tell" policy.

Question six: How many NATO forces can we count on, and how will we maintain an effective command structure? We are told that this cannot be a go-it-alone mission, but resources in other NATO countries are limited, and incidents such as the German airstrike show the dangers of coalition warfare.

Question seven: Can we count on the Government of Pakistan to remain with us in this fight? Pakistan has a great deal of trouble controlling the tribal areas, and our continued presence is causing more unrest in the cities.

Question eight: Is it worth American lives to prop up the Government of Afghanistan? The Government faces serious charges of election fraud and corruption, and it appears to be losing control over much of the country as the Taliban moves in.

Question nine: Is this a winnable war? In General McChrystal's recent report he states that although the situation is serious, success is still achievable, but we still don't have a definition of success.

Final question: Is the war in Afghanistan really the best approach to protect the American people from terrorism? Our focus needs to be on protecting the people of the United States and stopping the international spread of terrorism. If this war is not the best way to do that, we need to leave. We cannot send more troops to fight for an undefined amount of time in an undefined mission and for an undefined success.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RESPECTING FAITH OF MILITARY CHAPLAINS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, this year, I introduced H.R. 268, a bill to make sure that our military chaplains of all faiths and religions are able to close a prayer in any way they see fit.

America was built on religious freedom, and that is why I am truly disturbed by a letter that was sent to Secretary Gates from the Freedom from Religion Foundation. This organization has taken exception to the fact that while speaking on the anniversary of D-day in France, U.S. Military Chaplain Thomas MacGregor closed a prayer in the name of Jesus Christ. This is just another example of how this country's Judeo-Christian values have been under assault.

As I think my colleagues know, I am a man that respects all faiths, whether it be Christian, Jewish, Muslim, and I would be just as upset if a chaplain from a non-Christian religion came under the same attack. I respect the rights of nonbelievers just as I respect the rights of believers.

It is a sad day in America when a military chaplain is criticized for closing his prayer in a way that is true to his faith.

In closing, with our young men and women fighting for religious freedom for people overseas, it is our duty to protect our own military chaplains and respect the faith of each of them.

Mr. Speaker, before I close, I do this frequently on the floor of the House because my heart aches for those over in Afghanistan and Iraq. I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in His loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I ask God to please bless the President of the United States with wisdom, strength and courage to do what is right for America. And I close three times, God please, God please, God please continue to bless America.

TENTH ANNIVERSARY OF POLAND'S SUCCESSION TO NATO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, September 1, 2009, and September 17, 2009, mark the 70th anniversary of Poland's invasion on the west by Nazi Germany and on the east 3 weeks later by the Soviet Red Army. It triggered the start of World War II. World War II began with the invasion of Poland.

Poland suffered the loss of more citizens, percentage-wise, during that war—over 20 percent of its people—under domination by the Nazis and Communists than any other nation. You would think that to mark these historically important and solemn occasions on this 70th anniversary our Congress and our President would have

passed a commemoration supporting Poland's struggle for liberty and its recent democratic advances. You would think that our Nation, a nation that owes so much to Poland for inspiring our own struggle for freedom at our Nation's founding, and to its great generals, Thaddeus Kosciuszko, chief engineer of our Continental Army, and Casimir Pulaski, who saved the life of General George Washington, that we would have risen to praise the 10th anniversary of Poland's succession to NATO and its support of our current military engagements in the war on terror.

□ 1300

This year Poland will mark one decade as a signatory of NATO, the North Atlantic Treaty Organization, an intrinsic part of the United States' strategic foreign policy. September 17 should have been a reverent commemoration of an extraordinary effort that cost so many lives but seeded and bequeathed a powerful sense of freedom and democracy inside the Nation of Poland that ultimately yielded solidarity and strikes that began in 1956 until the final solidarity victory in 1989 and the collapse of the Berlin Wall. September 17 should be a day that commends the valiant people of Poland for their historic struggle against fascism and communism and commemorates the sacrifices made by the Polish people, including those who have since become American citizens.

On that day, our President should have called for strength and partnership in the NATO organization, North Atlantic Treaty Organization, European Union alliances, and continued friendship with our Polish allies in the furtherance of freedom's cause. We should have honored the historic ties that our two great nations have fashioned over two centuries.

Instead, on September 17, on the very anniversary date of the heinous Communist invasion of Poland, our government and the Obama administration chose to withdraw support of the proposed antiballistic missile shield in Poland and the Czech Republic. Whatever one's views of the merits or demerits of that defensive system, the choice of that date to announce this historic withdrawal is truly an insult to the Nation of Poland and to the people of Poland. Our Nation not only owes Poland an apology, we owe her affirmative support.

The United States has had diplomatic relations with this region since they were first established in April 1919—after having been wiped off the maps of Europe for over a century—with the then-newly formed Polish Republic, while the two nations have enjoyed consistently warm bilateral relations since 1989. The Polish Government has been a strong supporter of continued American military and economic presence in Europe. We have a shared love of freedom and democracy. They have supported our global war on

terror, Operation Enduring Freedom in Afghanistan, and our coalition efforts in Iraq.

Why did the administration do this? Poland cooperates closely with American diplomacy on such issues as democratization, nuclear proliferation, human rights, regional cooperation in Central and Eastern Europe, and U.N. reform. Now is definitely the moment for this Congress and the administration to restore a level of credible relationship with Poland in order to continue an abiding friendship that should not be smeared by this really tactless decision to announce this consequential defense decision on September 17, a date which harkens back to some of the worst memories that Poland has as part of her history.

I besiege this Congress and the administration to correct a great mistake.

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.)

MORE VETERINARIANS ARE NEEDED IN RURAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to discuss an issue not at the forefront of debate here in Washington but which will impact many areas of our country and many aspects of our lives. I am referring to the need for skilled veterinarians in many communities across America. This may not be a topic which makes its way to the House floor very often, but I assure you, it is an issue for many areas of our country.

Our food animal veterinary workforce is on the front lines of food safety, public health and animal health. This vital profession, however, is facing a critical shortage in the public, private, industrial and academic sectors. To make matters worse, the problem is on the rise. Large animal veterinarians, in particular, are integral to small rural communities. But in many of these communities, communities with few people but large numbers of animals, we are seeing a very distressing trend.

Let me show you. This map is a geographic display of total food animals by county in the United States. The dark gold areas have particularly high concentrations of animals per county, more than 250,000. As you can see, States such as Iowa, Nebraska, Colorado, Texas and California all have extremely high concentrations of counties with 250,000 or more food animals.

Now let's take a look at a map showing total food animal veterinarians by

county. The areas of dark green indicate counties with 35 or more food animal veterinarians by county, certainly quite a difference.

Finally, let's take a look at a map showing food animal concentration per veterinarian. I want to draw your attention to the red flags that dot the map. We all know that red flags mean danger or a hazard ahead. The red flags on this map indicate counties without one single food animal veterinarian but which have more than 25,000 food animals, several counties across the country.

According to the most recent data from the USDA, Cherry County, one county in my district, has 145,000 food animals per veterinarian. Fillmore County, also in Nebraska, has 112,000 food animals but not one food animal veterinarian. It's absolutely necessary for the farmers, ranchers, hobbyists—not lobbyists but hobbyists—and even animal lovers to have access to qualified local veterinary clinics.

To this end, Mr. Speaker, I have introduced H.R. 3519, the Veterinarian Services Investment Act. The legislation authorizes the Secretary of Agriculture to award competitive grants to help develop, implement and sustain veterinary services, especially in underserved areas. These grants may be used to support a wide array of activities based on the needs of an area, such as veterinarian and veterinary technician recruitment; expanding and establishing practices in high-need areas; surveillance of food animal disease and the utilization of veterinary services; establishing mobile/portable clinics and tele-vet services; and accredited veterinary education programs, including continuing education, distance education and faculty recruitment.

Under my bill, eligible applicants must carry out programs or activities which will substantially relieve the veterinary shortages throughout our country, as indicated on a geographical basis. These include entities such as veterinary clinics located in underserved or rural areas; veterinary practices which meet food animal protection needs; State, national, allied or regional veterinary organizations and specialty boards; colleges or schools of veterinary medicine; and State, local or tribal veterinary agencies.

I am proud to say that more than 30 of my colleagues, Democrat and Republican, have joined me as cosponsors of H.R. 3519. It has been endorsed by, among others, the American Veterinary Medical Association, the South Dakota Veterinary Medical Association, the Iowa Veterinary Medical Association, Nebraska and Minnesota as well, the Farm Bureau, the Animal Health Institute, the National Association of Federal Veterinarians and the National Cattlemen's Beef Association.

Veterinarians make a difference every day. They understand animals and are integral parts of our rural communities. Unfortunately, too many rural communities don't have this nec-

essary support. The Veterinary Services Investment Act will go a long way in this direction.

SOCIAL SECURITY RECIPIENTS NEED A COST OF LIVING ADJUSTMENT NEXT YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, earlier today the House passed a bill that will give relief to about a quarter of the Nation's seniors on Social Security by not having them experience a Medicare premium increase this year. That's all well and good and meritorious. Times are tough. But it doesn't go to the other three-quarters of the Nation's Social Security recipients, and it doesn't get to the bottom line that there is, for the first time since we had a regularly adjusted Social Security COLA—it used to be into the fifties and early sixties before we put in place a regular COLA, a cost of living adjustment for seniors on Social Security. They would get one in election years, strangely enough. The Congress would wake up, notice that seniors were out there and give them some sort of an increase.

We fixed that problem many years ago by saying, Well, Social Security benefits would be automatically adjusted. But the measure that is used is incredibly flawed, and it was not only flawed to begin with. The cost of living index is calculated on a lot of things that seniors don't buy, things that have gotten cheaper in this bad economy, actually, like giant flat screen televisions, computers and cell phones and other things that are not consumed to any great extent by our Nation's seniors.

But if anybody has checked the price of pharmaceuticals or medical care or basic utilities or many other must-have expenses, they haven't gone down. In fact, they've gone up. But seniors, some of whom are living only on a Social Security check, many who are principally dependent upon a Social Security check, are not going to get a cost of living adjustment this year because the formula that is used is faulty. It's not only faulty; it was actually tampered with by the Republicans and Alan Greenspan, that great guru, the guy who helped almost destroy the world's economy recently through his deregulationist philosophy which became so embedded that Wall Street ran wild.

Alan Greenspan has always hated Social Security since he was on a commission many years ago and tried to find ways to go after it. A number of years ago he convinced a Republican Congress that the cost of living index actually overestimated inflation and that you should take away one point before you give a COLA to seniors on Social Security. The Republican Congress did that.

Now here we are today. We have a Democratic Congress. We're being told that there is no inflation; seniors won't get a COLA. The Obama administration says probably for 2 years they won't get a cost of living adjustment. That's not right. The things they are buying are going up in price, dramatically, and they're having tremendous difficulties making ends meet, living on that fixed income.

I have had a bill for many years that would put in place a new cost of living index for seniors called a CPIE—elderly—to look at the things they really buy and have to buy to live and get by. That hasn't gone anywhere, but I'm still pushing that idea.

But while we're working on developing a true index that would really look at the costs for seniors, we should pass a 1-year cost of living adjustment. And we can do that without borrowing the money, with no impact to the Social Security trust fund, very simply. We would just say that those who earn between \$250,000 a year and \$359,000, they would pay the same rate of Social Security tax as every normal wage-earning American who earns less than \$106,000 a year. If you earn less than \$106,000 a year, you pay Social Security tax on every penny of your income. If you earn \$250,000, well, no, you just pay on the first \$106,000. You don't pay after that. Your tax rate is lower.

Let's have a little bit of equity here. So we would simply have people earning between \$250,000 and \$359,000 pay the same rate of Social Security tax as every other American that would pay for a one-time COLA for seniors to help them make ends meet. We must act and act soon to get this done before this injustice happens next year.

AMERICA NEEDS TO STAND BY HER WORD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, I wish to address the issue of credibility that is so critical. And I want to follow up on what my friend was just discussing with regard to Social Security. These seniors would be flush with cost of living increases; the money would be there if we did one thing, the one thing that has not been done in the entire history of Social Security and, that is, put the tax that provides for Social Security into the Social Security Trust Fund. It has never been done. It has always had IOUs go in. As the money comes in, it goes out the other door. That ought to stop.

And what it would create is the need to control the outrageous spending that's been going on, the \$770 million we passed for wild horses, the \$25 mil-

lion for rare dogs and cats in foreign countries, the \$25 million for rare cranes, 80 percent of which are in other countries. Those are the things that would need to stop.

When it comes to the issue of our Nation's credibility, you can go back historically to 1812. There were banks and merchants in England that had loaned the United States money. When we went to war with England in 1812 as a nation, we made the commitment that we will still stand good for our word because even though we'll be at war, our word, our credibility, is too important to do otherwise.

□ 1315

That opened the door for the United States to become an economic powerhouse because people around the world said this is a Nation that can be trusted; their word is good.

With the way Vietnam ended under President Nixon and the Carter years, our credibility around the world was devastated, as we went back on commitments we had made. And it took the years of President Reagan, former President Bush, former President Clinton, former President George W. Bush to build our credibility back among the other nations, that you may not like our position, but when we give our word, we're going to stand good for it.

Now in 9 months' time that is all in jeopardy again. We heard during the campaign the noble promises that we will not go it alone on anything. We will not be that arrogant. We will consult with the other nations. And we had an agreement with Eastern Europe with regard to missiles and a missile defense shield, and there are leaders in Eastern Europe that took great political risk, and it cost them politically in mighty ways to work an agreement with the United States. But they did it because they believed they could trust the United States at its word.

Whether you believe in the propriety of the missile defense shield in Eastern Europe, that's one thing, but to unilaterally go against the word that was provided that we will not do that, that we keep our agreements, and unilaterally announce we're going back on our word on the missile defense shield shatters credibility even to those who didn't care about the missile defense shield but who are thinking about reaching agreements with us.

After the U.N. speech yesterday, all of the promises that have been made by this administration, both before and after its election, that that was the critical war we could not afford to lose, we're going to stand with them, now after the speech yesterday people are wondering, wow, are they going to back out and go against this Nation's word yet again already in this 9-month period? It's not just the Afghans won-

dering. Can we trust these people when they say they're going to help us? This is our Nation's credibility at risk. That affects everything.

There were pledges made to Israel during the campaign by the people inhabiting this administration, and now we're telling them you're going to have to go back to the lines the way they existed before 1967 because you cannot occupy land that you achieved during warfare. My goodness, we're going to have to give back California. We're going to have to give back Utah, Nevada, Colorado, Wyoming.

This is ridiculous. We are hurting our credibility nationally. Regardless of whether you agree or disagree with the prior administration, please do no more damage to this Nation's credibility.

REVISIONS TO THE 302(a) ALLOCATIONS ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2010 THROUGH 2014

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 321 of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit a revision to the budget allocations and aggregates for certain House committees for fiscal year 2010 and the period of fiscal years 2010 through 2014. This adjustment responds to House consideration of the bill H.R. 3631, "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." A corresponding table is attached.

This revision represents an adjustment for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this revised allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

BUDGET AGGREGATES
(On-budget amounts, in millions of dollars)

	Fiscal Year 2009	Fiscal Year 2010	Fiscal Years 2010–2014
Current Aggregates:¹			
Budget Authority	3,668,601	2,882,149	n.a.
Outlays	3,357,164	3,002,606	n.a.
Revenues	1,532,579	1,653,728	10,500,149
Change in the Medicare Premium Fairness Act (H.R. 3631):			
Budget Authority	0	2,065	n.a.
Outlays	0	2,065	n.a.
Revenues	0	0	0
Revised Aggregates:			
Budget Authority	3,668,601	2,884,214	n.a.
Outlays	3,357,164	3,004,671	n.a.
Revenues	1,532,579	1,653,728	10,500,149

¹ Current aggregates do not include the disaster allowance assumed in the budget resolution, which if needed will be excluded from current level with an emergency designation (section 423(b)).

n.a. = Not applicable because annual appropriations Acts for fiscal years 2011 through 2014 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

House Committee	2009		2010		2010–2014 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Ways and Means	0	0	6,840	6,840	37,000	37,000
Change in the Medicare Premium Fairness Act (H.R. 3631):						
Ways and Means	0	0	2,065	2,065	0	0
Revised allocation:						
Ways and Means	0	0	8,905	8,905	37,000	37,000

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 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.)

WHERE IS THE HEALTH CARE REFORM BILL?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. DEAL) is recognized for 5 minutes.

Mr. DEAL of Georgia. Mr. Speaker, Congress recessed on July 31 for the beginning of the August recess. On that day, H.R. 3200 passed out of the committees that had jurisdiction. That is the health care reform bill. It passed out of the Energy and Commerce Committee, on which I serve, late on that Friday evening, the last day in July. And everybody in this House went home for the August recess.

During that period of time, I held town hall meetings, as did many of my colleagues. There were TEA parties. There were freedom rallies. The American public spoke out as they have not done in a very long time and much of their frustration centered around the bill H.R. 3200 that at that point in time had passed all of the committees of the House and was ready for action on the floor.

But the American public sent a message, a message that they don't like the runaway spending that Congress has been engaged in. They don't like many of the programs that they think are jeopardizing the future of their children and grandchildren in terms of the repayment responsibilities. But more than anything else, they sent the message that they do not want their health care tampered with and taken over by the United States Government.

Now, surprisingly, that message apparently has not been heard on the floor of this House.

Yesterday in the committee of primary jurisdiction that has H.R. 3200, the bill was, in effect, reopened for further amendments. Now, you would think that if the bill is going to be revisited that we would have heard not only from the American people but we would have heard from the President of the United States, who on September 9 spoke right here on the floor of the House. At the time he enunciated issues that he was in favor of. Republicans agreed with many of those things. But the question we had at the time was, where is the bill that embodies the things that you say you're in favor of? We did not see a bill then, and, unfortunately, we have not seen one since that time.

So yesterday in the committee of primary jurisdiction, you would think that we would have seen a bill that embraced the principles that the President said he was in favor of even though they were not embraced in the bill that was the only bill before this House when the President was actually speaking. You would think it would have embraced many of the issues that the American public said they were concerned about.

Republicans attempted to offer a bill that would have embraced those issues where there should be bipartisan support, but we were not allowed to have a vote.

There are many issues that are encompassed in this debate. One that I have supported for a very long time is that if we are going to use taxpayer money, we should verify the citizenship of individuals who are going to receive the benefits of that taxpayer money because unless that is verified, there is no validity to simply saying that we are not going to spend taxpayers' money for people who have violated our law and are coming into our country inappropriately.

So the question remains, Where are we on health care reform? The rumors now abound that Speaker PELOSI is about to introduce a bill that purports to address the issues she's concerned with. We haven't seen the bill. I would ask the question, Is that bill going to come before the committees of jurisdiction? Is there going to be a hearing on it? Are committees going to have the opportunity to amend it? Or is it going to go, as so many other things have gone in this body during these last few months, straight to the floor of this House with very little, if any,

opportunity to have an input from the Representatives, who are the elected representatives of the people of this great country?

Those are the questions that still remain. They are still unanswered.

I would conclude, again, if there is something that we have gained from what we have heard from the President and, more particularly, what we have heard from the American public during the August recess, where is the bill that puts it in writing? We have yet to see it.

THE LACK OF TRANSPARENCY OF WHERE OUR TAX DOLLARS ARE GOING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. FORBES) is recognized for 5 minutes.

Mr. FORBES. Mr. Speaker, across this country there are many people today who are worried, and they're concerned and are even fearful about a number of things, but two of those things consistently work their way to the top.

The first one is the enormous amount of debt that this country is incurring and this administration is imposing upon our children and our grandchildren and, secondly, the lack of transparency of where our dollars are going.

If you look at the millions of dollars that have gone to ACORN, no one in this administration can tell you where they went and account for them. We have got millions of dollars going to banks that no one can account for; billions of dollars in the stimulus package that no one can account for; billions of dollars in welfare benefits that no one can trace and account for. And we have czars popping up all over the place with no accountability.

So we look at these people across the country who are fearful and concerned, and sometimes we say why are they assembling themselves together and why are they using some of the language that they are using? But what are their options?

And let's look at just one agency, the Department of Defense. Many of us have been concerned that these huge expenditures are for the first time putting us in a position where our budget is driving our defense posture as opposed to our defense posture driving our budget.

This year when the Defense budget came to the Armed Services Committee, the Secretary of Defense was

required by this Congress, by law, to submit two things with that budget: first of all, a plan about the number of ships that we have, a shipbuilding plan, so that we could look at that plan and see how it matches up to threats that we have around the world. And the second thing was an aviation plan. It just makes sense that you have a plan and know how many planes you're building and where they're going to be so that we can see that we can defend this country. As the ranking member of the Readiness Subcommittee it is important, I felt, for us to know those risk factors.

The law says specifically in 10 U.S. Code, section 231 that the Secretary has to submit a shipbuilding plan and then certify that this budget will meet it. The law also says he has to submit an aviation plan and certify that this budget will meet it. This year he simply refused to do it.

And, Mr. Speaker, when we then said what are our options, we thought, first of all, let's just be polite. So we wrote a letter, I wrote it, as ranking member of the Readiness Subcommittee of the Armed Services Committee, asking him to submit those plans. Do you know what we got? This is what we got: absolutely nothing.

So then we decided let's work in a bipartisan manner to see if we could correct that. So the Armed Services Committee issued a congressional inquiry demanding that the Secretary of Defense comply with the law and simply give us the plan for shipbuilding and aviation and certify that this budget would meet it. And, Mr. Speaker, this is exactly what we got: nothing.

Every member of the Armed Services Committee unanimously agreed that that information should be submitted by September 15 and issued that in the congressional inquiry. And, to date, the Secretary of Defense has refused to turn over those dollars, those figures, that certification, and those plans.

Mr. Speaker, I just ask you this: How can the Secretary of Defense look at our men and women in uniform and say we expect you to follow the law, to follow the statutes that Congress has passed and the President has signed, but they apply to you and not me?

I don't know what options we have; but I know this, Mr. Speaker, that I'm going to continue to come on this floor day after day after day until the Secretary complies with the law and gives the Armed Services Committee what he's supposed to give us, a shipbuilding plan and an aviation plan and the certifications that our budget will meet those so that we are defending the United States of America.

□ 1330

OUR FRIENDS IN EUROPE: YOU WILL NOT BE FORGOTTEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, a national missile defense: I am aghast at its being dropped by this administration.

First of all, we have a missile defense program, and that protects the west coast against a launch by a rogue nation, namely, North Korea. The national missile defense site proposed plan for Europe was designed primarily to defend our eastern coast against a rogue attack by Iran, so that's why I reject the arguments of this administration. This administration is citing concerns into Europe.

The benefit of the national missile defense site was that we got a twofer from this. Not only did we get a system, again, that's already in application on the western coast—we have a system in place to protect our eastern seaboard from a launch of an intercontinental ballistic missile, armed by a nuclear warhead by Iran against our eastern coast—but it also gives coverage to our allies and friends in the vast majority of Europe.

Our allies, the Poles and the Czechs, worked hard to educate their public to bring together consensus and to support the two sites—one being a radar site in the Czech Republic and another being an interceptor site in Poland.

What did they do based upon the negotiations with us? What is our response to them? Our response to them is to now reject and to turn away from this site.

Now, the launch sites in Poland are a few interceptors, not the hundreds of offensive missiles that are placed in Russia. The interceptors were never a threat to Russia. However, this administration now bows to the totalitarian regime in Russia at the rejection of our friends and allies in the democratic countries in Eastern Europe—our friends the Poles and the Czechs—who have worked hard, who have solid democratic institutions, who support the war on terror, and who are our allies in the battle of freedom. So we side with the Russians in opposition to our Eastern European friends and neighbors.

You know, Russia may have been successful in causing this administration to back away from its commitment, but I want them to understand there are still many, many Members in this Chamber who will not kowtow to you or bow to the threats imposed by a reemergent Russia. Russia has meddled in the affairs of the Eastern European countries for long enough, most recently in the invasion of Georgia, meddling in the Ukraine and trying to destabilize their neighbors on the borders.

We will continue to fight for those freedom-loving, democratic institutions in Eastern Europe, especially for the countries I mentioned before—the Ukraine and Georgia—and for the people who want democracy in Belarus. We will not allow a reemergent Russia to try to build a new sphere of influence that will deprive these people of freedom.

This battle on national missile defense is the first victory for Russia in, again, attacking the credibility of the leadership of our country and in causing us to back down to commitments we made, not only to our citizens on the eastern coast but also to our allies and friends in Europe as a whole, and particularly to the Eastern European countries.

For years, the Eastern European countries have been called the “captive nations” because these were the countries which were under the totalitarian regime, under the old Soviet Socialist Republic system. They were deprived of their freedoms for decades. Of course, that is the desire of this new emergent Russia—to bring them back into that sphere. It is disappointing that this administration didn't stand strong in support of freedom and democracy and keep the movement on the national missile defense reaching forward.

We look forward to continuing this debate. I just want to send a message to our friends in Europe that you will not be forgotten.

THE PROGRESSIVE CAUCUS MESSAGE HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Mr. Speaker, I am KEITH ELLISON, here to claim the time.

The Progressive Caucus message hour, which comes to the House floor every week, week after week, with a Progressive message will be short tonight. We want to let our Republican colleagues know that. Tonight, though short, it will be a very potent and effective message because it is a Progressive message.

Obviously, everything these days is health care. Health care is a crucial issue, but it's important to understand that, from a Progressive standpoint, health care reform is part of an overall package of reform for middle and working class people in America.

How are you doing with your family budget when you see, over the last 10 years, that health care premiums have increased, that deductibles are increasing and that copays are increasing? How is it going when you see your neighbors are foreclosed upon and when the houses in your neighborhood are seeing a reduction in value? That's real wealth you're losing with this foreclosure crisis.

In a Progressive vision of this world, we see middle class people and working class people—people who are making only a little bit, who are making only minimum wage—who are actually seeing their wages rise, who are seeing their health care costs level off and go down, who are seeing their home values go up, and who are seeing the doors to the universities remain open so that young people can have real opportunities in this America.

We have a vision where everybody counts, where everybody matters, where we're not constantly looking for the next person to throw under the bus. With the Progressive vision, we know that it doesn't really matter what your economic station is in life. You still have an opportunity to do well in America. You still should have that opportunity. You should still have an opportunity to have your civil and your human rights respected. As we move forward in this health care debate, we must remember from a Progressive message standpoint that it is a part of a network of things that American middle class and working class people need—people of all colors, people of all cultures and people of all faiths.

The Progressive message: We don't believe that it makes sense to rail against and to demonize people who come from other countries. We welcome new Americans. We think it's a good idea. Immigration has been good for the United States.

We have a Progressive message which says that we believe that everybody's health care in the United States ought to be covered and that your health should not be a commodity which is bought and sold on Wall Street, which is bought and sold on commodity markets, where people basically look at you and your health as an economic entity to make themselves richer and wealthier.

So it is with that opening remark that I talk about our short presentation tonight: the Progressive message about health care. It is in this context that we talk about health care, not so much about the technicalities of health care at this point, but really focusing on health care reform—patients before profits. We believe in this.

Thirty-six other nations in this world provide some form of national health care. Our country does not. We are the richest country in the world. We have a GDP bigger than any other country in the world by double, and still we say we don't have enough to go around to cover the 49 million who are left uninsured or to make sure that we hold prices down and have quality care for the 250 million who do have employer-based health care and government health care but who are seeing their premiums rise.

Tonight, though our friends on the other side of the aisle constantly bang on government and talk about government-sponsored health care, we are here to say that the government is a good thing. There is nothing wrong with government. From a Progressive standpoint, we say that, yes, government must be efficient, that, yes, government must be effective and that, yes, government must not be too intrusive. Yet, just to make blanket statements about how government is bad, this is not part of the Progressive mission, because we know the GI Bill is part of government; we know that Medicare is part of government; we know that Medicaid, which covers the

poor, is part of government; we know Social Security is part of government. We don't look at the government as the enemy in a country that is by, for and of the people. The government is us. So what are people talking about when they rail on government-run health care as if it's some horrible thing?

The fact is that we're here to stand up and to stand out for real health care reform as a part of an overall package to make middle and working class people better off, with a higher quality of life and with more opportunities for themselves and for their families.

So, as we discuss this issue and as we keep it in context, it's important to also bear in mind that a key element of reform—an essential element of reform—is the public option. The public option is an essential element of reform, and I want to talk to you about it tonight for just a few minutes because we're not going to be here long. We're going to be here for a while. Most doctors support the public option.

We have this chart here—and I hope I can get a nice, wide camera angle—of both the public and private options.

Sixty-three percent of all doctors—they call it “doctors/providers” nowadays, but they're really doctors. Sixty-three percent of doctors support both a public and a private option. Sixty-three percent. That's a lot. Now, you have another 10 percent of doctors who say, You know what? Get profit-based health care out of our American system. We want public-only options.

If you put all of the doctors who believe in both public and private options and doctors who believe in public-only options, that's 73 percent of doctors.

Doctors say they know the public option is better. You might have some folks who are accountable to industry interests in the insurance industry who don't want a public option, but you don't have doctors saying it. Doctors are for the public option—63 percent-plus more.

I am very pleased to be joined right now by my dear friend from the great State of New York, ANTHONY WEINER.

Anthony, how are you doing tonight?

Mr. WEINER. I thank you very much.

I am an honorary member of the Progressive Caucus. I am not a member of the caucus, but I am very interested in the work that you've done on this issue. I just want to pick up on a point that you just made.

Part of the reason doctors understand the need for the public option is that they deal every day with insurance companies. You and I, when we get sick—and God willing, that's not often—and when our constituents get sick, they have to deal with their insurance companies. They deal with them every day. They've got six or seven different in-boxes on their desks. About 20 percent of their overhead is dealing with insurance companies, and I don't mean dealing with them as in, “Hey, how are you doing? Let's have a doughnut and coffee together.” I mean sitting on hold, getting approval, try-

ing to find out when they're going to get reimbursed, spending months and months and months waiting for insurance companies to give them money for services they've already provided.

So when doctors look at this debate, they say, You know what? Having some level of competition is helpful to them as well. Just so we understand the context of this, we swing wildly between people who say the public option in this health care debate is going to transform the world and people who say it's not really going to do anything. Somewhere in between is probably right.

When this health care plan goes into effect under the President's proposal we have here in the House, for most Americans, they're not even going to have the ability to go sign up for the public option because they get health insurance at their work. If they decide to leave their employers, they're going to leave whatever the employers are putting into the kitty, so they're probably not going to do that. They effectively are not going to go into the public option. If you're on Medicare, Medicaid, the VA, or the Department of Defense, you're not going to be even eligible to go into the public option.

So the people who are going to benefit are a small group of people, an important group of people who are underinsured, meaning their employers don't provide even the basic health insurance we believe they should, or those who have no coverage at all. They're going to be able to shop. Even for those people, it is going to take a while for this public option to get up and running.

The reason it's so important—and you've made this point continually during the debate—is that we should have at least some experiment with how it might work. We should have some way to look through the lens and say, You know what? Here's a private insurance company that's paying for advertisements and that's paying bonuses. The CEO of the public option will probably make—I don't know—\$190,000 a year, whatever it is, versus an institution, a public option, which might say, You know what? Maybe we can do it for less because we don't have to look out for shareholders. That sliver of competition has the insurance companies mortified.

The question is why. Why are they so afraid?

Because, I say to my colleague from Minnesota, at the end of the day, it could just be that these insurance companies say, You know what? If I'm going to compete, maybe I'll have to turn a little bit less over to profits, a little bit less over to advertising and over to bonuses. Now, for them, that might not be so good, but for the rest of us and for the country as a whole, that is actually, probably, a pretty good thing.

Mr. ELLISON. If the gentleman would yield briefly—and I'll hand it right back to the gentleman from New York—I just want to throw this out there:

I propose that the people who support the public option and the people who oppose the public option do so for the same reasons.

□ 1345

One is that the public option will be competitive. Because we don't have to funnel monies into these things that don't really go to care, we will be able to provide cost-competitive products for people to be able to purchase.

Mr. WEINER. Well, let me make one other point. First, that's funny, you made that observation, great minds think alike or average minds think alike.

I had written an op-ed a month ago, made the same exact point that actually the two sides agree on this. But what's interesting about some of my Republican friends who have fought so vehemently against it is, at the end of the day, we are introducing another market player. That is, you always want more market players because that's where competition comes from.

We are introducing another one. Now we have tied its hands behind its back a bit more than I would have liked, but we are introducing another market player. It's fascinating because the argument seems to be, wait a minute, if you give my constituents choice, they might take it. Now, it's fine that—we apparently believe that our constituents are smart enough to choose us to be their representatives, but, oh, no, we can't trust them to be smart enough to choose the health insurance plan.

By the way, I already see the TV commercials. Don't go with them, you don't want government-funded health care. Yes, the private insurance companies are going to do everything possible to compete in that way. But at the end of the day, we are trying to introduce market forces where they don't exist today.

Let me just make this one final point. We hear all the time from the other side. Let the marketplace work. There is no marketplace for health care as a commodity the way we know it.

If I have an appendix burst right now standing here, I am not going to say, You know what, I am not going to get an appendix, I am going to shop for a liver instead. Or I am not going to say, You know, I am going to wait. I understand appendix goes on sale in December, I am going to wait. Or I don't have the ability to say, I am going to go buy some books and learn how to sew up my own appendix. That doesn't happen.

If I am like 80 percent of all people that get their insurance from an employer, I have one option. My employer walks in and says, Congratulations, everyone here at the supermarket. We have Blue Cross or we have Oxford, and here is the coverage.

I don't get to say, Hey, boss, uh-uh, give me my money, I am going to go shop around a little bit more. That doesn't happen.

So the idea that we have some kind of a free market guaranteed choice

doesn't exist. Now we are introducing a little bit here, but at the end of the day, this is not a commodity, like a suit of clothes that you can say I am going to buy or I am going to not. It's also true when people say, Why should I have to get insurance, I am not sick.

Well, you might not be sick today, but if, God forbid, you get hit by a car and you have \$170,000 worth of insurance, of health care costs, and \$100 in your pocket, you know who is paying? You and I are.

But what happened to the idea of letting us all make free choices? The right of your choice stops where it starts impacting me. As my father would frequently say to me when he was explaining to me the law, the right of my fist stops at your nose. You can't have this kind of conversation that—but if you really believe in the marketplace, introduce more players.

That's what Mr. ELLISON has talked about, and that's what the Progressive Caucus talked about. That's what, frankly, overwhelming numbers of Americans and overwhelming numbers of doctors are talking about.

If you are interested in making sure that we have a marketplace that is not just dominated by the idea if you can afford to pay, you do, and let me make this final—I know I keep saying final point. There is one other thing. You know, I have made the point that insurance companies for health care at the end of the day are not like insurance companies in any other walk of life.

Your car insurance company, since we all have automobile insurance coverage, they are apportioning risk. They are trying to figure out how you spread risk around. Health insurance companies don't do that. They are not covering anyone over 65. They are not covering anyone that has a preexisting condition. People like my father who tried to get health insurance before he was 65 were charged so much he effectively couldn't get it. So they are not doing that either.

So the question becomes what are the insurance companies doing? They are taking our money and giving it to doctors, giving it to hospitals, giving it to clinics. But they are putting 20 percent in their pocket.

So why don't we, if we are trying to figure out savings, not that I have anything—I mean insurance companies aren't venal people; they are doing what we frankly have allowed them to do and they have risen up for natural reasons. Let's start with that 20 percent. Let's start with that 350 or so billion dollars out of a \$2.5 trillion pot. You know what, let's put that back into health care, let's put that back into tax cuts. Let's put that back into other service.

Frankly, that's the argument behind the public option, and it's 4 percent overhead, compared to the health insurance plan that I have, which has about a 25 percent overhead.

Mr. ELLISON. If the gentleman would just hang with me for a minute—

well, tonight, we are short here tonight, we are going to be handing it over in a little while.

But I just want to explore this issue of competition with the gentleman from New York one more time. Now you pointed out how we have real problems with competition. We have real issues with flexibility within the market because, when you need the operation, you need it. There is not much opportunity for shopping around.

But what about the number of health care insurance companies that are in markets as they exist today? As you look around the cities of our country, are we seeing health insurance companies proliferating throughout these cities where you have multiple companies to choose from or are you looking at large markets being dominated by one to five actors?

I believe 75 percent of all the major markets are dominated by no more than five actors. Even if you could go shop around for that policy, do you have a lot to choose from?

Mr. WEINER. It's an interesting point. One of the most common things we hear from people who oppose this comprehensive health plan is they pick a reed of information and say, Why don't we do this? Why don't we let all insurance companies around the country compete in every market?

Well, I am open to the idea, but I have got to tell you they don't seem to want to. We have 50 States that have 50 State insurance commissions, and you can knock on the door of any one of them and say, I am an insurance company, I want to apply to provide insurance here in Minnesota or New York.

Now you know we have a grand total of zero applications from insurance companies in New York who want to operate in Maine. I tell you why, for an obvious reason. If you are a health insurance company in New York, you don't know any of the doctors in Maine. What your patients and your customers are going to want is my doctor in your network.

So they have to go organize all these doctors, create a whole new network. It's hard to do. I honor health insurance companies for trying to do it. They make a lot of money. Maybe it's because they were able to do that. But you want to know, there is one insurance entity that has been able to do it for the entire country. It's called Medicare. Not only have they have been able to do it, but they have been able to do it at 3.5 percent overhead compared to a 30 percent overhead.

Mr. ELLISON. Wait a minute, isn't this a government-administered program?

Mr. WEINER. Well, not long ago on this floor, my colleagues on the Republican side of the aisle, who thump their chest and beat the rostrum about being against government-funded single payer health care plans, all voted for it. I mean, maybe not all of them; most of them voted for it.

They are the defenders of Medicare? Well, that's a single-payer, government-funded, government-controlled health care. Now it is not one thing, though—that really needs to be clarified. It's not socialism, and I will tell you why. Socialism means that government controls the means of production.

Government doesn't run the doctors or the hospitals any more than Oxford, Blue Cross or Aetna does. Now it's a common thing to say—and never or hardly ever do my colleagues on the other side of the aisle actually try to figure out the literal sense of what they are saying. It's not that.

It is, in a way, trying to figure out a way that we as a society figure out how to deal with the society problem, but the problem that we have here is the private insurance companies pick and choose markets the same way they pick and choose customers. I have got to tell you something. We can pass a law tomorrow saying that everyone can compete, all over the 50 States. You won't have people applying to go into Idaho and set up a—or probably going into Minnesota.

We have in New York a pretty rich—because we have a lot of customers, a lot of senior citizens. But we also have some of the toughest regulatory regimes because of many of the abuses that we have seen.

Look, I want to tell you something. It is my view we should have something like Medicare for all Americans. We should treat health care like we treat the fire department. Hopefully we don't need it very often. We all pay taxes so that when there is a fire they will come and put out the fire. It's good for our economy that our neighborhood shoe store should worry about selling shoes, not health care.

Under a vote that I am going to be offering, and I think it will have your support—

Mr. ELLISON. Absolutely.

Mr. WEINER. We are going to take the shoe store guy and say, You focus on that. We, the government, have an infrastructure that we know that works for health care. It has a financing problem like all health care does. Actually the curve for health care is not as severe as it is for private insurance. That's the way we should do it.

We should make it less expensive, not more expensive for citizens, because we shouldn't say, Your State taxes are going to go up, your local taxes are going to go up, your hospitals are going to close. We are going to run it the way we run Medicare, which is efficiently, and we will provide it as a service.

But putting that aside for a moment, at the very least, if we're going to have insurance companies be the primary place we get it, how about a tiny reed, a tiny sliver of competition. If you don't do it because you think you should have choice, do it because you think we should save money.

The Congressional Budget Office says that if we take a public option and we

link it to Medicare plus 5 percent, we will save another \$100 billion. If you are a fiscal hawk, you want the public option. If you want choice, you want the public option.

If you are a doctor, you want a public option. If you are uninsured, you want a public option. If you have insurance, you may not know it, but you want a public option too.

I thank the gentleman for just about every day talking about these important issues.

Mr. ELLISON. I want to thank the gentleman for being as eloquent as he has been. We turn on the TV screen and the gentleman has been on national news talking about these critical issues from the standpoint of the numbers, the logic, but also from the standpoint of the person who really, really needs the change.

Congressman, you have done a great service. I have told you on the floor one-on-one how proud I am of the work that you have done. I think that you are going to keep doing it. You can count on me to support the Weiner amendment, which is a single-payer payment.

Mr. WEINER. Let me say very briefly what the single payer—consider it Medicare fraud. Ask your neighbor, if you are not old enough to have Medicare, ask them how their service is.

Every year they do a survey of all Medicare beneficiaries; 96 percent say they are satisfied with it, which any program or any business would be glad to have that. They also ask the providers, the hospitals, the doctors: Rate it on a score of 1 to 6. Last year the average score was 4.5. That is pretty good. That is essentially an A minus.

What it does is say, Look, we are not going have high overhead. We will not pay you the bust-out top of the market. For every single person you are going to get prompt payment. Everyone is going to be covered. You are going to have customers all around the neighborhood, and we will try to do some smart things to contain cost.

Now make no mistake about it. The canard that's raised—wait a minute. Medicare is a successful program. We don't like it, but there are costs to it. It's true. We have more older people. To some degree Medicare's success is why it's having trouble financially.

We are living 10 years longer today than we were when Medicare was passed. By the way, it's not 10 years in our teenage years, we get 10 years at the end of life when we have more health care costs.

But if we want to solve a problem in Medicare, you call your Congressman. You get on the phone. The taxpayers employ those people. If you want to fix your private insurance, if they shut you down, they kick you out, you get on an 800 number or you buy shares in their company. Those are the two ways you influence it.

What we are saying is, let's have a more efficient model, let's have a model that's lower cost, let's have a

model that you know works. If you don't think it works, ask our Republican friends how come they keep voting for it over and over and over.

I offered an amendment in the Energy and Commerce Committee. I see my colleague from the Judiciary Committee, but the Energy and Commerce Committee—I said, You don't like single-payer health plan, put your money where your mouth is. I offered an amendment on the day of the 44th anniversary of Medicare to eliminate the program. They say they don't like government-run health care. Eliminate the program.

Not a single one of those people—and I am prohibited on the floor from calling them phonies—not a single one of those people voted “no”—or voted “yes” to eliminate Medicare. Oh, no, no, no, we love Medicare. You like Medicare if you are 65 but not if you are 64?

□ 1400

Not if you're 60, not if you're 45. Why? What's the intellectually honest explanation of that? If you believe the program that you're going to fight and defend—you should have it when you're 65—what's magical about that?

When my dad retired at 60, he wasn't eligible to get Medicare, and he went to the private insurance market. They said, Fine. For \$15,000 a year, a retired guy, why not give that guy Medicare? And then maybe in a couple of years we give younger guys Medicare. And we get down to the twenties, where you are, we give you Medicare.

The point is, we know what works. You want simple? We got simple. Medicare for all Americans. You want inexpensive, you want low overhead? We got that. Medicare for all Americans. You want something that every doctor accepts? Medicare for all Americans. You want complete, 100 percent choice of what doctor you go to? Medicare for all Americans.

Now, one thing it doesn't do. It doesn't skim off 20 percent for profits. You won't see TV commercials with people sitting in rocking chairs saying, Boy, I'm glad I got Medicare. No, they're going to put that money into health care.

Does it need some fixing? Yeah. We do some dumb things. We'll put \$900 for someone to be in a hospital bed. We won't pay \$50 to put up a handrail when one-third of all seniors get into a hospital emergency room because of slips and falls. We do some dumb things, and we need to fix it.

But I've got to tell you something. As a Member of Congress representing 650,000, 660,000 people in Brooklyn and Queens in New York City, in God's country, I would much rather fight with CMS, fight with the Federal bureaucracy which, by the way, I get far fewer complaints about them than I do about private insurance companies, than having to hope that I get a good response from my insurance company.

So that's basically the philosophy behind the single-payer thing. I have to

take exception to one thing the President said in his speech. He said, Some people in this Chamber want a single-payer system like they have in Canada. No. I want a single-payer system like we have in the United States of America. I want a single-payer plan that my father has. I want a single-payer plan that my mother has.

I want a single-payer plan that took my grandparents, whose generation had a 30 percent poverty rate before Medicare, and is now at 8 percent. That's the American single-payer.

So don't let people distract you by, Oh, it's Europe; it's socialism; it's Canada. It's the United States of America. We know how to do health care in the United States, and it's called Medicare. The Democrats created it. The Republicans now embrace it. It's got bipartisan support. Let's expand it.

I appreciate it. Let me just yield on this point. First of all, I appreciate it. I'm not a member of the Progressive Caucus. The final stage of the application, as you know, is the talent competition, and I was never able to make it through that last threshold.

But the fact that you, in hour-long blocks, have real thoughtful conversation—this present company excluded—but real thoughtful conversations about this issue that explore the actual facts and the underpinning is exactly why this has been, I believe, a proud moment in our American civic life.

You put aside the people yelling, call people names, put that aside for a moment. This is something all Americans see through the lens of their own experience. They feel very compassionate about it.

So I ask all of the people watching today and all of the people here observing this debate, ask someone about their experience with Medicare and you'll see it's a pretty good ambassador for a government program that works pretty well that we should try to expand to more Americans.

I thank you for your kindness.

Mr. ELLISON. I do thank the gentleman. This will be the conclusion of our Progressive message tonight. The Progressive Caucus, appearing with ANTHONY WEINER, who did such a fine job, we will be back next week, everybody.

This has been KEITH ELLISON with the Progressive message, and we yield back.

CONFERENCE REPORT ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Ms. WASSERMAN SCHULTZ (during the Special Order of Mr. ELLISON) submitted the following conference report and statement on the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes:

CONFERENCE REPORT (H. REPT. 111-265)

The committee of conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H. R. 2918), making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

REFERENCES

SEC. 1. Except as expressly provided otherwise, any reference to "this Act" or "this joint resolution" contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I LEGISLATIVE BRANCH SENATE

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Victoria Reggie Kennedy, widow of Edward M. Kennedy, late a Senator from Massachusetts, \$174,000.

EXPENSE ALLOWANCES

For expense allowances of the Vice President, \$20,000; the President Pro Tempore of the Senate, \$40,000; Majority Leader of the Senate, \$40,000; Minority Leader of the Senate, \$40,000; Majority Whip of the Senate, \$10,000; Minority Whip of the Senate, \$10,000; Chairmen of the Majority and Minority Conference Committees, \$5,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, \$5,000 for each Chairman; in all, \$180,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, \$15,000 for each such Leader; in all, \$30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, \$178,982,000, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, \$2,517,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, \$752,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, \$5,212,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, \$3,288,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, \$15,844,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, \$1,726,000 for each such committee; in all, \$3,452,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, \$850,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, \$1,763,000 for each such committee; in all, \$3,526,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, \$415,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, \$25,790,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, \$70,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, \$1,836,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, \$45,500,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, \$7,154,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, \$1,544,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, \$7,500; Sergeant at Arms and Doorkeeper of the Senate, \$7,500; Secretary for the Majority of the Senate, \$7,500; Secretary for the Minority of the Senate, \$7,500; in all, \$30,000.

CONTINGENT EXPENSES OF THE SENATE INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96-304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, \$140,500,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, \$520,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, \$2,000,000.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, \$153,601,000, which shall remain available until September 30, 2014.

MISCELLANEOUS ITEMS

For miscellaneous items, \$19,145,000, of which up to \$500,000 shall be made available for a pilot program for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) at which the Senator will personally attend: Provided, That any amount allocated to a Senator for such mailing shall not exceed 50 percent of the cost of the mailing and the remaining cost shall be paid by the Senator from other funds available to the Senator.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, \$422,000,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, \$300,000.

ADMINISTRATIVE PROVISIONS

GROSS RATE OF COMPENSATION IN OFFICES OF SENATORS

SEC. 1. Effective on and after October 1, 2009, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61-1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2009, increased by an additional \$50,000 each.

REPORTING REQUIREMENT

SEC. 2. Section 105(a) of the Legislative Branch Appropriations Act 1965 (Public Law 88-454; 2 U.S.C. 104a) is amended—

(1) in the last sentence of paragraph (1), by striking “shall” and inserting “may”; and

(2) by adding at the end the following:

“(6) Beginning with the report covering the first full semiannual period of the 112th Congress, the Secretary of the Senate—

“(1) shall publicly post on-line on the website of the Senate each report in a searchable, itemized format as required under this section;

“(2) shall issue each report required under this section in electronic form; and

“(3) may issue each report required under this section in other forms at the discretion of the Secretary of the Senate.”.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,369,025,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$25,881,000, including: Office of the Speaker, \$5,077,000, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,530,000, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$4,565,000, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$2,194,000, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,690,000, including \$5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, \$517,000; Republican Steering Committee, \$981,000; Republican Conference, \$1,748,000; Republican Policy Committee, \$362,000; Democratic Steering and Policy Committee, \$1,366,000; Democratic Caucus, \$1,725,000; nine minority employees, \$1,552,000; training and program development—majority, \$290,000; training and program development—minority, \$290,000; Cloakroom Personnel—majority, \$497,000; and Cloakroom Personnel—minority, \$497,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$660,000,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$139,878,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2010, except that \$1,000,000 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$31,300,000, including studies and examinations of executive agencies and

temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2010.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$198,301,000, including: for salaries and expenses of the Office of the Clerk, including not more than \$23,000, of which not more than \$20,000 is for the Family Room, for official representation and reception expenses, \$30,089,000 of which \$2,600,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than \$3,000 for official representation and reception expenses, \$9,509,000; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$130,782,000, of which \$3,937,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$5,045,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, \$4,445,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, \$1,415,000; for the Office of the Chaplain, \$179,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,060,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,258,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$8,814,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$859,000; for other authorized employees, \$1,249,000; and for salaries and expenses of the Office of the Historian, including the cost of the House Fellows Program (including lodging and related expenses for visiting Program participants), \$597,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$313,665,000, including: supplies, materials, administrative costs and Federal tort claims, \$3,948,000; official mail for committees, leadership offices, and administrative offices of the House, \$201,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$276,703,000, including employee tuition assistance benefit payments, \$3,500,000, if authorized, and employee child care benefit payments, \$1,000,000, if authorized; Business Continuity and Disaster Recovery, \$25,098,000, of which \$5,425,000 shall remain available until expended; transition activities for new members and staff, \$2,907,000; Wounded Warrior Program, \$2,500,000, to be derived from funding provided for this purpose in Division G of Public Law 111-8; Office of Congressional Ethics, \$1,548,000; Energy Demonstration Projects, \$2,500,000, if authorized, to remain available until expended; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$760,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2062), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for “House of Representatives—Salaries and Expenses—Members' Representational Allowances” shall be available only for fiscal year 2010. Any amount remaining after all payments are made under such allowances for fiscal year 2010 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 102. Effective with respect to fiscal year 2010 and each succeeding fiscal year, the aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for each of the following offices is increased as follows:

(1) The allowance for the office of the Majority Whip is increased by \$96,000.

(2) The allowance for the office of the Minority Whip is increased by \$96,000.

HOUSE FITNESS CENTER

SEC. 103. Any active duty member of the Armed Forces who is assigned to a congressional liaison office of the Armed Forces at the House of Representatives may obtain membership in the exercise facility established for employees of the House of Representatives (as described in section 103(a) of the Legislative Branch Appropriations Act, 2005) in the same manner as an employee of the House of Representatives, in accordance with such regulations as the Committee on House Administration may promulgate.

SEC. 104. (a) Section 101(d) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(d)), as added by section 103(a) of the Legislative Branch Appropriations Act, 2009, is amended by striking “and made available” and inserting “and merged with and made available”.

(b) The amendment made by subsection (a) shall apply to funds appropriated for fiscal year 2010 and succeeding fiscal years.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,814,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$11,327,000, to be disbursed by the Chief Administrative Officer of the House of Representatives. For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of \$2,175 per month to the Attending Physician; (2) an allowance of \$1,300 per month to the Senior Medical Officer; (3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician; (4) an allowance of \$725 per month to two assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (5) \$2,366,000 for reimbursement to the Department of the Navy for expenses incurred for

staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,805,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES
SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,377,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE
SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$265,188,000, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$63,130,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2010 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION
(INCLUDING TRANSFER OF FUNDS)

SEC. 1001. Amounts appropriated for fiscal year 2010 for the Capitol Police may be transferred between the headings "Salaries" and "General expenses" upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

OFFICE OF COMPLIANCE
SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$4,377,000, of which \$884,000 shall remain available until September 30, 2011: Provided, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

ADMINISTRATIVE PROVISION
DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY

SEC. 1101. (a) IN GENERAL.—Title III of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) is amended by inserting after section 305 the following:

"SEC. 306. DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY.

"The Executive Director may, within the limits of available appropriations, dispose of surplus or obsolete personal property by inter-agency transfer, donation, or discarding."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents of the Congressional Accountability Act of 1995 (2 U.S.C. 1301

et seq.) is amended by inserting after section 305 the following:

"Sec. 306. Disposition of surplus or obsolete personal property."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2010, and each fiscal year thereafter.

CONGRESSIONAL BUDGET OFFICE
SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$45,165,000.

ADMINISTRATIVE PROVISION
EXECUTIVE EXCHANGE PROGRAM FOR THE CONGRESSIONAL BUDGET OFFICE

SEC. 1201. Section 1201 of the Legislative Branch Appropriations Act, 2008 (2 U.S.C. 611 note; Public law 110-161; 121 Stat. 2238) is amended—

- (1) in subsection (b)—
(A) in paragraph (1), by striking "3" and inserting "5"; and
(B) in paragraph (2), by striking "3" and inserting "5";
(2) by striking subsection (d), and redesignating subsection (e) as subsection (d); and
(3) in subsection (d) (as redesignated by this section), by striking "Subject to subsection (d), this" and inserting "This".

ARCHITECT OF THE CAPITOL
GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$106,783,000, of which \$5,400,000 shall remain available until September 30, 2014.

CAPITOL BUILDING
For all necessary expenses for the maintenance, care and operation of the Capitol, \$33,182,000, of which \$6,499,000 shall remain available until September 30, 2014.

CAPITOL GROUNDS
For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$10,974,000, of which \$1,410,000 shall remain available until September 30, 2014.

SENATE OFFICE BUILDINGS
For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, \$74,392,000, of which \$15,390,000 shall remain available until September 30, 2014.

HOUSE OFFICE BUILDINGS
For necessary expenses for the maintenance, care and operation of the House office buildings, \$100,466,000, of which \$53,360,000 shall remain available until September 30, 2014.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$50,000,000, to remain available until expended.

CAPITOL POWER PLANT
For all necessary expenses for the maintenance, care and operation of the Capitol Power

Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$119,133,000, of which \$25,610,000 shall remain available until September 30, 2014: Provided, That not more than \$8,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2010.

LIBRARY BUILDINGS AND GROUNDS
For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$45,795,000, of which \$19,560,000 shall remain available until September 30, 2014.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY
For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, \$27,012,000, of which \$8,150,000 shall remain available until September 30, 2014.

BOTANIC GARDEN
For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$11,390,000, of which \$900,000 shall remain available until September 30, 2014: Provided, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

CAPITOL VISITOR CENTER
For all necessary expenses for the operation of the Capitol Visitor Center, \$22,459,000.

ADMINISTRATIVE PROVISIONS
DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY

SEC. 1301. (a) IN GENERAL.—The Architect of the Capitol shall have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by inter-agency transfer, donation, sale, trade-in, or discarding. Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Architect of the Capitol and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year received and the following fiscal year.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2010, and each fiscal year thereafter.

FLEXIBLE AND COMPRESSED WORK SCHEDULES
SEC. 1302. Chapter 61 of title 5, United States Code, is amended—

(1) in section 6121(1) by striking "and the Library of Congress" and inserting "the Library of Congress, the Architect of the Capitol, and the Botanic Garden"; and

(2) in section 6133(c) by adding at the end the following:

“(3) With respect to employees of the Architect of the Capitol and the Botanic Garden, the authority granted to the Office of Personnel Management under this subchapter shall be exercised by the Architect of the Capitol.”.

ACCEPTANCE OF VOLUNTARY STUDENT SERVICES

SEC. 1303. (a) Section 3111 of title 5, United States Code, is amended by adding at the end the following:

“(e) For purposes of this section the term ‘agency’ shall include the Architect of the Capitol. With respect to the Architect of the Capitol, the authority granted to the Office of Personnel Management under this section shall be exercised by the Architect of the Capitol.”.

HOUSE HISTORIC BUILDINGS REVITALIZATION TRUST FUND

SEC. 1304. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States, as an account for the Architect of the Capitol, the House Historic Buildings Revitalization Trust Fund (hereafter in this section referred to as the “Fund”).

(b) USE OF AMOUNTS.—Amounts in the Fund shall be used by the Architect of the Capitol for the revitalization of the major historical buildings and assets of the House of Representatives which the Architect is responsible for maintaining and preserving, except that the Architect may not obligate any amounts in the Fund without the approval of the Committee on Appropriations of the House of Representatives.

(c) CONTINUING AVAILABILITY OF FUNDS.—Any amounts transferred to and merged with, or otherwise deposited into, the Fund shall remain available until expended.

(d) PERMITTING TRANSFERS FROM AMOUNTS APPROPRIATED FOR HOUSE OF REPRESENTATIVES.—Section 101 of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b), as amended by section 103(a) of the Legislative Branch Appropriations Act, 2009, is amended by adding at the end the following new subsection:

“(e) Amounts appropriated for any fiscal year for the House of Representatives under any heading other than the heading ‘Members’ Representational Allowances’ may be transferred to the Architect of the Capitol and merged with and made available under the heading ‘House Historic Buildings Revitalization Trust Fund’, subject to the approval of the Committee on Appropriations of the House of Representatives.”.

(e) EFFECTIVE DATE.—This section and the amendment made by this section shall apply with respect to fiscal year 2010 and each succeeding fiscal year.

SUPPORT AND MAINTENANCE DURING EMERGENCIES

SEC. 1305. (a) During an emergency involving the safety of human life or the protection of property, as determined or declared by the Capitol Police Board, the Architect of the Capitol—

(1) may accept contributions of comfort and other incidental items and services to support employees of the Office of the Architect of the Capitol while such employees are on duty in response to the emergency; and

(2) may incur obligations and make expenditures out of available appropriations for meals, refreshments, and other support and maintenance for the Office of the Architect of the Capitol if, in the judgment of the Architect, such obligations and expenditures are necessary to respond to the emergency.

(b) This section shall apply with respect to fiscal year 2010 and each succeeding fiscal year.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library’s catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation

of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$446,151,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2010, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2010 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: Provided further, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, \$7,315,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That of the total amount appropriated, \$750,000 shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106-173, of which \$10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: Provided further, That of the total amount appropriated, \$250,000 shall be used to carry out activities under the Civil Rights History Project Act of 2009: Provided further, That of the total amount appropriated, \$200,000 shall be used for the purpose of preserving, digitizing and making available historically and culturally significant materials related to the development of Nebraska and the American West, which amount shall be transferred to the Durham Museum in Omaha, Nebraska.

COPYRIGHT OFFICE SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, \$55,476,000, of which not more than \$28,751,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2010 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than \$5,861,000 shall be derived from collections during fiscal year 2010 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$34,612,000: Provided further, That not more than \$100,000 of the amount appropriated is available for the maintenance of an “International Copyright Institute” in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than \$4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Pro-

vided further, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$112,490,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$70,182,000, of which \$30,577,000 shall remain available until expended: Provided, That of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1401. (a) IN GENERAL.—For fiscal year 2010, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$123,328,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2010, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading “Library of Congress”, under the subheading “Salaries and Expenses”, to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106-481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed \$1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

TRANSFER AUTHORITY

SEC. 1402. (a) IN GENERAL.—Amounts appropriated for fiscal year 2010 for the Library of Congress may be transferred during fiscal year 2010 between any of the headings under the heading “Library of Congress” upon the approval of the Committees on Appropriations of the Senate and the House of Representatives.

(b) LIMITATION.—Not more than 10 percent of the total amount of funds appropriated to the account under any heading under the heading “Library of Congress” for fiscal year 2010 may be transferred from that account by all transfers made under subsection (a).

CLASSIFICATION OF LIBRARY OF CONGRESS POSITIONS ABOVE GS-15

SEC. 1403. Section 5108 of title 5, United States Code, is amended by adding at the end the following:

“(c) The Librarian of Congress may classify positions in the Library of Congress above GS-15 pursuant to standards established by the Office in subsection (a)(2).”.

LEAVE CARRYOVER FOR CERTAIN LIBRARY OF CONGRESS EXECUTIVE POSITIONS

SEC. 1404. Section 6304(f)(1) of title 5, United States Code, is amended—

(1) in subparagraph (F), by striking “or” at the end;

(2) in subparagraph (G), by striking the period and inserting “; or” and

(3) by adding after subparagraph (G) the following:

“(H) a position in the Library of Congress the compensation for which is set at a rate equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314.”.

(4) The amendments made by subsection (a) shall apply with respect to annual leave accrued during pay periods beginning after the date of the enactment of this Act.

GOVERNMENT PRINTING OFFICE
CONGRESSIONAL PRINTING AND BINDING
(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$93,768,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

OFFICE OF SUPERINTENDENT OF DOCUMENTS
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$40,911,000: Provided, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2008 and 2009 to depository and other designated libraries: Provided further, That any

unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING
FUND

For payment to the Government Printing Office revolving fund, \$12,782,000 for information technology development and facilities repair: Provided, That the Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided further, That not more than \$7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the revolving fund may provide information in any format: Provided further, That the revolving fund and the funds provided under the headings “Office of Superintendent of Documents” and “Salaries and Expenses” may not be used for contracted security services at GPO’s passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$556,849,000: Provided, That not more than \$5,449,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That not more than \$2,350,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That not more than \$7,423,000 of reimbursements received under section 3521 of title 31, United States Code, shall be available for use in fiscal year 2010: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental

Audit Forum shall be available to finance an appropriate share of either Forum’s costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

REPEAL OF CERTAIN AUDITS, STUDIES, AND REVIEWS OF THE GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 1501. (a) USE OF FUNDS IN PROJECTS CONSTRUCTED UNDER PROJECTED COST.—Section 211 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151) is amended by striking subsection (d).

(b) AUDITS OF SMALL BUSINESS PARTICIPATION IN CONSTRUCTION OF THE ALASKA NATURAL GAS PIPELINE.—Section 112 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720j) is amended by striking subsection (c).

(c) AUDITS OF ASSISTANCE UNDER COMPACTS OF FREE ASSOCIATION.—Section 104(h) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(h)) is amended by striking paragraph (3).

(d) SEMIANNUAL AUDITS OF INDEPENDENT COUNSEL EXPENDITURES.—The matter under the heading “Salaries and Expenses, General Legal Activities” under the heading “Legal Activities” under title II of the Department of Justice Appropriation Act of 1988, (28 U.S.C. 591 note; Public Law 100-202; 101 Stat. 1329, 1329-9) is amended by striking “Provided further, That the Comptroller General shall perform semi-annual financial reviews of expenditures from the Independent Counsel permanent indefinite appropriation, and report their findings to the Committees on Appropriations of the House and Senate.”.

(e) REPORTS ON AMBULANCE SERVICE COSTS.—Section 414 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

OPEN WORLD LEADERSHIP CENTER TRUST
FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$12,000,000.

ADMINISTRATIVE PROVISION

OPEN WORLD LEADERSHIP CENTER

SEC. 1601. (a) BOARD MEMBERSHIP.—Section 313(a)(2) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(a)(2)) is amended—

(1) in subparagraph (A), by striking “members” and inserting “Members of the House of Representatives”; and

(2) in subparagraph (B), by striking “members” and inserting “Senators”.

(b) EXECUTIVE DIRECTOR.—Section 313(d) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151(d)) is amended in the first sentence by striking “The Board shall appoint” and inserting “On behalf of the Board, the Librarian of Congress shall appoint”.

(c) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to—

(1) appointments made on and after the date of enactment of this Act; and

(2) the remainder of the fiscal year in which enacted, and each fiscal year thereafter.

JOHN C. STENNIS CENTER FOR PUBLIC
SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2010 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

AWARDS AND SETTLEMENTS

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

COSTS OF LBFMC

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

LANDSCAPE MAINTENANCE

SEC. 207. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in the irregular shaped grassy areas bounded by Washington Avenue, SW, on the northeast, Second Street, SW, on the west, Square 582 on the south, and the beginning of the I-395 tunnel on the southeast.

LIMITATION ON TRANSFERS

SEC. 208. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 209. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to

eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

This Division may be cited as the "Legislative Branch Appropriations Act, 2010".

DIVISION B—CONTINUING
APPROPRIATIONS RESOLUTION, 2010

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2010, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2009 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2009, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) Chapter 2 of title IX of the Supplemental Appropriations Act, 2008 (Public Law 110–252).

(2) Section 155 of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329), except that subsections (c), (d), and (e) of such section shall not apply to funds made available under this joint resolution.

(3) Divisions C through E of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329).

(4) Divisions A through I of the Omnibus Appropriations Act, 2009 (Public Law 111–8), as amended by section 2 of Public Law 111–46.

(5) Titles III and VI (under the heading "Coast Guard") of the Supplemental Appropriations Act, 2009 (Public Law 111–32).

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2009 or prior years; (2) the increase in production rates above those sustained with fiscal year 2009 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2009.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made avail-

able or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2009.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2010, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2010 without any provision for such project or activity; or (3) October 31, 2009.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2010 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2009, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2009, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2009 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2009, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department

Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. Amounts made available by this joint resolution related to amounts provided in chapter 2 of title IX of the Supplemental Appropriations Act, 2008 (Public Law 110-252), and titles III and VI of the Supplemental Appropriations Act, 2009 (Public Law 111-32), are designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, except that amounts so designated under this section shall not exceed \$129,989,000,000.

SEC. 115. The provisions of section 14103 of Public Law 111-32 shall continue in effect through the date specified in section 106(3) of this joint resolution, and such provisions shall also apply to funds made available in this joint resolution.

SEC. 116. Section 9(f)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(5)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 117. The authority provided by paragraphs (3) and (4) of section 9(h) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3); 1758(h)(4)) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 118. The authority provided by section 18(h)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(h)(5)) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 119. Section 21(g)(1)(A)(ii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b-1(g)(1)(A)(ii)) shall be applied by substituting “October 1, 2008, and October 1, 2009” for “October 1, 2008” and shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 120. The authority provided by section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 121. Notwithstanding section 101, amounts are provided for “Department of Commerce—Bureau of the Census—Periodic Censuses and Programs” at a rate for operations of \$7,065,707,000.

SEC. 122. The authority provided by section 8116 of division C of Public Law 110-329 and section 310 of title III of Public Law 111-32 shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 123. The authority provided by section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), as amended by section 1214 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2010 or the date specified in section 106(3) of this joint resolution.

SEC. 124. The authority provided by section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), as amended by section 1022 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), shall continue in effect through the earlier of the date of enactment of the National Defense Authorization Act for Fiscal Year 2010 or the date specified in section 106(3) of this joint resolution.

SEC. 125. The authority provided by section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85), as amended by section 1024 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), shall continue in effect through the earlier of the date of en-

actment of the National Defense Authorization Act for Fiscal Year 2010 or the date specified in section 106(3) of this joint resolution.

SEC. 126. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds for programs and activities under the heading “District of Columbia Funds” for such programs and activities under title IV of S. 1432 (111th Congress), as reported by the Committee on Appropriations of the Senate, at the rate set forth under “District of Columbia Funds” as included in the Second Fiscal Year 2010 Budget Request Act (D.C. Act 18-188).

SEC. 127. The authority provided by section 5739 of title 5, United States Code, shall continue in effect through the date specified in section 106(3) of this joint resolution, notwithstanding subsection (e) of such section 5739.

SEC. 128. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “the 11-year period beginning on the first day the pilot program is in effect”.

SEC. 129. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016a and 4026) shall each be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 130. The requirement set forth in section 610(b) of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall continue through the date specified in section 106(3) of this joint resolution.

SEC. 131. Section 550(b) of Public Law 109-295 shall be applied by substituting the date specified in section 106(3) of this joint resolution for “three years after the date of enactment of this Act”.

SEC. 132. Section 203(m) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 133. Subclauses (II) and (III) of section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) shall each be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 134. Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 135. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106-291), as amended by section 336 of the Consolidated Appropriations Act, 2005 (Public Law 108-447), shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 136. Section 339(h) of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by Public Law 106-113), as amended by section 335(6) of Public Law 108-108, shall be applied by substituting the date specified in section 106(3) of this joint resolution for “September 30, 2009”.

SEC. 137. The authority provided by section 325 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108), as amended by section 426 of division E of Public Law 111-8, shall continue to apply through the date specified in section 106(3) of this joint resolution.

SEC. 138. The authority provided by the 19th unnumbered paragraph under heading “Administrative Provisions, Forest Service” in title III of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, Public Law 109-54, shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 139. Notwithstanding any other provision of law, including section 703 of Public Law 109-415, the authorities provided in title XXVI of the Public Health Service Act (42 U.S.C. 300ff et seq.) shall continue in effect as they were in effect during fiscal year 2009, and apply through the date specified in section 106(3) of this joint resolution.

SEC. 140. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “the end of fiscal year 2009”.

SEC. 141. Notwithstanding section 101, amounts are provided for “Veterans Health Administration—Medical Services”, “Veterans Health Administration—Medical Support and Compliance”, and “Veterans Health Administration—Medical Facilities” of the Department of Veterans Affairs at rates for operations not exceeding the lower of the amount in the President’s fiscal year 2010 Budget Request (H. Doc. 111-3), the amount in H.R. 3082, as passed by the House of Representatives on July 10, 2009, or the amount in S. 1407, as reported by the Committee on Appropriations of the Senate on July 7, 2009.

SEC. 142. Notwithstanding section 7042(b) of division H of Public Law 111-8, amounts provided by section 101 of this joint resolution for Iraq shall be obligated under the terms and conditions of section 1106(b) of Public Law 111-32.

SEC. 143. Notwithstanding section 7040(f) of division H of Public Law 111-8, amounts provided by section 101 of this joint resolution for the Palestinian Authority shall be obligated under the terms and conditions of section 1107 of Public Law 111-32.

SEC. 144. Notwithstanding sections 7042(a) and 7070(e) of division H of Public Law 111-8, amounts provided by section 101 of this joint resolution for assistance for Iraq and Zimbabwe shall be obligated under the terms and conditions of section 1108 of Public Law 111-32.

SEC. 145. The authority provided by section 1113 of Public Law 111-32 shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 146. The authority provided by section 309(f) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208(f)) shall remain in effect through the date specified in section 106(3) of this joint resolution.

SEC. 147. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 106(3) of this joint resolution.

SEC. 148. The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect through the date specified in section 106(3) of this joint resolution.

SEC. 149. Notwithstanding any other provision of this joint resolution, other than section 106, the Secretary of Housing and Urban Development shall obligate funds provided by section 101 at a rate the Secretary determines is necessary to renew or amend, in a timely manner, all section 8 project-based, section 202, and section 811, rental assistance contracts. In renewing or amending such contracts, the Secretary may provide for payments to be made beyond the period covered by this joint resolution.

SEC. 150. Commitments to guarantee loans, as authorized by the National Housing Act and insured under the Mutual Mortgage Insurance Fund, shall not exceed a loan principal of \$1,500,000,000 multiplied by the number of days covered by this joint resolution.

SEC. 151. Commitments to guarantee loans, as authorized by section 306 of the National Housing Act, shall not exceed a loan principal of \$2,500,000,000 multiplied by the number of days covered by this joint resolution.

SEC. 152. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715e–20(g)), the Secretary of Housing and Urban Development may, through the date specified in section 106(3) of this joint resolution, insure, and enter into commitments to insure mortgages under section 255 of such Act. During the period covered by this joint resolution, for new loans guaranteed pursuant to section 255 of the National Housing Act (12 U.S.C. 1715e–20), the Secretary shall adjust the factors used to calculate the principal limit (as such term is defined in HUD Handbook 4235.1) that were assumed in the President's Budget Request for 2010 for such loans, as necessary to ensure that the program operates at a net zero subsidy rate.

SEC. 153. Section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)) shall be applied by substituting the date specified in section 106(3) of this joint resolution for the date specified in such section 24(o).

SEC. 154. Funds made available under section 101 for the National Transportation Safety Board shall include amounts necessary to make lease payments due in fiscal year 2010 only, on an obligation incurred in 2001 under a capital lease.

SEC. 155. (a) Section 48103(6) of title 49, United States Code, shall be applied: (1) by substituting the amount specified in such section with an amount that equals \$3,820,000,000 multiplied by the ratio of the number of days covered by this joint resolution to 365; and (2) by substituting the fiscal year specified in such section with the period beginning October 1, 2009, through the date specified in section 106(3) of this joint resolution. This subsection shall be in effect through the earlier of the date of enactment of an Act amending section 48103 of title 49, United States Code, or the date specified in section 106(3) of this joint resolution.

(b) Section 47104(c) of title 49, United States Code, shall be applied by substituting "2010" for "2009".

(c) Nothing in this section shall affect the availability of any balances of contract authority provided under section 48103 of title 49, United States Code, for fiscal year 2009 and any prior fiscal year.

SEC. 156. (a) Sections 4081(d)(2)(B), 4261(j)(1)(A)(ii), and 4271(d)(1)(A)(ii) of the Internal Revenue Code of 1986 shall each be applied by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2009".

(b) Subsections (d)(1) and (e)(2) of section 9502 of such Code shall each be applied by substituting the date that is 1 day after the date specified in section 106(3) of this joint resolution for "October 1, 2009".

(c) Subparagraph (A) of section 9502(d)(1) of such Code is amended by inserting "or any joint resolution making continuing appropriations for the fiscal year 2010" before the semicolon at the end.

SEC. 157. (a) EXTENSION OF SURFACE TRANSPORTATION PROGRAMS.—Except as otherwise provided in this section, requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under titles I through VI of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1144), the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I through VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I through V of the Transportation Equity Act for the 21st Century (112 Stat. 107), title 23, United States Code, and chapter 53 of title 49, United States Code, which would otherwise expire on or cease to apply after September 30, 2009, are incorporated by reference and shall continue in effect through the date specified in section 106(3) of this joint resolution.

(b) USE OF FUNDS.—Except as otherwise expressly provided in this section, funds made

available for obligation under this joint resolution and expended under the authority of this section shall be distributed, administered, limited, and made available for obligation in the same manner and at the same rate as funds authorized to be appropriated for fiscal year 2009 to carry out programs, projects, activities, eligibilities, and requirements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1144), the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I through VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I through V of the Transportation Equity Act for the 21st Century (112 Stat. 107), title 23, United States Code, chapter 53 of title 49, United States Code, including section 5338(f)(1) of title 49, United States Code, chapter 303 of part A of subtitle VI of title 49, United States Code, and part B of subtitle VI of title 49, United States Code.

(c) DISTRIBUTION OF FUNDS UNDER TITLES III AND V OF SAFETEA-LU.—Funds made available for programs authorized under titles III and V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1544 and 1779) and continued under this joint resolution shall be distributed to major program areas under those programs in the same proportion as funds were allocated for those program areas for fiscal year 2009, except that any designations for specific activities in sections 3044 and 3046 under title III and in title V of such Act shall not be required to be continued for the duration of this joint resolution.

(d) EXTENSION AND FLEXIBILITY FOR CERTAIN ALLOCATED PROGRAMS.—Notwithstanding any other provision of law, the portion of the share of funds of a State under subsection (b) determined by the amount that the State received for fiscal year 2009 to carry out sections 1301(m), 1302(e), 1307, 1702, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1202, 1205, 1217, 1256, and 1485), and section 144(f)(1) of title 23, United States Code, shall be—

(1) made available to the State for purposes described in section 133(b) of title 23, United States Code; and

(2) administered in the same manner and with the same period of availability as such funding is administered under section 133 of title 23, United States Code, except that subsections (d)(2) and (d)(3) of such section shall not apply to amounts administered pursuant to this section.

SEC. 158. (a) APPROPRIATION OF FUNDING FOR CERTAIN HIGHWAY TRUST FUND PROGRAMS.—For the period from October 1, 2009, through the date specified in section 106(3) of this joint resolution, an amount shall be available from the Highway Trust Fund (including from the Mass Transit Account) to carry out each program, project, and activity continued under section 158 of this joint resolution that was funded from the Highway Trust Fund (including from the Mass Transit Account) during fiscal year 2009 in a sum equal to and from the same account as—

(1) the total amount available for such program, project, and activity for fiscal year 2009 under titles I through VI of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1144) and the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), divided by 365; and multiplied by

(2) the number of days between September 30, 2009, and the date specified in section 106(3) of this joint resolution.

(b) CONTRACT AUTHORITY.—Funds made available under this joint resolution to be expended under the authority of section 158 of this joint resolution shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, or section 5338(f)(1) of title 49, United States Code, whichever appropriate.

(c) CALCULATION.—The amounts made available under this joint resolution to be expended under the authority of this section shall be calculated by taking into account any rescission or cancellation of funds or contract authority for fiscal year 2009 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or any other law.

SEC. 159. (a) EXTENSION OF AUTHORITY FOR EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 shall be applied—

(A) by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2009"; and

(B) by substituting the date that is 1 day after the date specified in section 106(3) of this joint resolution for "October 1, 2009".

(2) Paragraph (1) of section 9503(c) of such Code is amended by striking "under" and all that follows and inserting "under the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law or any other provision of law which was referred to in this paragraph before the date of the enactment of such Continuing Appropriations Resolution (as such Resolution and provisions of law are in effect on the date of the enactment of such Resolution).".

(b) MASS TRANSIT ACCOUNT.—

(1) Paragraph (3) of section 9503(e) of such Code shall be applied by substituting the date that is 1 day after the date specified in section 106(3) of this joint resolution for "October 1, 2009".

(2) Paragraph (3) of section 9503(e) of such Code is amended by striking "in accordance with" and all that follows and inserting "in accordance with the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law or any other provision of law which was referred to in this paragraph before the date of the enactment of such Continuing Appropriations Resolution (as such Resolution and provisions of law are in effect on the date of the enactment of such Resolution).".

(c) EXCEPTION TO LIMITATIONS ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code shall be applied—

(1) by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2009"; and

(2) by substituting the date that is 1 day after the date specified in section 106(3) of this joint resolution for "October 1, 2009".

SEC. 160. Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), by inserting "and the period from October 1, 2009, through the date specified in section 106(3) of the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law," after "2009,"; and

(2) in subsection (b)(1)(A), by inserting "and the period from October 1, 2009, through the date specified in section 106(3) of the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law," after "2009".

SEC. 161. (a) Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended—

(1) 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 first Continuing Appropriations Resolution for Fiscal Year 2010).";

(2) 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 first Continuing Appropriations Resolution for Fiscal Year 2010, and"; and

(3) 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 first Continuing Appropriations Resolution for Fiscal Year 2010).".

(b) Paragraph (2) of section 9504(d) of such Code shall be applied by substituting the date

that is one day after the date specified in section 106(3) of this joint resolution for "October 1, 2009".

SEC. 162. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to sections 158 through 162 of this joint resolution shall be available until (1) enactment into law of an Act to extend or reauthorize surface transportation programs, or (2) the date specified in section 106(3) of this joint resolution, whichever first occurs, and shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 163. None of the funds made available by this joint resolution or any prior Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 164. (a) Clause (iii) of section 8909(a)(3)(A) of title 5, United States Code, is amended to read as follows:

"(iii) \$1,400,000,000, not later than September 30, 2009."

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of section 803(a)(1)(B) of the Postal Accountability and Enhancement Act (Public Law 109-435; 120 Stat. 3251).

This division may be cited as the "Continuing Appropriations Resolution, 2010".

And the Senate agree to the same.

DAVID R. OBEY,
DEBBIE WASSERMAN
SCHULTZ,

MICHAEL HONDA,
BETTY MCCOLLUM,
TIM RYAN,
C.A. RUPPERSBERGER,
CIRO RODRIGUEZ,

Managers on the Part of the House.

BEN NELSON,
DANIEL K. INOUE,
MARK PRYOR,
JON TESTER,
LISA MURKOWSKI,
THAD COCHRAN,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate amended the House bill with a single amendment which deleted the full text of the House passed bill and inserted a complete substitute. The conference agreement includes a revised substitute for the Senate amendment which addresses all the differences contained in the two versions of the bill.

Many items in both the House and Senate Legislative Branch Appropriations bills are identical and are included in the conference agreement without change. The conferees have endorsed statements of policy contained in the House and Senate reports accompanying the appropriations bills, unless amended herein. With respect to those items in the conference agreement that differ between the House and the Senate bills, the conferees have agreed to the following with the appropriate section numbers, punctuation, and other technical corrections:

DIVISION A

TITLE I SENATE

The conferees agree to appropriate \$926,160,000 for Senate operations. Inasmuch as these items relate solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the amendment of the Senate as amended.

HOUSE OF REPRESENTATIVES

The conferees agree to appropriate \$1,369,025,000 for House operations. Inasmuch as these items relate solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the amendment of the House as amended. The agreement includes two new administrative provisions not included in the House passed bill. These amendments (1) establish eligibility at the House Fitness Center for military liaison officers; and (2) make a technical change in transfer language enacted in Public Law 111-8.

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

The conference agreement includes \$4,814,000 as proposed by the House and the Senate.

JOINT COMMITTEE ON TAXATION

The conference agreement includes \$11,327,000 as proposed by the Senate instead of \$11,451,000 as proposed by the House.

OFFICE OF THE ATTENDING PHYSICIAN

The conference agreement includes \$3,805,000 as proposed by the House and the Senate.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

The conference agreement includes \$1,377,000 as proposed by the Senate instead of \$1,314,000 as proposed by the House.

CAPITOL POLICE SALARIES

The conference agreement includes \$265,188,000 for salaries of officers, members, and employees of the Capitol Police instead of \$263,198,000 as proposed by the House and \$267,203,000 as proposed by the Senate. This level will support a staffing level of 1,799 sworn officers and 444 civilian personnel including staff transferred as a result of the merger with the Library of Congress police force. The staffing level provided by the conference agreement includes five civilian FTEs for radio technicians to facilitate the acquisition, installation and operation of the new radio system which was approved earlier this year. The conference agreement sets a limit of \$25,500,000 for overtime for the Capitol Police force as proposed by the Senate instead of \$24,000,000 as proposed by the House. This cap on overtime may only be exceeded if the Capitol Police Board notifies the Committees on Appropriations that this cap needs to be exceeded due to unanticipated safety or security concerns. The conferees note that both House and Senate reports request that the Government Accountability Office work with the Chief and the Capitol Police Board on improving workforce management systems, including overtime. The GAO is to report to the Committees on their progress in this area on a quarterly basis beginning in January 2010.

Based on the detailed review of the Capitol Police 2010 budget conducted in August and

September of this year in preparation for conference discussions, the conferees are concerned that, despite progress over the last year, chronic problems related to budget preparation and execution continue. Estimates of end of year staffing levels for 2009 fluctuated significantly, not only from the original estimates submitted in February, but also from revisions submitted as late as July of this year. Basic estimates of the cost of benefits for transferred employees were erroneously calculated in the original budget. Based on these concerns, the Committees request that the GAO expand its work with the USCP to include a review and validation of the accuracy of its fiscal year 2011 budget request. A report of this validation review should be submitted not later than 30 days after the USCP budget is transmitted to Congress.

The House and Senate Committees on Appropriations expect the report on new posts requested in S. Rpt. 111-29 to be submitted within 60 days of the date of this conference report and that the USCP fully comply with the notification requirements related to new posts stated in that report.

GENERAL EXPENSES

The conference agreement includes \$63,130,000 for general expenses of the Capitol Police instead of \$61,914,000 as proposed by the House and \$64,354,000 as proposed by the Senate. This amount includes funding for improved egress/evacuation systems for House Office Buildings including the full cost for installation of two cameras in the stairwell areas used as egress routes during emergencies. The installation of the new cameras will be accomplished over a two year period. Funds have also been included to support the replacement of older equipment as part of the life-cycle replacement program.

GSA vehicle lease proposal.—The conferees are fully supportive of the proposal transmitted to the Appropriations Committees on June 29, 2009 to manage the primary vehicle fleet of the USCP through the General Services Administration and urges implementation on an expedited basis.

ADMINISTRATIVE PROVISION

(INCLUDING TRANSFER OF FUNDS)

The conferees have included a routine administrative provision, section 1001, which continues authorization for transfers between accounts upon the approval of the Committees on Appropriations of the House and Senate.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

The conference agreement includes \$4,377,000 for salaries and expenses of the Office of Compliance, instead of \$4,335,000 as proposed by the House and \$4,418,000 as proposed by the Senate. The agreement includes a general provision providing authority for the Office of Compliance to dispose of surplus property. This language was included in both the House and Senate bills in slightly different form.

The conferees are concerned that the Congressional Accountability Act of 1995 may enable the Office of Compliance (OOC) to apply a higher enforcement standard for certain health and safety standards than those applied to the Executive Branch and private sector. Strict statutory deadlines for remedying citations exacerbate this situation, and have led AOC to give highest priority to projects for which OOC has issued citations regardless of whether they represent the highest risk to health and safety.

The conferees believe that the standards applied to the legislative branch should be consistent with their application to the private sector and the executive branch. Therefore, the conferees expect the Office of Compliance General Counsel (OOCGC) to work

with legislative branch agency heads to implement corrective actions in a realistic and reasonable time frame, taking into consideration the risks the deficiencies pose, the costs involved in remedying the deficiencies, as well as mitigating factors which have been implemented (sprinklers, alarms, and other building improvements) to reduce risk. The conferees expect the OOCGC to amend its regulations to establish criteria that use a comprehensive risk-based approach, including the cost of remedial actions as well as building renovations planned for the future, in working with agencies to address needed corrections.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

The conference agreement includes \$45,165,000 for salaries and expenses of the Congressional Budget Office as proposed by both the House and Senate.

ADMINISTRATIVE PROVISION

The conferees have agreed to Section 1201, as proposed by the House and the Senate, to extend the Congressional Budget Office's Executive Exchange Program and increase the number of potential participants from three to five.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

The conference agreement includes \$106,783,000 for General Administration of which \$5,400,000 shall remain available until September 30, 2014, instead of \$109,392,000 of which \$8,950,000 would remain available until September 30, 2014 as proposed by the House, and \$106,587,000 of which \$5,400,000 would remain available until September 30, 2014, as proposed by the Senate.

The utility metering project, funded by the House at \$3,550,000 in this account, is instead funded in the Architect of the Capitol Power Plant account.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	\$101,383,000
Project Budget:	
1. Capitol Complex Tertiary Pumping Options (Study)	150,000
2. ESPC Management Program	2,000,000
3. Energy Reduction Program	3,250,000
Total, General Administration	\$106,783,000

CAPITOL BUILDING

The conference agreement includes \$33,182,000, of which \$6,499,000 shall remain available until September 30, 2014, for maintenance, care and operation of the Capitol, instead of \$32,800,000 of which \$6,241,000 would remain available until September 30, 2014 as proposed by the House, and \$33,305,000 of which \$6,499,000 would remain available until September 30, 2014, as proposed by the Senate.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	\$26,683,000
Project Budget:	
1. Dome Rehabilitation, Phase 1B (Interim Painting)	2,500,000
2. Conservation of Fine and Architectural Art	499,000
3. Minor Construction	3,500,000
Total, Capitol Building	\$33,182,000

CAPITOL GROUNDS

The conference agreement includes \$10,974,000, of which \$1,410,000 is to remain

available until September 30, 2014, for the care and improvement of the grounds surrounding the Capitol, House and Senate office buildings, and the Capitol Power Plant, as proposed by the Senate, instead of \$10,920,000 as proposed by the House.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	\$9,564,000
Project Budget:	
1. Independence Avenue Repaving	910,000
2. Capitol Grounds Study	500,000
Total, Capitol Grounds	\$10,974,000

SENATE OFFICE BUILDINGS

The conference agreement includes \$74,392,000 for Senate Office Buildings, of which \$15,390,000 would remain available until September 30, 2014, for the maintenance, care and operation of the Senate office buildings. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

Operating Budget	\$59,002,000
Project Budget:	
1. Senate Underground Garage Expansion (Study)	1,000,000
2. Air Handling Unit Replacement, DSOB	1,100,000
3. Replace Modular Furniture, HSOB	3,500,000
4. Fire Protection System Upgrade Subway Tunnels	2,260,000
5. Skylight Replacement	2,480,000
6. HSOB Truck Tunnel Roadway/Ramp Replacement	1,050,000
7. Minor Construction	4,000,000
Total, Senate Office Buildings	\$74,392,000

HOUSE OFFICE BUILDINGS

Base funding, House Office Buildings.—The conference agreement includes \$100,466,000 for the basic and recurring needs of the House within the House Office Buildings account, of which \$53,360,000 would remain available until September 30, 2014. These funds support the regular maintenance, care and operation of the House office buildings by the Architect of the Capitol.

Operating Budget	\$47,106,000
Project Budget:	
1. CAO Project Support ..	4,390,000
2. Interior Rehabilitation of the East House Underground Garage	37,640,000
3. Rayburn Roof Replacement	6,330,000
4. Minor Construction	5,000,000

Total, House Office Buildings (base program)

\$100,466,000
House Historic Buildings Revitalization Trust Fund.—In addition to funding for core facility needs, the conference agreement includes \$50,000,000 for a newly created House Historic Buildings Revitalization Trust Fund, to remain available until expended, instead of \$60,000,000 as originally proposed by the House. These funds are included to begin to address known major building requirements to repair and upgrade the historic icon buildings and facilities of the U.S. House of Representatives. The House bill included these funds in a separate appropriations account

to address additional Capitol complex needs. The Senate bill did not include a similar provision.

Inasmuch as these funds relate solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House.

CAPITOL POWER PLANT

In addition to the \$8,000,000 made available from receipts credited as reimbursements to this appropriation, the conference agreement includes \$119,133,000 for maintenance, care and operation of the Capitol Power Plant, instead of \$125,083,000 as proposed by the House and \$118,597,000 as proposed by the Senate. Of this amount, \$25,610,000 would remain available until September 30, 2014, instead of \$31,560,000 to remain available until September 30, 2014 as proposed by the House and \$25,074,000 to remain available until September 30, 2014 as proposed by the Senate.

The conference agreement includes \$84,262,000, as requested, for utility costs for the Capitol Complex, including an increase of \$4,340,000 to purchase 100 percent natural gas for use at the power plant. The agreement does not include the funding requested in the budget for conversion of the large coal burning boiler to natural gas. The conferees understand that the conversion of this boiler is not necessary to achieve 100 percent natural gas use at the power plant and that conservation of the boiler will allow for the potential future use of other environmentally safe, renewable solid fuels.

With respect to operations and project differences the House and Senate conferees have agreed to the following:

Operating Budget (net)	\$93,523,000
Project Budget:	
1. Tunnel Program	16,850,000
2. Replacement of Existing WRP Switchgear (Design)	740,000
3. Mechanical System Survey & CPP Retro-Commissioning (Study)	250,000
4. Structural Fireproofing & Integrity (Study)	220,000
5. Utility Metering, Energy Program	3,550,000
6. Minor Construction	4,000,000

Total, Capitol Power Plant

\$119,133,000
LIBRARY BUILDINGS AND GROUNDS

The conference agreement includes \$45,795,000 for Library of Congress buildings and grounds, instead of \$41,937,000 as proposed by the House and \$40,754,000 as proposed by the Senate. Of this amount, \$19,560,000 would remain available until September 30, 2014, instead of \$15,750,000 to remain available until September 30, 2014 as proposed by the House and \$14,470,000 to remain available until September 30, 2014 as proposed by the Senate.

With respect to operations and projects the House and Senate conferees have agreed to the following:

Operating Budget	\$26,235,000
Project Budget:	
1. Sprinkler System, West Main Pavilion 1st Floor, TJB (Design)	500,000
2. Book Conveyor System Modifications (Design)	1,170,000
3. Monumental Exterior Exit Doors, JAB	1,600,000
4. Fire Door Improvements (Design)	730,000
5. ADA Bathroom Renovations, JAB	3,100,000

6. Elevator Modernization, MA-1 to MA-4, JMMB	3,590,000
7. ABA Space Reorganization, JMMB	2,000,000
8. Rain Leader Replacement, JAB	4,870,000
9. Minor Construction	2,000,000

Total, Library Buildings and Grounds	\$45,795,000
CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY	

The conference agreement includes \$27,012,000 for Capitol Police Buildings, Grounds and Security instead of \$26,364,000 as proposed by the House and \$26,160,000 as proposed by the Senate. Of this amount, \$8,150,000 would remain available until September 30, 2014, instead of \$7,750,000 as proposed by the House and \$7,050,000 as proposed by the Senate. Included within the total is \$1,500,000, to install emergency call boxes and camera equipment in congressional building stairwells, as proposed by the House.

With respect to operations and projects the conferees have agreed to the following:

Operating Budget	\$18,862,000
Project Budget:	
1. Security Upgrades, Power Plant and Coal Yards	2,000,000
2. Hazardous Device Unit Facility Purchase	3,000,000
3. Power Switchgear Replacement (Design)	250,000
4. Energy Audit Projects	400,000
5. Minor Construction (including security camera installation)	2,500,000

Total, Capitol Police Buildings, Grounds and Security	\$27,012,000
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BOTANIC GARDEN

The conference agreement includes \$11,390,000 for salaries and expenses, Botanic Garden, instead of \$11,263,000 as proposed by the House and \$11,898,000 as proposed by the Senate. Of this amount, \$900,000 shall remain available until September 30, 2014 as proposed by the House, instead of \$1,280,000 as proposed by the Senate.

With respect to operations and projects the conferees have agreed to the following:

Operating Budget	\$10,490,000
Project Budget:	
1. Administration Building	900,000

Total, Botanic Garden	\$11,390,000
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CAPITOL VISITOR CENTER

The conference agreement includes \$22,459,000 for the Capitol Visitor Center (CVC), instead of \$23,166,000 as proposed by the House and \$22,756,000 as proposed by the Senate.

Funding is included for improvements to the existing online reservation system, training programs, and way-finding signage at the CVC. In addition, funding is provided to support the hiring of 5 full-time equivalents (FTE) to support critical operations of the CVC, including financial management and information technology. Funding is not provided for the additional 20 requested FTEs.

ADMINISTRATIVE PROVISIONS

The conference agreement includes several administrative provisions related to the operations of the Architect of the Capitol (AOC). Section 1301 provides the AOC authority to retain proceeds from the sale of used or surplus personal property. Section 1302

provides that AOC utilize flexible work schedules. Section 1303 provides AOC the authority to accept voluntary student services. Section 1304 establishes the House Historic Buildings Revitalization Trust Fund. Section 1305 provides the AOC certain authorities to operate during emergencies. The conference agreement does not include Senate provision 1202 related to the CVC as this language has already been enacted into law. The conference agreement deletes Senate provision 1303 related to noncompetitive appointments without prejudice as this is an authorizing issue.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

The conference agreement includes \$439,801,000 in direct appropriations for salaries and expenses, Library of Congress instead of \$443,861,000 as proposed by the House and \$434,683,000 as proposed by the Senate. In addition to this amount \$6,350,000 is available from receipts collected by the Library of Congress and is to remain available until expended. The conference agreement provides the following specific allocations of funds:

- \$3,554,000 for start-up costs at the new Ft. Meade storage facilities;
- \$7,677,000 for the National Digital Information Infrastructure and Preservation Program;
- \$5,317,000 for Department of State capital security cost-sharing;
- \$700,000 for the Global Legal Information Network;
- \$2,000,000 for support of the new custodial services contract;
- \$7,315,000 for the digital collections and educational curricula program;
- \$750,000 for the Abraham Lincoln Bicentennial Commission;
- \$15,000,000 for the technology infrastructure improvements initiative;
- \$250,000 to implement the new Civil Rights History Project Act;
- \$2,213,000 for the Veterans Oral History program;
- \$200,000 for the Durham Museum digitization program; and
- \$150,000 for the American Folklife Center Fellowship program.

Archie Green fellowship program.—The conference agreement deletes without prejudice House bill language related to the honoring of Dr. Archie Green, one of the Founders of the American Folklife Center (AFC) at the Library of Congress. In lieu of naming the Center after Dr. Green, as proposed in the House bill, the conference agreement establishes a new fellowship program at the Library as a living memorial to his work. The AFC was established in 1976 to “preserve and present American folklife” by conducting original field research, archiving cultural heritage collections, presenting public programs, providing reference services and publishing research findings. The AFC owes its existence in large part to the efforts and vision of Dr. Green, who passed away earlier this year. As recognition of his contributions, the Librarian of Congress is directed to establish the “Archie Green Fellowship Program at the American Folklife Center” for which the Librarian may enter into contracts with individuals and groups to promote the initiation, encouragement, support, organization, and promotion of research, scholarship, and training in American folklife in accordance with the provisions of the American Folklife Preservation Act (Pub. L. 94-201, 20 U.S.C. 2101-2107).

COPYRIGHT OFFICE

SALARIES AND EXPENSES

The conference agreement includes \$20,864,000 in direct appropriations to the

Copyright Office as proposed by both the House and the Senate. An additional \$34,612,000 is made available from receipts for salaries and expenses.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement includes \$112,490,000 for salaries and expenses, Congressional Research Service (CRS), as proposed by the House instead of \$112,836,000 as proposed by the Senate. The conferees are fully supportive of a program of telework at the CRS and urge its implementation not later than January 2010. The conference agreement also includes funding for the CRS evaluation study directed by the House in H. Rpt. 111-160.

BOOKS FOR THE BLIND AND PHYSICALLY

HANDICAPPED

SALARIES AND EXPENSES

The conference agreement includes \$70,182,000 as proposed by both the House and Senate. This amount includes \$650,000 for costs to provide recorded newspaper services for the blind and physically handicapped.

ADMINISTRATIVE PROVISIONS

The conferees have agreed to include administrative provisions carried in both bills related to reimbursable and revolving fund activities, transfer authorities, classifications of Library positions, and leave carry-over policies. The conference agreement does not include section 1301 of the House bill related to incentive awards. The agreement modifies section 1306 as proposed by the House to create a fellowship program at the American Folklife Center (see description under the “Salaries and Expenses” appropriations account).

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$93,768,000, an increase of \$472,000 above the amount proposed by both the House and Senate. These funds will support costs not anticipated when the fiscal year 2010 budget was transmitted to the Congress.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$40,911,000 as proposed by both the House and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING

FUND

The conference agreement includes \$12,782,000 as proposed by the Senate instead of \$12,000,000 as proposed by the House.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

The conference agreement includes \$556,849,000 in direct appropriations for salaries and expenses, Government Accountability Office instead of \$558,849,000, as proposed by the House and \$553,658,000 as proposed by the Senate. In addition, \$15,222,000 is available from offsetting collections. A total of 3,220 FTEs will be supported with these funds. The agreement modifies an administrative provision proposed by the Senate repealing a number of recurring statutory reports which are no longer required.

OPEN WORLD LEADERSHIP CENTER

TRUST FUND

The conference agreement includes \$12,000,000 for payment to the Open World Leadership Center Trust Fund, instead of \$9,000,000 as proposed by the House and \$14,456,000 as proposed by the Senate. The conferees are fully supportive of expanded efforts of the Open World Center to raise private funding and expect this effort to reduce

the requirements for funding from the Legislative Branch appropriations bill in future years. The Committees look forward to a report of progress being made by the Center's fundraising program prior to hearings on its fiscal year 2011 budget request. The conference agreement also includes language proposed by the Senate making technical corrections in the Center's authorization language related to Board appointments.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The conference agreement includes \$430,000 as proposed by both the House and Senate.

TITLE II—GENERAL PROVISIONS

The conference agreement continues in sections 201 to 208 eight routine provisions carried in prior years. The conference agreement does not include language proposed by the Senate but not included by the House amending the Congressional Accountability Act. The agreement includes Sec. 209 related to employee-led tours of the U.S. Capitol as proposed by the House instead of the language proposed by the Senate.

REPROGRAMMING GUIDELINES FOR LEGISLATIVE BRANCH AGENCIES

For Fiscal Year 2010, the House and Senate Appropriations Committees have jointly agreed that, unless otherwise stated in this report, a formal reprogramming letter will be required if an agency proposes to reallocate amounts which exceed a threshold of \$500,000 or 10 percent for any program, project or activity funded in this Act. Reprogramming requests are also required for reallocations of funds below these thresholds if they represent significant changes in pol-

icy. Each reprogramming request should be transmitted through a formal letter which should be signed by the Agency head. It should include a specific justification for each increase as well as for each offsetting reduction being proposed. The Committees have set annual spending levels in the reports accompanying this bill, including in this conference agreement, and do not expect the reprogramming process to be used as a mechanism for making routine changes to the directions in this report. It should be used only in the case of unanticipated needs or significant and unexpected changes in program requirements. Operating Plans are not required for Fiscal Year 2010.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Following is a list of congressional earmarks and congressionally directed spending items (as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, respectively) included in the conference report or the accompanying joint statement of managers, along with the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Neither the conference report nor the joint statement of managers contains any limited tax benefits or limited tariff benefits as defined in the applicable House or Senate rules. Pursuant to clause 9(b) of rule XXI of the rules of the House of Representatives, neither the conference report nor the joint statement of managers contains any congressional ear-

marks, limited tax benefits, or limited tariff benefits that were not (1) committed to the conference committee by either House or (2) in a report of a committee of either House on this bill or on a companion measure.

LEGISLATIVE BRANCH
 [Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)
Library of Congress	Durham Museum Photo Archive Project.	\$200,000	Senator Ben Nelson

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2010 recommended by the Committee of Conference, with comparisons to the fiscal year 2009 amount, the 2010 budget estimates, and the House and Senate bills for 2010 follows:

[In thousands of dollars]

Budget estimates of new (obligational) authority, fiscal year 2010	\$5,041,787
House bill, fiscal year 2010	\$3,674,500
Senate bill, fiscal year 2010	\$4,611,666
Conference agreement, fiscal year 2010	\$4,656,031
Conference agreement compared with	
Budget estimates of new (obligational) authority, fiscal year 2010	-\$385,756
House bill, fiscal year 2010	+\$981,531
Senate bill, fiscal year 2010	+\$44,365

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
TITLE I - LEGISLATIVE BRANCH						
SENATE						
Payment to Widows and Heirs of Deceased Members of Congress.....	---	---	---	---	174	+174
Expense allowances:						
Vice President.....	20	20	---	20	20	---
President Pro Tempore of the Senate.....	40	40	---	40	40	---
Majority Leader of the Senate.....	40	40	---	40	40	---
Minority Leader of the Senate.....	40	40	---	40	40	---
Majority Whip of the Senate.....	10	10	---	10	10	---
Minority Whip of the Senate.....	10	10	---	10	10	---
Chairman of the Majority Conference Committee.....	5	5	---	5	5	---
Chairman of the Minority Conference Committee.....	5	5	---	5	5	---
Chairman of the Majority Policy Committee.....	5	5	---	5	5	---
Chairman of the Minority Policy Committee.....	5	5	---	5	5	---
Subtotal, expense allowances.....	180	180	---	180	180	---
Representation allowances for the Majority and Minority Leaders.....	30	30	---	30	30	---
Total, Expense allowances and representation....	210	210	---	210	210	---
Salaries, Officers and Employees						
Office of the Vice President.....	2,413	2,517	---	2,517	2,517	+104

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Office of the President Pro Tempore.....	720	752	---	752	752	+32
Office of the President Pro Tempore Emeritus.....	100	---	---	---	---	-100
Offices of the Majority and Minority Leaders.....	4,998	5,212	---	5,212	5,212	+214
Offices of the Majority and Minority Whips.....	3,096	3,288	---	3,288	3,288	+192
Committee on Appropriations.....	15,200	15,844	---	15,844	15,844	+644
Conference committees.....	3,310	3,452	---	3,452	3,452	+142
Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority.....	814	850	---	850	850	+36
Policy Committees.....	3,380	3,526	---	3,526	3,526	+146
Office of the Chaplain.....	397	415	---	415	415	+18
Office of the Secretary.....	24,020	25,790	---	25,790	25,790	+1,770
Office of the Sergeant at Arms and Doorkeeper.....	66,800	75,044	---	70,000	70,000	+3,200
Offices of the Secretaries for the Majority and Minority.....	1,758	1,836	---	1,836	1,836	+78
Agency contributions and related expenses.....	44,693	47,531	---	45,500	45,500	+807
Total, Salaries, officers and employees.....	171,699	186,057	---	178,982	178,982	+7,283
Office of the Legislative Counsel of the Senate						
Salaries and expenses.....	6,743	7,154	---	7,154	7,154	+411
Office of Senate Legal Counsel						
Salaries and expenses.....	1,484	1,544	---	1,544	1,544	+60

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Expense Allowances of the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate: Expenses allowances.....	30	30	---	30	30	---
Contingent Expenses of the Senate						
Inquiries and investigations.....	137,400	172,989	---	145,500	140,500	+3,100
Expenses of United States Senate Caucus on International Narcotics Control.....	520	520	---	520	520	---
Secretary of the Senate.....	2,000	2,000	---	2,000	2,000	---
Sergeant at Arms and Doorkeeper of the Senate.....	153,601	168,461	---	153,601	153,601	---
Miscellaneous items.....	21,043	19,145	---	19,145	19,145	-1,898
Senators' Official Personnel and Office Expense Account.....	400,000	450,830	---	425,000	422,000	+22,000
Official Mail Costs						
Expenses.....	300	300	---	300	300	---
Total, Contingent expenses of the Senate.....	714,864	814,245	---	746,066	738,066	+23,202
Total, Senate.....	895,030	1,009,240	---	933,986	926,160	+31,130

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
HOUSE OF REPRESENTATIVES						
Salaries and Expenses						
House Leadership Offices						
Office of the Speaker.....	4,879	5,077	5,077	5,077	5,077	+198
Office of the Majority Floor Leader.....	2,436	2,530	2,530	2,530	2,530	+94
Office of the Minority Floor Leader.....	4,390	4,565	4,565	4,565	4,565	+175
Office of the Majority Whip.....	2,115	2,194	2,194	2,194	2,194	+79
Office of the Minority Whip.....	1,630	1,690	1,690	1,690	1,690	+60
Speaker's Office for Legislative Floor Activities.....	501	517	517	517	517	+16
Republican Steering Committee.....	950	981	981	981	981	+31
Republican Conference.....	1,777	1,748	1,748	1,748	1,748	-29
Republican Policy Committee.....	337	362	362	362	362	+25
Democratic Steering and Policy Committee.....	1,315	1,366	1,366	1,366	1,366	+51
Democratic Caucus.....	1,749	1,725	1,725	1,725	1,725	-24
Nine minority employees.....	1,502	1,552	1,552	1,552	1,552	+50
Training and Program Development:						
Majority.....	290	290	290	290	290	---
Minority.....	290	290	290	290	290	---
Cloakroom Personnel:						
Majority.....	476	497	497	497	497	+21
Minority.....	476	497	497	497	497	+21
Subtotal, House Leadership Offices.....	25,113	25,881	25,881	25,881	25,881	+768

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail						
Expenses.....	609,000	699,344	660,000	660,000	660,000	+51,000
Committee Employees						
Standing Committees, Special and Select.....	154,000	175,199	139,878	139,878	139,878	-14,122
Committee on Appropriations (including studies and investigations).....	31,300	33,303	31,300	31,300	31,300	---
Subtotal, Committee employees.....	185,300	208,492	171,178	171,178	171,178	-14,122
Salaries, Officers and Employees						
Office of the Clerk.....	27,457	33,901	32,089	32,089	30,089	+2,632
Office of the Sergeant at Arms.....	8,355	10,092	9,509	9,509	9,509	+1,154
Office of the Chief Administrative Officer.....	125,838	133,948	130,782	130,782	130,782	+4,944
Office of the Inspector General.....	4,945	5,062	5,045	5,045	5,045	+100
Office for Emergency Planning, Preparedness and Operations.....	3,974	4,469	4,445	4,445	4,445	+471
Office of General Counsel.....	1,357	1,431	1,415	1,415	1,415	+58
Office of the Chaplain.....	173	179	179	179	179	+6
Office of the Parliamentarian.....	2,007	2,060	2,060	2,060	2,060	+53
Office of the Parliamentarian.....	(1,442)	(1,466)	(1,466)	(1,466)	(1,466)	(+24)
Compilation of precedents of the House of Representatives.....	(565)	(594)	(594)	(594)	(594)	(+29)
Office of the Law Revision Counsel of the House.....	3,057	3,299	3,258	3,258	3,258	+201
Office of the Legislative Counsel of the House.....	8,337	8,900	8,814	8,814	8,814	+477

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Office of Interparliamentary Affairs.....	777	866	859	859	859	+82
Other authorized employees.....	1,158	1,320	1,249	1,249	1,249	+91
Office of the Historian.....	519	597	597	597	597	+78
Subtotal, Salaries, officers and employees.....	187,954	206,124	200,301	200,301	198,301	+10,347
Allowances and Expenses						
Supplies, materials, administrative costs and Federal tort claims.....	4,135	3,979	3,948	3,948	3,948	-187
Official mail for committees, leadership offices, and administrative offices of the House.....	201	201	201	201	201	---
Government contributions.....	260,703	302,776	278,278	278,278	276,703	+16,000
Capitol Visitor Center.....	1,900	---	---	---	---	-1,900
Business Continuity and Disaster Recovery.....	18,698	32,516	27,698	27,698	25,098	+6,400
Transition activities /1.....	4,721	2,907	2,907	2,907	2,907	-1,814
Wounded Warrior program /1.....	2,500	2,500	---	---	---	-2,500
Energy demonstration projects.....	---	10,000	2,500	2,500	2,500	+2,500
Office of Congressional Ethics /1.....	300	1,548	1,548	1,548	1,548	+1,248
Miscellaneous items.....	742	787	760	760	760	+18
Subtotal, Allowances and expenses.....	293,900	357,214	317,840	317,840	313,665	+19,765
Total, Salaries and expenses.....	1,301,267	1,497,055	1,375,200	1,375,200	1,369,025	+67,758
Total, House of Representatives.....	1,301,267	1,497,055	1,375,200	1,375,200	1,369,025	+67,758

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
JOINT ITEMS						
1/ FY 2009 funding derived from Supplies, materials, administrative costs and Federal tort claims account						
Joint Economic Committee.....	4,626	4,814	4,814	4,814	4,814	+188
Joint Committee on Taxation.....	10,719	12,823	11,451	11,327	11,327	+608
Office of the Attending Physician						
Medical supplies, equipment, expenses, and allowances.	3,105	3,832	3,805	3,805	3,805	+700
Office of Congressional Accessibility Services.....	800	1,377	1,314	1,377	1,377	+577
Capitol Guide Service and Special Services Office.....	9,940	---	---	---	---	-9,940
Statements of Appropriations.....	30	30	30	30	---	-30
=====						
Total, Joint items.....	29,220	22,876	21,414	21,353	21,323	-7,897
CAPITOL POLICE						
Salaries.....	248,000	268,675	263,198	267,203	265,188	+17,188
Emergency appropriations, P.L. 111-32.....	71,606	---	---	---	---	-71,606
General expenses.....	57,750	141,394	61,914	64,354	63,130	+5,380
=====						
Total, Capitol Police.....	377,356	410,069	325,112	331,557	328,318	-49,038
OFFICE OF COMPLIANCE						
Salaries and expenses.....	4,072	4,474	4,335	4,418	4,377	+305

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Capitol Visitor Center:						
CVC Project (cost-to-complete)	31,124	---	---	---	---	-31,124
CVC Operations	9,103	24,568	23,166	22,756	22,459	+13,356
Total, Capitol Visitor Center	40,227	24,568	23,166	22,756	22,459	-17,768
Total, Architect of the Capitol	529,586	644,609	541,391	545,889	601,586	+72,000
LIBRARY OF CONGRESS						
Salaries and expenses	419,030	458,577	450,211	441,033	446,151	+27,121
Authority to spend receipts	-6,350	-6,350	-6,350	-6,350	-6,350	---
Subtotal, Salaries and expenses	412,680	452,227	443,861	434,683	439,801	+27,121
Copyright Office, salaries and expenses	51,592	55,476	55,476	55,476	55,476	+3,884
Authority to spend receipts	-33,315	-34,612	-34,612	-34,612	-34,612	-1,297
Subtotal, Copyright Office	18,277	20,864	20,864	20,864	20,864	+2,587
Congressional Research Service, salaries and expenses	107,323	115,136	112,490	112,836	112,490	+5,167
Books for the blind and physically handicapped, salaries and expenses	68,816	70,182	70,182	70,182	70,182	+1,366
Total, Library of Congress	607,096	658,409	647,397	638,565	643,337	+36,241
GOVERNMENT PRINTING OFFICE						
Congressional printing and binding	96,828	93,296	93,296	93,296	93,768	-3,060

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Office of Superintendent of Documents						
Salaries and expenses.....	38,744	40,911	40,911	40,911	40,911	+2,167
Government Printing Office Revolving Fund.....	4,995	32,100	12,000	12,782	12,782	+7,787
Total, Government Printing Office.....	140,567	166,307	146,207	146,989	147,461	+6,894
GOVERNMENT ACCOUNTABILITY OFFICE						
Salaries and expenses.....	538,635	582,719	574,071	568,880	572,071	+33,436
Offsetting collections.....	-7,635	-15,222	-15,222	-15,222	-15,222	-7,587
Emergency appropriations (P.L. 111-5).....	25,000	---	---	---	---	-25,000
Total, Government Accountability Office.....	556,000	567,497	558,849	553,658	556,849	+849
OPEN WORLD LEADERSHIP CENTER						
Payment to the Open World Leadership Center Trust Fund.....	13,900	14,456	9,000	14,456	12,000	-1,900
JOHN C. STEMNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT						
Stennis Center for Public Service.....	430	430	430	430	430	---
Grand total.....	4,500,606	5,041,787	3,674,500	4,611,666	4,656,031	+155,425
Regular appropriations.....	(4,402,000)	(5,041,787)	(3,674,500)	(4,611,666)	(4,656,031)	(+254,031)
Emergency appropriations.....	(98,606)	---	---	---	---	(-98,606)

LEGISLATIVE BRANCH APPROPRIATIONS BILL - FY 2010 (H.R. 2918)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET OFFICE						
Salaries and expenses.....	44,082	46,365	45,165	45,165	45,165	+1,083
Emergency appropriations, P.L. 111-32.....	2,000	---	---	---	---	-2,000
Total, Congressional Budget Office.....	46,082	46,365	45,165	45,165	45,165	-917
ARCHITECT OF THE CAPITOL						
General administration.....	90,659	121,460	109,392	106,587	106,783	+16,124
Capitol building.....	35,840	33,305	32,800	33,305	33,182	-2,658
Capitol grounds.....	9,649	10,974	10,920	10,974	10,974	+1,325
Senate office buildings.....	69,359	76,032	---	74,392	74,392	+5,033
House of Representatives buildings:						
House office buildings.....	65,814	111,926	100,466	100,466	100,466	+34,652
House Historic buildings revitalization fund.....	---	---	---	---	50,000	+50,000
Capitol Power Plant.....	157,042	162,503	133,083	126,597	127,133	-29,909
Offsetting collections.....	-8,000	-8,000	-8,000	-8,000	-8,000	---
Subtotal, Capitol Power Plant.....	149,042	154,503	125,083	118,597	119,133	-29,909
Library buildings and grounds.....	39,094	69,144	41,937	40,754	45,795	+6,701
Historic buildings revitalization fund.....	---	---	60,000	---	---	---
Capitol police buildings, grounds and security.....	18,996	30,777	26,364	26,160	27,012	+8,016
Botanic garden.....	10,906	11,920	11,263	11,898	11,390	+484

DIVISION B—CONTINUING
APPROPRIATIONS RESOLUTION, 2010

Division B provides continuing appropriations for all agencies and activities that would be covered by the regular fiscal year 2010 appropriations bills, until enactment of the applicable regular appropriations bill, or until October 31, 2009, whichever occurs first.

DAVID R. OBEY,
DEBBIE WASSERMAN
SCHULTZ,
MICHAEL HONDA,
BETTY MCCOLLUM,
TIM RYAN,
C.A. RUPPERSBERGER,
CIRO RODRIGUEZ,
JERRY LEWIS,
ROBERT B. ADERHOLT,

Managers on the Part of the House.

BEN NELSON,
DANIEL K. INOUE,
MARK PRYOR,
JON TESTER,
LISA MURKOWSKI,
THAD COCHRAN,

Managers on the Part of the Senate.

THE REMARKABLE CAREER OF
CONGRESSMAN BOB DOUGHTON
OF ALLEGHANY COUNTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Thank you, Mr. Speaker. Next month, Alleghany County, a beautiful rural mountain county in northwest North Carolina, which I represent, will celebrate Bob Doughton Day and mark the beginning of the celebration of the 75th anniversary of the creation of the Blue Ridge Parkway.

Congressman Bob Doughton was an Alleghany County native from the town of Laurel Springs, who is fondly remembered for the instrumental role he played in the passage of Social Security and the creation of the Blue Ridge Parkway.

Congressman Doughton, who was sometimes known as “Farmer Bob,” served in the House of Representatives for 42 consecutive years, from 1911–1953.

According to his congressional biography, Congressman Doughton was educated in the public schools of Laurel Springs and Sparta in Alleghany County. He began his career as a very successful Alleghany County farmer known for raising excellent cattle. He also worked as a banker and was the owner and president of the Deposit Savings and Loan Bank of North Wilkesboro until 1936.

He launched his political career as a member of the State Board of Agriculture from 1903 to 1909. He was later elected to the North Carolina State Senate in 1908 and in 1909, and was finally elected as a Democrat to the 62nd Congress in 1910.

For 6 years he chaired the Committee on Expenditures in the Department of Agriculture and then later he rose through the ranks to chair the powerful Ways and Means Committee for nine terms. He also served as chairman

for the Joint Committee on Internal Revenue Taxation for two terms.

He retired from Congress in 1952, and died about 2 years later at the age of 90, on October 1, 1954, in his hometown of Laurel Springs.

He had a remarkable congressional career, chairing the Ways and Means Committee for 18 years through some of the most tumultuous years of the 20th century. In his final year in Congress he became the longest serving Member of the House, preceding Congressman Sam Rayburn as what is known as the dean of the House, in 1952.

As we mark the 75th anniversary of the Blue Ridge Parkway, which is the most visited park of the National Park System, it is very appropriate today to stop and remember this influential North Carolina lawmaker whose vision helped create this beautiful scenic highway.

SOCIALIST VERSUS PROGRESSIVE

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. I very much appreciate you recognizing me to address the House of Representatives and you today. As we near the close of this week and I listened to the emphatic presentation of the gentleman from New York and the more low-key, but I think equal conviction, presentation of the gentleman from Minnesota, it caught my ear that the gentleman from New York gave us a definition of socialism. He said, Socialism is when the government controls the means of production. I’m going to tell you that I believe that is a closer definition to communism than it is socialism.

Yet, I think the people who are the self-professed socialists in this country know who they are, and I think we should know who they are. They are the members of the Democratic Socialists of America. The Web site dsausa.org is the central source, the most important and influential source of socialist thinking in America.

They write in there—and I have a whole series of documents since the gentleman made the statement about what socialists are. I have spent a little time probing around in this Web site location. And I find out some things in there that I think the public should know, Mr. Speaker.

It tells about the organization. It says that, We are socialists because we reject an international economic order sustained by private profit. Socialists reject private profit. Now that didn’t seem to be what I heard the gentleman from New York say.

They also reject alienated labor, race and gender discrimination, which certainly I also reject, environmental destruction and brutality and violence in defense of the status quo. We are socialists because we share a vision of a

humane international social order based both on democratic planning and market mechanisms to achieve equitable distribution of resources, meaningful work, and a healthy environment, sustainable growth, gender and racial equality and non-oppressive relationships, like having to work “for the man.”

These socialists have a difference. On the Web site dsausa.org, there is a link that opens up and it says—first, it leads with, We are not Communists. Now I have always been very suspicious of any group that would start out with: I’m not a Communist. But the Democratic Socialists of America, that’s how they start it.

They say, We’re not Communists. Communists want to control everything. They want to nationalize everything. They want to nationalize not only the major corporations, the industry refining industry, the automobile manufacturers, the banks, the insurance companies, the lending companies. The Communists want to do all that and they want to nationalize small business: the butcher, the baker, and the candlestick maker, to keep it simple, Mr. Speaker. That’s communist by the definition of the socialists on dsausa.org Web site for the Democratic Socialists of America.

They also contend on those Web site links that they are a political party and they do support candidates, but they just don’t actively ask them to carry around with them the socialist label. You’ll find at the Web site dsausa.org that the people who are their candidates are labeled themselves and by the socialist Web site as progressives. That would be the blue posters we saw within the last hour. The Progressive Caucus. And we wonder what progressives are.

Well, they are socialists. They have a far bigger influence on this Congress than the public is aware. There are 75 members of the Progressive Caucus that are listed on their Web site.

Now, there was a time that you could have gone to the socialist Web site and opened up the link and read down through the list of the members of the Progressive Caucus who are, every one of them a Democrat in this Congress, and every one is claimed by the socialists as being the legislative party and arm of their political activism.

You cannot disconnect progressive and socialist. You can’t give them a different definition. And if you wonder about the heritage and the genesis of progressives, their Web site was hosted by the socialists up until a few years ago. And when it became known publicly that the socialist Web site was actually managing the progressives’ Web site—and you can go down the list: Marxist, Leninist, Trotskyite, Maoist, Stalinist, Communist, Socialist, Progressive. You see where I’ve gone. It’s less egregious to be a progressive than a socialist. So they took another step away.

Socialists took a step away from communism because communism had a

bad name. And they stepped away from it and they defined themselves differently and put it on their Web site. They said, Well, we're not communists because we don't want to do all these things. But they also say progressives are socialists. They're our people. And they used to host their Web site. Now the Progressive Caucus does their own Web site. But they advocate directly from the legislative agenda of the social Web site. Facts easy to find at dsausa.org.

Now what does a socialist do that's different than a communist? That's the question. Communists want to nationalize everything. They want to control the means of all production. They want to nationalize the corporations because the corporations aren't running consistent with their belief. And they want to also nationalize the butcher, the baker, and the candlestick maker. Small business. That's communists.

Socialists, right on their Web site, speaking presumably for the progressives as well, that they're anticorporate. They don't want to go nationalized to small business because they believe that small business can actually function okay without being repressive of the worker and can produce hair cuts and set up beer upon the bar and maybe hand you a sandwich out through the deli without them having to be involved as government in any means except to oppressively tax the profits that come. And then if you set up a sandwich store and it turns out to be a sandwich chain and it gets big enough, then they're going to want to nationalize it.

That's what socialists do. They want to nationalize corporations, large corporations. And it's all in the Web site. It's not a mystery. We have to do our reading. Dsausa.org. That's the socialist Web site.

When the gentleman from New York says, There's a difference; they're not socialists because they're not calling for controlling the means of production, well, I have to say, gentlemen, your names are on the list. I read it in the Web site. It's there. It exists. It's a matter of fact.

When you're anti-free enterprise, that puts you in the camp of the people who are on the hard core left. It's a philosophy that's been rejected by Americans.

By the way, you can also go to this Web site and read in here, dsausa.org, the people who advocate and support the progressives in this Congress and have not been repudiated by any progressive that I know of. You can also go to that Web site and you can see the agenda they have about nationalizing the major corporations in America. The nationalization of the Fortune 500 companies, for example, is written about on the Web site. They say, though, that they don't have to do it all at once, not in one fell swoop, that it can happen incrementally.

So you have an active political party with 75 Members in the House of Rep-

resentatives and one Member in the United States Senate, a self-professed socialist, Senator BERNIE SANDERS, who are part of a movement to nationalize major corporations in America. And now we've elected the most liberal President in the history of the United States. And what has he done?

He has in the term that he has had so far, and this is only September, he has nationalized three large investment banks: AIG, the largest insurance company in America; Fannie Mae; Freddie Mac; General Motors and Chrysler. Eight huge entities nationalized and now under the control of the White House.

□ 1415

And how did he do that, and how was it brought about, the economic crisis, the crisis that Rahm Emanuel said we should never let go to waste? The President and others utilized the crisis to nationalize the largest entities they could get their hands on.

I recall looking at a picture of President Obama standing next to Hugo Chavez, and they asked what I thought. I said, well, my reflection is that there are two huge nationalizers here. Hugo Chavez has been nationalizing right and left in Venezuela, but in the previous 30 days, he had only nationalized a Cargill rice plant, a Minnesota proud, privately held company, and nationalized that rice plant down in Venezuela. He simply said, I don't like the way you are running your rice plant; I will run it. And they will decide what the production is and what the people get paid that work there, and what they are going to pay for the product, and they will take their margin out that goes in to run the Government of Venezuela.

Well, what is going on with General Motors and Chrysler and Fannie Mae and Freddie Mac and AIG and the three large investment banks, what is different about that? You are paying back TARP funding. That is one thing. But you have the President of the United States involved in, or at least his direct appointees, involved in the day-to-day management, for example, of General Motors. The President fired the CEO of General Motors, don't forget. He hired his CEO of General Motors. He put in place all but two of the board members of General Motors. And then he appointed a car czar who didn't hold up to the standard, apparently, because he never made a car or sold a car. I suspect he had driven and ridden in them. But the car czar didn't quite meet the standard and so he appointed a new car czar.

And the CEO of General Motors admitted he was on the phone with the car czar sometimes multiple times a day. That is not what you would call disinterested. I wish the President took as much interest in ACORN as he did in General Motors. If that would happen, maybe we could get the President to the position where he would have a public comment on ACORN, after we

have watched this saga unfold from across the country.

The films on ACORN have emerged in Baltimore; here in Washington, D.C.; Brooklyn, New York; San Bernardino, California; and then San Diego, California. The pattern that we have seen, people posing as a prostitute and as pimp walking into ACORN's headquarters in each of those five cities and proposing that ACORN help them set up a house of ill repute so they could funnel teenage girls, young girls into child prostitution. And what did the ACORN people do in each of those five cities? They helped facilitate this. They helped facilitate child prostitution, setting up a house of ill repute. It was a promotion of prostitution of children.

The first film I saw that was in Baltimore, there were two women that were telling the young girl who was posing as a prostitute and the fella who was posing as a pimp how they could best circumvent the law in order to get it done, how they could best circumvent the tax laws, and how they could game the taxpayers, all under this process, telling them how they could qualify for the earned income tax credit. If you make \$96,000 a year, just report \$9,600 a year, then you will get the earned income tax credit, which is a check from the Federal Government out of the pocket of the working people in America into the pockets of somebody running a prostitution ring advocated by ACORN.

And they told them, If you are going to have 13 prostitutes, you really should just claim three of them as dependents. And if you do that, then you can qualify for the child tax credit, which is a thousand dollars a year.

So that counseling at ACORN that came about spontaneously after they rummaged around through their records to come up with the right kind of label for these young girl prostitutes and to call them performing artists, and that would fit, and you could game the Federal Government, circumvent, defy the law, break the law, and not only turn your house of prostitution into a profit center, but also be able to draw down funds from the Federal Government.

These are some very effective people at taking our tax dollars, Mr. Speaker, when it comes from them as a matter of instinct how you game the system, how you avoid taxes and cheat the government, and how you reach into the Federal coffers, the people's money, and draw that down for your own.

What a corrupt demonstration was taking place in Baltimore and in the other cities. But in Baltimore, the women who were working in there, the two women that were working at ACORN that were telling the young girl posing as a prostitute how to bring in young girls, 14-year-old girls plus or minus a year, how to bring them in, how to get this done and how to game the system, these women, I don't know if they were mothers, the ones working

for ACORN, but I could hear children playing in the background in the tape as if they were right behind the wall. The door was open behind them into presumably another office, and you could hear children playing in there.

Could it be in the middle of raising children we have people who are advocating for child prostitution? Could it be that the children who were making the noise that we could overhear on the tape, could they have been the actual children of the women who were advocating child prostitution as representatives of ACORN? I suspect that is the most likely scenario, although I haven't confirmed it.

That is the part that bothers me perhaps as much as anything else, that a worker for ACORN that could be a mother that had children within earshot could be advocating for child prostitution. And what would be the difference between bringing a girl in from El Salvador, bringing in a baker's dozen of girls from El Salvador illegally, put them up in a house of ill repute with money borrowed by the advocacy and the brokering of ACORN housing, we presume, to help fund and set up the capital base and loan that would be a business enterprise? And what happens when those kids that we could hear playing, what happens when they get to 13 or maybe 12 or 14? Do the ACORN workers just turn around and funnel them right into that house and put them to work?

The lack of outrage on the part of my colleagues on the other side of the aisle, the people who have for years railed against child labor and have pushed so hard for child labor laws, 75 of them voted to continue funding to ACORN. Seventy-five Members of the House of Representatives voted to continue funding for ACORN even though the tapes in five cities confirm absolutely that there is a culture of that type of corruption, child prostitution, within the doors of ACORN.

Who could imagine that out of 120 cities where ACORN has a presence, that they were able to do the sting operation on all of them that were helping to facilitate child prostitution or susceptible to doing that. I can't imagine that they went to 115 other locations and the people at ACORN said, Get out. I don't want to have anything to do with illegal behavior; and, by the way, I am going to call the police. We don't have any evidence that happened anywhere except Bertha Lewis told us that, who has consistently given us misinformation over the media airwaves. Mr. Speaker, I think America needs to know that she is the CEO, in effect, of ACORN, known formally as ACORN's chief organizer.

We have a great big problem in this country, and the biggest part of this problem, in my view, that undermines our country the most is not the child prostitution component. That is the most repulsive, but the biggest problem is ACORN's involvement in corrupting our election process. They

have, for election cycle after election cycle, been complicit in false or fraudulent voter registrations. They bragged that they had produced 1.3 million voter registrations in the last cycle. That is on a document that they are using to raise money to go down and protest Sheriff Joe Arpaio of Maricopa County.

The document that they are using as a fund-raiser says we registered 1.3 million voters, and we need you to write us a check so we can continue to go in here and try to intimidate people who are standing up for the rule of law. That is how I would interpret it. They didn't produce 1.3 million registrations. On closer analysis, the number comes down to be less than half a million. But they did produce, by their own admission, over 400,000 fraudulent voter registration forms, false or fraudulent. To be more precise, voter registrations turned in.

Now imagine, the integrity of our vote. The franchise that every voter has is predicated upon the integrity of the voter registration rolls. That's why we register voters. If we didn't care how many times people voted, we wouldn't register them. We would just say, Go ahead and go vote. If you think you are an adult, walk in there and do so as many times as you like. But we do care. One person, one vote, and that is all that can be allowed, and we can't allow the process to be corrupted and we can't allow people to vote in multiple jurisdictions. One person, one vote per election. That's why you have to declare your residence. That is why you have to register, and that is why we have to go through the voter registration rolls and verify that they are legitimate registrations.

By the way, if you don't care about that, if you don't care about the integrity of the election process, you might be, Mr. Speaker, among those kind of people that would advocate for things like motor voter registration. Or if you go in and get a driver license's, they will say to you, Do you want to register to vote? That person might answer, No comprehend. It happens thousands of times in America. People get a driver's license, whether or not that is legitimate, and they sign here, now you are registered to vote. That happens thousands of times in America. All they have to do is assent to that. Yes, there is a check box that asks if you are citizen. But if they can't understand the language, how could they possibly know that they are checking the right box and that they are guilty of perjury if they put down the wrong information? We know this happens tens of thousands of times in America. I suspect the number is a lot larger.

Why would an organization promote fraudulent voter registrations—I'm talking about ACORN—and why would they brag about it?

I can only come to this conclusion: If you can corrupt the voter registration rolls so badly that they didn't have any value any more, then anybody could

vote and the election process would be who can herd the most people through the most polls the most times, and that is kind of the logical progression of it.

Who can imagine that with over 400,000 fraudulent registrations that we didn't have a fraudulent vote take place in America? ACORN would tell you that. Well, we may have gotten a little overzealous in our voter registrations, but we didn't have any fraudulent votes.

Please. With 400,000, why did you spend millions of dollars to register voters if there was no advantage, if you didn't think that you could game the system?

I will submit they benefit from confusion, especially in close elections, and I believe they benefit also from fraudulent votes. And when you have a fluid registration system, then you can have people on buses that go back and forth across State lines, jurisdictional lines, county lines, and vote multiple times. Once the ballot is cast, there isn't a means by which you can go back and prove it unless you have a video camera sitting in the polling place and you can show the full act of someone walking into the polling place and acknowledging their name and address, going in and voting, and seeing the same thing take place with the same face in another place. This is almost a perfect crime. In the means of trying to actually catch them, you really need confessions.

As we went through the election process in the year 2000 when there were all kinds of allegations that were made, Mr. Speaker, I sat for 37 days and drilled down into this and chased every rabbit trail I could find on the Internet. I was on the phone and I had a network of communications on my e-mail, and I found example after example of stealing elections. That happens to be the title of John Fund's book, who will be speaking in this Capitol shortly.

I found example after example, 400,000 fraudulent voter registrations turned in by ACORN, and still we can't pass a law that requires the person that hands those registrations over to the voter registrar, and in my State it will be the county auditor, we can't require them to identify themselves so that at least when it turns out to be fraudulent you can go back and say, Well, that was Sally Smith or Joe Jones that did that, and here's their address and here's their identification document when they turned this in.

□ 1430

And it's because there has been a concerted effort to undermine the integrity of the ballot box. And it isn't every Democrat, but that's where the chorus comes from, that's where the arguments come from, that's where the push comes from.

Now, that's not just Motor Voter that took place under Bill Clinton back

in the nineties; we've got same-day registration taking place all across America in many, many States, including mine, same-day registration.

My Governor, Governor Culver, was Secretary of State; and in the middle of an election when he was Secretary of State, he advised people, If you don't know what precinct you live in, if you didn't get around to voting or changing your registration if you moved, or if you just moved in, don't worry about that, go to a polling place wherever you can, find one and go in there and vote. And we'll just call it a provisional ballot if anybody calls you on it, and we'll sort those ballots out later.

Can you imagine? We have 3 million Iowans, and I don't know the total of votes, perhaps 1.5 million, thousands of them went anywhere that was convenient and asked for a provisional ballot and cast it. And the ability to sort that all out and argue over the integrity of them, it overloaded our system.

Now, I come from a State that is the first-in-the-nation caucus. We have the great privilege to have the first bite of the apple to make a recommendation to the rest of America on whom we would like to see nominated for each political party, Democrats and Republicans, first-in-the-nation caucus. It's a high responsibility to maintain a high level of integrity. We were first-in-the-nation caucus, last in the Nation to certify the vote because our then-Secretary of State, now Governor, gave information to the voters all across the State that they could just go anywhere, further corrupting and confusing the system.

Now, add this up: Motor Voter registers anybody that will agree when they're asked, Do you want to be registered to vote. Who's going to say no? Especially if you think you're in the country illegally, you don't want to say no—you might think it's a responsibility to assent to registration.

So we've got Motor Voter registration, we've got same-day registration where somebody can just drive across the board into, name your State—Iowa, Minnesota, Wisconsin all come to mind—drive across the border, walk in, register to vote and vote on the spot. You don't have to prove residence to speak of. You maybe have to have somebody attest to who you are. There's a limit to the number of people that the bus driver can bring in and attest for, but it corrupts the process, Mr. Speaker.

And so I'm watching this country, this country that I love, this country that I was raised from the standpoint of, Eat your cold mashed potatoes, there are people starving in China. You've been born in the greatest Nation in the world and you hit the jackpot because God chose to have you born here in the United States—and I'll say especially in Iowa, from my perspective—a Nation that had never lost a war, that stood proud, that stood for freedom, that had the blessing and the gift of the Founding Fathers and the

Declaration and the Constitution and the rule of law and all the pillars of American exceptionalism.

This great Nation that went through manifest destiny from the Atlantic to the Pacific Oceans, settled a continent in the blink of a historical eye. And we did it founded upon the values that are in our Declaration and our Constitution and our values of faith and our work ethic, with these unlimited natural resources, low or no taxation, no regulation when Americans settled this continent.

We built a culture and a civilization built on—I'll use the Superman term, "Truth, justice and the American way," and now I am watching it corrupted in the electoral process by an organization like ACORN. Four hundred thousand fraudulent voter registrations turned in, and still they count them when they brag about how many they registered, they count the fraudulent ones too. It's like saying I made \$2 million last year, but not bothering to mention that you stole \$1 million from the bank. That's the equivalent of their brag.

Now, we saw what ACORN did in five cities when confronted with child prostitution rings and illegal immigration. They promoted it, and they said, Game the system and you can get a check from Uncle Sam in the process. We've seen what they've done to corrupt the voter registration process and the election process. We've seen them get involved politically as a partisan organization over and over again. Nobody in this country believes that ACORN is out here to get out the vote for Republicans. They are a partisan organization that gets out the vote for Democrats. They are the machine. They are the foundational machine across the country that gets out the vote for Democrats. We all know that, but it can't really be challenged.

And so as I look at their activities, and I understand that they say—well, I guess they changed their definition a little bit, 501(c)(3), that's what it says on a press release I just picked up, Mr. Speaker. There is apparently some intention that the IRS is going to take a look into ACORN. The first thing the IRS needs to do, Mr. Speaker, is take a look at ACORN's corporate filings and verify that they are a 501(c)(3). 501(c)(3) is a not-for-profit status, and if you violate that not-for-profit status, then your income becomes taxable.

And so I'm suggesting—no, I'm stating flat out—ACORN is a partisan organization, a get-out-the-vote organization for Democrats. They take millions of dollars and use them for partisan purposes. They were hired—an affiliate was hired by President Obama to get out the vote for him at the cost of—if I remember the number exactly, it was close to \$832,000. There is strong evidence that the President's fundraising list, once people maxed out to him, it was handed over to ACORN so they could use it to raise money.

We know that they've drawn down at least \$53 million in Federal tax money

that will be posted on the 990 form as grants from government; \$53 million since 1994. I suspect the number is a lot larger. But if anybody would like to come down and defend ACORN, I would welcome you to come down and do that. If anybody thinks anything I've said here is even marginally factual, let's fine-tune it just a little bit. But I'm standing on the solid ground of fact. And the facts are this; 501(c)(3) organization, self-professed—it's in the press release, it has to do with the IRS now talking about investigating similar organizations, not specifically ACORN.

But if you're not for profit, it also means you're a nonpartisan, and you are barred by law from participating in partisan activities. Partisan activities would be, Mr. Speaker, advocating for a particular candidate or political party. So, working on a campaign, putting up yard signs, door hangers, running ads that advocate for candidates—especially by name—would all constitute violations of the not-for-profit status and make their income taxable.

Well, Mr. Speaker, I have here an interesting little picture. And the good part of this picture is that I don't have to wonder about the source; this is a picture that I took. This picture was taken in early July, before the Fourth of July. This is a picture of ACORN's national headquarters. They're at 2609 Canal Street, New Orleans, Louisiana. I walked up to the door. The door looks like a jail cell. It's got a glass business door entry behind it, but it's black bars and welded steel with an outdoor lock on the outside. This is the most fortified building in the neighborhood. This is the second or third story where you see the bars here yet in the second or third story.

Mr. Speaker, right behind the glass at the national headquarters of ACORN is a poster here and it says, "Obama '08," a campaign poster for President Obama proudly displayed in the front window of ACORN's national headquarters. I don't know how you could get any more definitive evidence that it's a violation of the 501(c)(3) not-for-profit, no partisan activity if you're going to hang a partisan campaign sign in your window and leave it there, let's see—6, 7, 8 months after the election, it's still there. Does anybody imagine that it wasn't there before the election? And by the way, if anybody wonders if this is real, they can see over on the right-hand side, this hangs outside the glass, this is the ACORN banner, the ACORN logo, it's their logo on there. They fly that flag like we fly Old Glory.

So here's the flag, the glory of ACORN, the ignominy of it all, and here's the Obama poster. There are other posters behind there; I can't verify that they are Obama posters; it doesn't matter. This one is in the window. They're advertising for a political candidate. It's clearly a violation of the law. And it's blatant and it's open—and curiously, it's unnecessary. How sloppy can they be?

And so I think I've tied together the corrupt election process, the corrupt promotion of child prostitution rings, and also illegal immigration, which, out of the San Diego office especially, when the ACORN worker said, you've got to trust us; we have to work with Mexicans, I can bring people in through Tijuana, we'll help set this up for you. Child prostitution, violations, and then clear violations of voter laws.

In fact, there have been as many as 70 convictions for voter registration violations of ACORN employees. ACORN, as an entity, is under indictment in the State of Nevada. In the last couple of weeks they have put out, in the State of Florida, 11 warrants for arrests to pick up ACORN employees for voter registration violations. They did pick up 6 of the 11; the last I saw the news there were five still on the loose. And that was before the prostitution emerged from the film that was taken by the two intrepid reporters—whom I'm quite pleased and proud that they have done what they've done.

And that's not all, Mr. Speaker. If we continue on with ACORN, I would say here's another major concern of ACORN's involvement, and that is the practice of shaking down lenders, especially within the inner cities. Back in the seventies—it was either '77 or '78—Congress passed an act called the Community Reinvestment Act. It was an act that recognized a practice that I reject. It was the practice of red lining, as they called it—taking an ink pen and drawing a red line around a neighborhood in a city or several neighborhoods in the city. Banks that were loaning money for real estate, home mortgages, and commercial property identified that property that had its value going down, and they defined it. And it happened to also be inner city property.

Often one could index race with that declining value of property and the red lining. If it turned out it was a racial conclusion, it was utterly wrong. If it was a business conclusion purely, then it could be justified. But Congress passed the Community Reinvestment Act that set the stage so that banks were then given an incentive to make loans into those communities where they had previously not been making loans. That was a direction of Congress to try to fix an ill that I believe at least was, in significant part, a wrong that needed to be corrected.

But ACORN exploited this. They were founded in 1977 or '78, as I said, and they began seeing the opportunities with the Community Reinvestment Act. And I don't know their involvement in getting the legislation passed. I suspect they were there at the table when it happened, but I don't know that. But I do know that they went in and shook down lenders and demonstrated outside the banks and intimidated the banks into giving money to ACORN. Not just in the first round of this. This wasn't, Give loans to the people in the inner city, it was, Write

a check to ACORN, and we'll go away. Sometimes they would go into the lender's office, push his desk over to the wall, surround that lender and intimidate him, yell at him, shout at him and make demands, and eventually the intimidation tactics worked because banks wanted them to go away. So sometimes they wrote the check and sometimes they went away. Oftentimes they came back after a passage of time and began the process all over again.

Now, one demand was the shakedown that compelled—well, gave a strong incentive for—lenders to write the check to ACORN. That helped fund ACORN. You've also heard of this taking place from other organizations—Rainbow/PUSH comes to mind. They wrote the check to get ACORN off their back and then ACORN went away. And then they came back. And they did that over and over again. At a certain point, ACORN then demanded that the banks loan money into the neighborhoods that ACORN specified. They did their own red lining. They drew their red line around and said, You loan money into these neighborhoods or we'll come back and we'll protest so your customers can't get through the door. And so banks began loaning money into those neighborhoods and showing their records to the ACORN representatives, and now they're influencing a business practice. That's stage two.

Stage three is the lenders. In order to get ACORN off their back after they came back over and over again and escalated this, demanded money, demanded that loans be made into ACORN's red line district, then the next one was to grant ACORN a block of funds to be brokered into the communities of their choice, giving them more and more power.

□ 1445

This kind of shakedown undermines the free enterprise system, and it gives power to people through intimidation rather than market principles or moral principles. In fact, it is utterly corrupting in a society, and I can't draw a moral distinction between an ACORN shakedown, a Mafia shakedown, or a shakedown that might come from Hugo Chavez or some strongman in some other country. "You will pay the protection or you will not be in business."

I wonder if Cargill refused to pay protection in Venezuela and that was why Hugo Chavez nationalized the rice company down there, the rice plant in Venezuela earlier this spring, in about April.

So this is some of the pattern of ACORN's activity, Mr. Speaker, and it isn't, by any means, all of it. In fact, Wade Rathke, who was the founder of ACORN and was their CEO up until about a year ago, has a brother named Dale Rathke. Dale Rathke embezzled \$948,000 and change from ACORN. It is a matter of public record. They found out about it within ACORN and covered it up for 8 years. They covered up a crime, a felony, for 8 years. And in

order to solve the bookkeeping problem, they took money from donors and money from pension plans and backfilled the hole in the accounting which was created by the embezzlement of the brother of the CEO who helped cover up this crime. Then it erupted and finally blew up to the point where Wade Rathke was pushed out of ACORN—or I should say, off to the side of ACORN. They're still players today. He and his brother are both engaged in, let me say, community organizing. Activist community organizers, people who read the book by Saul Alinsky, people who read Cloward-Piven and now people who are writing their own book, the Rathke brothers.

Mr. Speaker, we need to clean up this mess that is ACORN. This Congress has a responsibility. We know it now. I offered an amendment to unfund ACORN back in 2007. It did not have a lot of support at the time. Today we have seen this Congress vote to unfund ACORN, and we've seen 75 Members—every one a Democrat—vote against unfunding ACORN. We know what our duty is. Our duty is oversight. It's our constitutional responsibility, Mr. Speaker. And we need to use all of the tools in this Congress to drill into ACORN, to get to the bottom of it, to bring the truth and the facts out. That will require, with all of these resources we have, in the House alone—and I call upon the Senate as well to engage in this. But in the House alone, we must have a full committee investigation and hearings by the Judiciary Committee, taking a look at the voter registration fraud that we know exists and look at it on a national scale. And from this, we need to drill into ACORN and pull out all of the rotten apples that are in there and shut down everything that is questionable. If there is anything left that has any integrity, I don't know what to do in that situation because I don't know how there would be any entity within ACORN that is not stained by this. But the Judiciary Committee has an obligation to investigate where there are violations of the law and where there are violations of voter registration and election fraud. That's our responsibility in the Judiciary Committee.

Government Reform—and this has been headed up very well in Government Reform by Congressman ISSA of California—needs to look into this from the standpoint of: how is government tied into this; what does it do to corrupt our government; what about all the tentacles of ACORN that would reach into government; how many places are they working in cooperation with government? And let's sever all of those relationships. That's the Government Reform component of this. To the extent that we can overlap and cooperate, we should do so committee by committee.

We need to go into the Financial Services Committee. Chairman FRANK needs to come all the way around to

cleaning up ACORN. He was not here for the vote that would have unfunded ACORN. He had a couple of different announcements. But the most recent announcement of his intentions was that he would have voted to shut off funding to ACORN. Well, we can speculate if we like. But, Mr. Speaker, to verify the position of the chairman of the Financial Services Committee, we'll have to see what he does with ACORN. Will Chairman FRANK investigate? Will he use the powers of the gavel and the staff that he has in Financial Services? Will he work with the ranking member of the Republicans to drill into ACORN and go back and pull out those pieces that he put in himself over the years in this Congress that set up the scenario by which ACORN still today—let me say it this way: still today, ACORN is looking at categories of as many as \$8.5 billion that they could tap into of Federal tax dollars. Our tax dollars, Mr. Speaker. Altogether, \$8.5 billion in categories. That is money that's within the Community Development Block Grant, a low-income housing grant, and the stimulus package. Those three add up to \$8.5 billion. ACORN, as far as anything that has been signed into law today, would still qualify to go into those funds.

The chairman of Financial Services, Mr. FRANK, has been involved in setting up the language, setting the stage. And it's not a practice of just this year. It's a practice of each year that I have been aware since I have been in this United States Congress, Mr. Speaker. So let's see if the chairman of the Financial Services Committee uses his gavel to investigate and provide proper oversight, with all the resources that he has at his disposal, working in full cooperation with Republicans on our side of the aisle and staffs working together. Let's see if that happens.

The Judiciary Committee needs to do a full investigation and hearings. Financial Services needs to do a full investigation of ACORN and hearings. By the way, when I say ACORN, that's a general term for ACORN and all of their affiliates, 361 of which have been identified by the Government Reform Committee in the report that was put out July 23 by the Government Reform Committee and Ranking Member DARELL ISSA. The Judiciary Committee and the Government Reform Committee need to investigate ACORN and all of their 361 affiliates.

We also need to ask the Ways and Means Committee and Chairman RANGEL—who I recognize has his own problems in this Congress, but this is an opportunity for Mr. RANGEL to redeem himself as chairman. The chairman of the Ways and Means Committee needs to commence a full, all-out, full-court investigation of ACORN and all of their affiliates and use the tools at his disposal, the power of the gavel and the subpoena ability that that committee has to bring in ACORN and examine their taxes and also to turn the pres-

sure up and direct the IRS to do a complete audit of ACORN and all of their affiliates. The only way to get a clean bill of health is to put them all through, let me say, the fiscal physical, that is, a complete analysis of all of the funds that come into ACORN and all of their affiliates. Chairman RANGEL can bring that about, and certainly he needs to work in cooperation with the ranking member on the Ways and Means Committee. I'm pushing very hard that we get this done.

I have named three committees. We have Judiciary, Ways and Means, Government Reform, all of them need to commence their investigations. We need the House Admin, who works in cooperation with the voter election laws. They're the ones that brought about the HAVA act, the Help America Vote Act. They need to be involved in this working in cooperation with the Judiciary Committee. We need to bring the Appropriations Committee into this. We need to examine every dollar that's been appropriated that may have gone into the coffers of ACORN and their affiliates. How did that money get used? Was it matching funds? And how does it go down into the States?

All of this needs to happen out of this Congress, Mr. Speaker, and we need the IRS doing a complete forensic audit of ACORN and all of their affiliates. And we need the Department of Justice doing more than just an Inspector General's investigation to determine if Justice has written checks to ACORN or their affiliates and whether there's justice in Justice paying ACORN and their affiliates. If the limit of Justice's scope of justice is, did they actually pay somebody that was violating the not-for-profit laws, and did they use it for partisan purposes, that's pretty narrow.

ACORN wants to examine themselves and audit themselves. That's laughable that we should accept the idea that ACORN has appointed someone to audit themselves. It's a joke. But we do have the Justice Department who has said, We want to audit ourselves too with respect to what money we might have sent to ACORN, so that they find it before someone else finds it. Then they can make their press release and say they've cleaned it up and sworn off and washed their hands of ACORN—like the Census Bureau finally did? For the second time, by the way. They put out a press release 3 months ago. After we turned up the pressure, they said, Well, we won't be hiring ACORN to do our Census. We turned up some more pressure, and when they saw the prostitution film, they put out another release that said, We have now finally—for the second and perhaps final time—severed our relationship with ACORN. Well, if you have to do something twice, who would believe you did it the first time? And then if you do something once, who is going to believe that that actually got done the first time? They will do it over and over again. Justice wants to look at it and wash

their hands of ACORN, but I don't see them moving towards a complete investigation at the Department of Justice, which we must have, Mr. Speaker. The scrubbing that's taking place on the Census and now the U.S. Treasury. The Treasury has said that they no longer want to work with ACORN. ACORN was helping out with tax forms. So maybe they're going to rely on TurboTax instead. But they no longer want to have the relationship with ACORN because they're too hot a political potato.

These aren't things that these departments didn't know before. I have known this for months and, much of it, years. Yet we couldn't penetrate the minds of the Census Bureau until we beat on them through the media. We couldn't penetrate into the Department of the U.S. Treasury until the prostitution films came out. And the Department of Justice only wants to examine far enough to determine if they have written checks to ACORN and then what those checks were for, if they were legitimate or not.

It doesn't look to me, Mr. Speaker, like this administration is determined to do this forensic analysis. In fact, if you would draw a line down through the middle of the piece of paper—you could draw it figuratively right down this aisle, Democrats on this side, Republicans on this side—Democrats, as a party, beneficiaries of ACORN; Republicans on this side, a lot of them who are not here, are victims of ACORN's partisan activities. They've already lost their elections. They aren't here now, and many of them are not coming back. But that same line can be this: who has consistently called for the cleanup of the corrupt ACORN, the criminal enterprise ACORN and all of their affiliates? It's been people on the Republican side of the aisle who have done that, the survivors. Who has finally made some little mouse noises about cleanup of ACORN? Well, it's been Democrats. And it's been people who have redirected—it would be Chairmen Frank and Conyers who have called for the Congressional Research Service (CRS) to take a look at ACORN and write a report. Well, CRS doesn't have the authority to go in and actually do a criminal investigation or a tax audit. They don't have the authority that these chairmen have themselves. If they want to get to the bottom of it, they don't have to ask anybody. They call for hearings and an investigation, and they levy their subpoena power, and they do that. But instead, they would like to redirect the American people into believing that calling for a CRS report is somehow a substitute of a congressional investigation. It's not. The Justice Department should be doing a complete, thorough criminal investigation, working hand in glove with the IRS. Instead, it simply announces that they're going to take a look to see if they've written checks to ACORN and then react accordingly. The U.S. Treasury finally

takes a position that they don't want to have ACORN cooperating with them in helping out with taxes.

These are all of the weak things on this side. These are redirections. These are straw men. They are red herrings. They don't have substance to accomplish what we need to get accomplished, which is clean up ACORN. On this side, we've called for substance for a long time, and we haven't cracked through because the people on this side hold the gavel, and they were determined to protect and defend ACORN until the political heat got so hot that all but 75 of them voted to stop Federal funds from coming into ACORN.

That's what's taken place, Mr. Speaker. Those are the facts. They cannot be denied. By the way, we need to ask some questions about why the chief organizer of America has not had a statement to say about ACORN, except for his statement on the Sunday talk show circuit; when asked about this, he said, Well, it's really not on my radar screen. It's not the most important thing before America. So I'm not really paying attention to ACORN.

Really, Mr. President? This is the star of ACORN. He is the lead chief organizer. He is the person who told the people at ACORN, I will invite you in, and we will be setting the agenda for America, even before he is inaugurated as President of the United States. This is the man who worked for ACORN. He is the man who was an attorney for ACORN. He is the man who trained ACORN's workers. Remember what he said before the election to his people: "Get in their face. Get out, and get in their face." Does that sound like what was happening around the lenders' desks when they were capitulating to ACORN's intimidation of the shake-down? ACORN's activists got in the lenders' faces. The President said, Get in their face.

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He worked for ACORN, trained ACORN's workers, headed up Project Vote. And Project Vote is integral to ACORN. You can't separate the two, and there are people who are labeled Project Vote and ACORN who concur with that.

Then on top of that, the President of the United States, as a candidate, hired ACORN to get out the vote. And then the evidence exists that his donor list was transferred over to ACORN. Once it was maxed out and they couldn't write another check in the Presidential campaign, the list went over so ACORN could raise money on that.

This man's not interested in ACORN? He's ambivalent about it? That's what he told us just last Sunday. Curious. He could inject himself into police operations of a professor of Harvard, Officer Crowley and Professor Gates. He can inject himself into that and have a beer summit, but he can't pay attention to what's going on when things are melting down around him?

This man stands at the top of ACORN. He's the man that directed

that the Census be pulled out of the Department of Commerce and put into the White House. This is a man that hired ACORN to help hire individuals to work for the Census. And he's not paying attention? Do we think Rahm Emanuel is running this country or President Obama, or is it just Chicago politics? I think it's all of those things, actually, Mr. Speaker. But the President cannot deny knowledge of what's going on.

The United States Senate voted 83-7 to shut off funding to ACORN housing, Senator JOHANNIS from Nebraska's amendment. That sent a resounding message. It shook through all the media. I'll bet you even Charlie Gibson knows about that one. And shortly after that, the House acted; and we had a motion to recommit that, if it functions the way we'd like to have it function, would shut off funding to ACORN. 345 Members of the House of Representatives voted to shut off funding to ACORN; 75 voted to defend ACORN, but there were a couple of them that wanted to change their intentions after the fact.

Chairman FRANK wanted to change it. He wasn't here. He had a good excuse. He got to redefine his vote after he saw the politics of it. No allegations. Those are just the facts. Chairman CONYERS said even though, let's see, whatever side he was on when he voted, he meant to vote the other way. I don't remember very many Members having to explain any votes in that fashion. I don't get to use that excuse. Maybe once in a career, not multiple times on a single issue by multiple Members of Congress.

But this man, Mr. Speaker, has a deep abiding involvement in ACORN. His history goes back to it. At the genesis of President Obama's political life, there he stands with ACORN, and he walks with them all the way through. It isn't my supposition; it's his own assertion, that ACORN was with him from the beginning. He's been with ACORN all of the way through, and one of the affiliates that he headed up was Project Vote.

There still are 360 other affiliates out there. We need to audit Project Vote. We need to audit the other 360 affiliates. We need all of the tools of the IRS and the Department of Justice. We don't need a lame little announcement that Justice is going to go look and see if they maybe wrote a check to some bad people and they'll correct that. We need to have them drilling into everything. And we also need every committee that has jurisdiction in the House of Representatives doing the examination of ACORN.

I yield to the gentlewoman from Minnesota.

Mrs. BACHMANN. I'm so grateful for the gentleman from Iowa and the comments that he's been making regarding ACORN and the situation that they find themselves in.

One thing that we have seen from the American people in a recent Gallup

survey is that today, at the highest level ever in the history of our country, more people believe that government is wasting money than at any other time in modern times. Today the American people believe that the government wastes about 50 cents of every dollar. And as if these activities were bad enough that the gentleman from Iowa was speaking about, the stunning STEVE KING of Iowa, I think, Mr. Speaker, one thing we recognize is that the American taxpayer should not be paying for these activities.

Now, this is stunning. This truly is a stunning feature, that you have an organization that's been the recipient of about \$53 million since 1994. And you have a photo, I noticed, a poster, of the President with an ACORN emblem on his shirt. Since President Obama, who formerly was the attorney for Project Vote, yet one of the many affiliates of ACORN, since that time, he has made available to his patron, to ACORN, he has made available to them \$8.5 billion.

And if a bill that went through this House actually passes, that would be \$10 billion that is available to this organization, who we have seen has been furthering the trafficking of illegal aliens, minor girls into childhood prostitution and child abuse. This is unconscionable. And this same organization has been educating individuals that they should take their money and bury it in a tin can in the backyard rather than paying taxes.

And we're giving this organization \$10 billion in tax money? How could this be? No wonder that the American people are saying, at the highest time ever, that they believe 50 cents of every dollar is wasted.

We need an investigation, I believe, Mr. Speaker, into that fact. Do we know how much of our tax money is being wasted? The American people think it's 50 percent of every dollar. Perhaps it is if you have \$10 billion going to an organization like this.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlewoman from Minnesota. And I'm looking forward to some future comments with regard to this as well.

The waste that's there is a significant part of all of this. But another one is just the lack of conscience and using Federal funds to do something of a partisan nature and do so with impunity in a completely cynical approach that we've known for years were designed to produce this result.

Mr. Speaker, I appreciate your indulgence. I will introduce the DSAUSA documents into the RECORD.

THE ORGANIZATION

The Democratic Socialists of America (DSA) is the largest socialist organization in the United States, and the principal U.S. affiliate of the Socialist International. DSA's members are building progressive movements for social change while establishing an openly socialist presence in American communities and politics.

At the root of our socialism is a profound commitment to democracy, as means and end. We are activists committed not only to

extending political democracy but to demanding democratic empowerment in the economy, in gender relations, and in culture. Democracy is not simply one of our political values but our means of restructuring society. Our vision is of a society in which people have a real voice in the choices and relationships that affect the entirety of our lives. We call this vision democratic socialism—a vision of a more free, democratic and humane society.

In this web site you can find out about DSA, its politics, structure and program. DSA's political perspective is called Where We Stand. It says, in part:

We are socialists because we reject an international economic order sustained by private profit, alienated labor, race and gender discrimination, environmental destruction, and brutality and violence in defense of the status quo.

We are socialists because we share a vision of a humane international social order based both on democratic planning and market mechanisms to achieve equitable distribution of resources, meaningful work, a healthy environment, sustainable growth, gender and racial equality, and non-oppressive relationships.

DSA has a youth section, Young Democratic Socialists (YDS). Made up of students from colleges and high schools and young people in the work force, the Youth Section works on economic justice and democracy and prison justice projects. It is a member of the International Union of Socialist Youth, an affiliate of the Socialist International. The Youth Section meets several times during the year. More information is available from YDS staff.

This web site also includes an extensive set of resources, including bibliographies, pamphlets and links to information on socialism and U.S. politics in general.

Please join DSA as we work to help build a better and more just world for all.

WHERE WE STAND: THE POLITICAL PERSPECTIVE OF THE DEMOCRATIC SOCIALISTS OF AMERICA

PREAMBLE

At the beginning of the 20th century, a young and vibrant socialist movement anticipated decades of great advances on the road to a world free from capitalist exploitation—a socialist society built on the enduring principles of equality, justice and solidarity among peoples.

At the end of the 20th century, such hope and vision seem all but lost. The unbridled power of transnational corporations, unwritten by the major capitalist nations, has created a world economy where the wealth and power of a few is coupled with insecurity and downward mobility for the vast majority of working people in both the Northern and Southern hemispheres. Traditional left prescriptions have failed on both sides of the Communist/socialist divide. Global economic integration has rendered obsolete both the social democratic solution of independent national economies sustaining a strong social welfare state and the Communist solution of state-owned national economies fostering social development.

The globalization of capital requires a renewed vision and tactics. But the essence of the socialist vision—that people can freely and democratically control their community and society—remains central to the movement for radical democracy. Those who the collapse of communist regimes, for which the rhetoric of socialism became a cover for authoritarian rule, as proof that capitalism is the foundation of democracy, commit fraud on history. The struggle for mass democracy has always been led by the ex-

cluded—workers, minorities, and women. The wealthy almost never join in unless their own economic freedom appears at stake. The equation of capitalism with democracy cannot survive scrutiny in a world where untrammelled capitalism means unrelenting poverty, disease, and unemployment.

Today powerful corporate and political elites tell us that environmental standards are too high, unemployment is too low, and workers earn too much for America to prosper in the next century. Their vision is too close for comfort: inequality of wealth and income has grown worse in the last 15 years: one percent of America now owns 60 percent of our wealth, up from 50 percent before Ronald Reagan became president. Nearly three decades after the “War on Poverty” was declared and then quickly abandoned, one-fifth of our society subsists in poverty, living in substandard housing, attending underfunded, overcrowded schools, and receiving inadequate health care.

TOWARDS FREEDOM: DEMOCRATIC SOCIALIST THEORY AND PRACTICE

[By Joseph Schwartz and Jason Schulman]

THE DEMOCRATIC SOCIALIST VISION

Democratic socialists believe that the individuality of each human being can only be developed in a society embodying the values of liberty, equality, and solidarity. These beliefs do not entail a crude conception of equality that conceives of human beings as equal in all respects. Rather, if human beings are to develop their distinct capacities they must be accorded equal respect and opportunities denied them by the inequalities of capitalist society, in which the life opportunities of a child born in the inner city are starkly less than that of a child born in an affluent suburb. A democratic community committed to the equal moral worth of each citizen will socially provide the cultural and economic necessities—food, housing, quality education, healthcare, childcare—for the development of human individuality.

Achieving this diversity and opportunity necessitates a fundamental restructuring of our socio-economic order. While the freedoms that exist under democratic capitalism are gains of popular struggle to be cherished, democratic socialists argue that the values of liberal democracy can only be fulfilled when the economy as well as the government is democratically controlled.

We cannot accept capitalism's conception of economic relations as “free and private,” because contracts are not made among economic equals and because they give rise to social structures which undemocratically confer power upon some over others. Such relationships are undemocratic in that the citizens involved have not freely deliberated upon the structure of those institutions and how social roles should be distributed within them (e.g., the relationship between capital and labor in the workplace or men and women in child rearing). We do not imagine that all institutional relations would wither away under socialism, but we do believe that the basic contours of society must be democratically constructed by the free deliberation of its members.

The democratic socialist vision does not rest upon one sole tradition; it draws upon Marxism, religious and ethical socialism, feminism, and other theories that critique human domination. Nor does it contend that any laws of history preordain the achievement of socialism. The choice for socialism is both moral and political, and the fullness of its vision will never be permanently secured.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-266) on the resolution (H. Res. 772) providing for consideration of the conference report to accompany the bill (H.R. 2918) making appropriations for the Legislative Branch for the Fiscal Year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HEALTH CARE

The SPEAKER pro tempore (Mr. DRIEHAUS). Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Minnesota (Mrs. BACHMANN) is recognized for 60 minutes.

Mrs. BACHMANN. Mr. Speaker, the focus of my remarks over the next hour will be on the issue of health care. This is the issue that has really captured the attention of the American people over these summer months, and well it should. This for many States is one of the top spending priorities in their States and here for the Federal Government as well.

We have learned, as we've looked through the budget this year, since President Obama has assumed the Presidency, under his leadership we have seen the Federal budget increase 22 percent at a time when the American economy is contracting. In one quarter alone we saw a 5 percent contraction rate. The private sector is contracting in this current economy, and yet what's government's response? Government is on a party. It is growing. Growing to the tune of 22 percent. That's almost a one-fourth level of increase.

Imagine if any of us, Mr. Speaker, in our own lives, in our own businesses, in our family situation would increase our spending 22 percent when our income had fallen 6 percent. None of us would ever consider treating our own finances in that way. No business could consider treating its own finances in that way. It's only a government that looks to our pockets and to our resources to finance its party, only a government that's out of control, that has capitulated to practically fiscal hedonism, fiscal hedonism, to run up bills that are unconscionable for the next generation.

I think we are looking at a time, Mr. Speaker, unlike any other in the history of the United States. That's why this health care debate plays into the center of where our economy is at.

Mr. Speaker, I'm a former Federal tax litigation attorney, and I had done a study when I was in my post-doctorate program at William and Mary Law School down in Williamsburg, Virginia, back in the late 1980s. And at

that time, the study came out that said the kids who are today about 22 years of age, when they get to be in their prime earning years, knowing what we know about the current demographics, the number of people who will be 65 or older, eligible for Medicare, those who will be 62 and older, eligible for Social Security, we know approximately how many Americans we have to support who will be age 62 when today's current 22 years olds will be in their peak earning years.

And what this study showed, Mr. Speaker, is those now-22-year-old children, those born back in about the year 1987, will look at an unprecedented debt load out of their paycheck. And here it is:

Those kids will be looking at spending approximately 25 percent of their earnings just for Social Security. So imagine 25 percent of your earnings goes just to pay for Social Security.

What else do we know? We know that Medicare is also an obligation that the Federal Government has made, a promise, if you will, that we have made to America's senior citizens. Medicare costs exceed those of Social Security. So if, then, America's young people, now 22 years of age, in their peak earning years have 25 percent of their income taken to support Social Security and if we know that Medicare is more than Social Security, those two components alone would consume 50 percent of the average person's paycheck in just a few years hence, 50 percent of the paycheck just going for Social Security and Medicare.

That doesn't even contemplate Medicare part D, which is the pharmaceutical portion, a relatively new entitlement that has been put before the American people. So let's be very conservative and say 5 percent of that young person's paycheck. That would be 25 percent for Social Security. Government would take another 25 percent for Medicare. Now we're up to 50. Let's say another 5 percent for Medicaid part D, and that's very conservative. Now we're at 55 percent.

Well, what about the Federal income tax? That doesn't even contemplate what an individual would pay in Federal income tax. Federal income tax could easily be another 30 percent of that young person's income. Now we're up to 85 percent. For an American born in 1987, we are up to 85 percent of their income check going to the Federal Government just to pay for entitlement programs.

Well, Mr. Speaker, that doesn't include the State income tax program. In Minnesota, the State that I'm from, that could well be an additional 8 percent, which would add up to 93 percent of an American's paycheck. An American born in 1987, when they get in their peak earning years, could be looking at a minimum of 93 percent of their paycheck going to pay just Social Security, Medicare, Medicare part D, Federal income tax, and State income tax.

But, Mr. Speaker, that doesn't include property tax. Mr. Speaker, that does not include sales tax. So property tax, sales tax, gas tax, every-time-you-turn-around tax. There won't be enough money, Mr. Speaker, in the next generation of young people that are only now just beginning to earn their first W-2 wage withholding. Those young people are looking at a burden no other generation has ever yet contemplated.

In the middle of this financial crisis that we are looking at, Mr. Speaker, now comes forward the health debate. And what is the solution put forward by President Obama and by the majority that controls the House of Representatives, the Democrat majority? We have one-party rule in Washington, D.C. One party controls every level of power. And what is the solution? Well, let's just have government take over the rest of health care. As if we already haven't obligated ourselves on health care, now the proposal being advanced is that the government would take over the rest of health care.

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What would that mean?

Well, we know at minimum, according to the Congressional Budget Office, it would be an additional, perhaps, \$990 billion in expenses. That's according to President Obama's figures. Yet what were the initial figures we were given when we were told of and were talked to about this government takeover of health care? Mr. Speaker, it was \$2 trillion, upwards of \$2 trillion, according to the Congressional Budget Office.

Why do we think that this isn't stretching things, \$2 trillion?

Well, because we know, when President Johnson implemented the modern welfare state in 1965, President Johnson and those here in Washington, D.C., estimated that the cost of Medicare to Americans would be about \$9 billion, adjusting for inflation by 1990. What was the actual cost? The actual cost was \$67 billion. The Federal Government only undershot its estimate by a factor of 7, but it wasn't just on Medicare. It was on hospitalization insurance. You can go down the list. One new revision of Medicare after another undershot the true cost to the American people of what Medicare would cost them down the road, sometimes by as much as 17 to 1. The Federal Government was off by that much.

Well, what has that done to our budgets?

That has caused us to go into a deficit mode so severe that now the Chinese are lecturing Americans. Chinese Communists are lecturing American free marketers on our out-of-control spending and on our debt. Why? Because China owns so much of our debt.

Mr. Speaker, what are the options, if you will, that the Federal Government has in front of itself when it comes to paying for these government programs? Well, there are three:

The Federal Government can either increase taxes or it can increase bor-

rowing from countries like China, countries which are a lot more reluctant to purchase our debt. When we were a producing country—when we were making washing machines and irons and cars—other countries were only too happy to purchase our debt; but now that our new industry is producing more welfare, countries like China aren't quite so interested because they know we aren't actually producing a good. We're providing government welfare benefits. Now China is not quite so interested in purchasing our debt.

So we can raise taxes on the American people—that's not going to work in a down economy—or we can issue more debt. That's not working. China is calling for throwing over the American dollar as the international currency and means of exchange. Now China, now the U.N., now Russia, now Brazil, now South America, now country after country is calling for a new international, one-world currency. This is a new event, Mr. Speaker. This is a new happening. Why? Because this is the greatest country that has ever been in the history of man. In 5,000 years of recorded human history, there has never been a country greater or freer or more powerful than the United States of America. That is our richness and that is our legacy. Now, for the first time, we're hearing a call for the replacement of the U.S. dollar as the international means of exchange, to be replaced with a new international, one-world currency, probably regulated by a world regulator, perhaps under the International Monetary Fund.

What would that mean for the dollar? What would that mean for the stability of our country economically? What would that mean for America's senior citizens who are dependent upon the Federal Government now for their health care through Medicare and for their Social Security/retirement? What does that mean for our senior citizens?

Well, here is the third option that's available to the government when it comes to dealing with finances. Again, the government can tax our people. Ouch. That really hurt. The government is already whacking us a lot with our taxes.

Then we talked about the area of borrowing. Well, other countries aren't too keen on that right now.

What's the third option, Mr. Speaker? It's this: As a last resort, governments can do what the Weimar Republic did in the 1920s. They can print money. They can print money that's basically worthless. In some sense, the paper is worth more than what's printed on it. What that is and what that represents is the good faith, the hard work, the years, and the toil of the American people.

Just this afternoon, I made a call to some constituents back in my district. One man named Richard told me that he was thinking about moving to Singapore. Richard said the reason he is moving to Singapore, Mr. Speaker, is

that he spent his whole life working. He worked so hard. He took his American dollars, and he put them in the bank, and now he sees what our government has done. Our government has flooded the money supply with money that they've printed.

From one of our leading financial papers, one gentleman told me that we had about \$1 trillion in currency in circulation. We had about 1 trillion U.S. dollars in circulation here in the United States. Last year, the Federal Reserve pumped an additional \$1 trillion into the currency.

Well, what does that mean?

If you had a dollar in the bank when your government flooded the money supply with an additional \$1 trillion on top of the \$1 trillion we had with no more goods and services backing that money up, that meant that an American's dollar was only worth 50 cents.

Well, that's why Richard was upset. He said to me, Congresswoman, I don't want to hold onto American dollars if my government is going to inflate its way out of this current problem. If they do that to pay their bills—to pay their Medicare bills, to pay their Social Security bills—then we're all poorer. We're not richer. We're poorer.

That brings us to the context, Mr. Speaker, of our debate in health care, and that's why I believe we are seeing the American people soundly rejecting the Federal Government's taking over of health care—yet one more area where it seems that it's wasting money.

Again, a Gallup Poll was just released that showed, for the first time, the American people believe that this government wastes 50 percent of every dollar it gets, which is why we should have an investigation. Truly, what amount of money does Congress waste? What actually goes to a true and a beneficial purpose? What are the alternatives for us as we look at health care?

Today, 85 percent of Americans have health insurance. They like it. They enjoy it. One of our Democrat colleagues was on the floor here earlier this afternoon, and he said that the majority of doctors in our country support the government takeover of health care. Only he didn't call it the "government takeover of health care," Mr. Speaker. He called it the "public option," which is the government takeover of health care.

Well, that isn't true. That isn't what doctors in this country believe. Surveys were sent out. There was a survey sent out by Investors Business Daily that has been reported for the last 7 days. They received surveys back from 28,000 physicians in the United States. They sent the surveys out to all physicians, and physicians responded back—28,000 physicians. Of those physicians, two-thirds of them said that they believe that the government takeover of health care will lead to diminished care in the United States. They believe that senior citizens will be worse off if

the government takes over their health care.

That's exactly what I'm hearing from my constituents as well and from senior citizens who don't care if it's a Republican plan or a Democrat plan. They don't care. They're very smart, Mr. Speaker. America's senior citizens are very smart. They're watching this debate carefully. They're watching. They're paying attention. They're listening to what the conversations are because they know they have the most to lose in this system.

Why?

President Obama was here, speaking to the 535 Members of Congress in a speech to the joint session of Congress. He spoke to all of America when he said he will be cutting the Medicare Advantage program. That's about \$149 billion out of Medicare. He also said that he will have about \$500 billion in savings from Medicare. Well, what does that mean? It means \$500 billion that America's seniors will no longer be able to count on.

That's not what we want to do to America's senior citizens. We can do so much better than this. We have a great option, great plans that do not put the government in charge. That is one thing, Mr. Speaker, that I would say to America's young people, to America's middle-aged and to our senior citizens. In the middle of the debate on health care, Americans really need to ask one question, and it is this:

Once this health care bill goes through and is passed, will it give more power to the government and more control to the government over my health care or will it give me more control over my own health care? Will I have more options or will I have fewer?

With every plan put forward so far by the Democrat majorities that run Washington, D.C.—whether it's our Democrat President or the Democrats who control the House or the Democrats who control the Senate—they've all run to the left, to the liberal option. They've all said there is only one way to handle this health care problem: Me. You need me. You need more government. That's what the liberals are saying in Congress, that government needs to be the one to take this over.

Well, I don't think so, Mr. Speaker. The American people don't think so. They think this Congress wastes 50 cents of every dollar. They may be right. The American people are some of the sharpest people in the world, and they know when they've been had. We don't have to go down that road. There is a positive alternative which we can embrace and which can immediately bring down costs.

Again, 85 percent of the American people already enjoy health care, and they enjoy the health care that they have. For those who don't have health care today, a large percentage are illegal aliens. We have no business as American citizens being forced to subsidize and to pay for the health care of

illegal aliens, of people who are in our country against our law. We have no obligation to pay for that health care. We also have a large segment of our population, Mr. Speaker, which makes over \$75,000 a year. They could purchase their own health care. They simply choose not to. They choose to spend their money on other items. It's not their priority. We have a huge segment of our population which makes over \$50,000 a year, which also chooses not to purchase health care. Many people in that category are between the ages of 18 and 35. They are, perhaps, without health care maybe for 4 months, so they roll the dice and think maybe they'll be healthy for the next 4 months and won't need it.

Mr. Speaker, I've been in that situation. My husband and I were in that situation when we had children. We had a few months where we didn't have health care coverage, and we simply could not afford the very high rate that we would have had to have purchased by ourselves to have been able to cover ourselves and our children, so we rolled the dice. A lot of Americans do that.

Yet there is a segment of our population which truly can't afford health care, and we have safety net after safety net after safety net that this body has put into place for people who truly, through no fault of their own, can't afford to purchase health care. There certainly are people in that category. We will always have that safety net. What can we do? We have a positive alternative. It's very simple. This is what we can do:

Every American can purchase and own their own health care. Today, it's not that way, but we could be that way. Today, we have American employers owning most people's health care. So it's either our employer who owns our health care or it's the Federal Government or it's the State government—one of the two. It's either the government or an employer who owns our health care. Very few Americans actually own their own health care, but they would like to. It's the same way they own their car insurance. It's the same way they own their homeowners' insurance. It's the same way when they go out and purchase any other item. They would like to be able to purchase their own health insurance. We can make that possible for them. So this is where we start:

We start by letting every American purchase and own their own health insurance coverage. How do we do that? We allow Americans to band together with anyone they want to. Maybe it will be with people who live in their communities. Maybe it's all teachers. Maybe it's farmers. Maybe it's Realtors. You can band together. Maybe it's other senior citizens. You can band together so you can have a large purchasing power. It's like a credit union would act. It's with people in the geographical area. Maybe you live in a rural area, Mr. Speaker. People could band together, and they could purchase

health insurance as a pool. They own it. They purchase it as a pool, together in a big, large group so that they can have better purchasing power. It's just like if you go to Sam's Club or if you go to Costco. They're able to offer cheaper prices because they buy such a large volume of the product. Well, let's let American citizens do that.

If it's good enough for Sam's Club, if it's good enough for Costco, why can't it be good enough for the average American person?

□ 1530

You have banded together with whoever you want, buy your own insurance. Then, Mr. Speaker, we let people buy whatever level of coverage they want. Maybe they want to buy a policy that is expensive that has all the bells and whistles on it. Or maybe, Mr. Speaker they only want a small amount of coverage.

Maybe they only want hospitalization. So in case something happens to them, they have to go to the hospital for a heart attack or for cancer treatments or they get laid up somehow and they have to go to the hospital. They only want catastrophic coverage, truly catastrophic. That would be a very expensive plan.

Why don't we allow people to do that? In my home State of Minnesota, Mr. Speaker, we are the most, if not the most, we are one of the most heavily mandated States in the country. In other words, our State legislature, where I used to be a State senator, we have about 70 different mandates. In other words, 70 different requirements before any insurance company can sell an insurance policy.

An insurance company might decide I would like to sell this low-cost, low-frills insurance plan. I think that maybe I could sell it for, oh, \$60 a month.

Well, in my State, an insurance company can't do that. Why? They are prohibited by law. Because my State mandates that an insurance company has to have 70 different requirements before they can sell the policy.

In other words, they have to sell a Cadillac policy rather than a Kia. No offense to Kia owners, no offense to Cadillac owners.

But the point is simply this. We should allow insurance companies to sell truly a wide variety of products. Isn't that what President Obama said when he was here in this Chamber? He said he wants choice. He wants competition.

Well, his words don't line up with his actions. There is a little problem here with what the President has said. How is it choice and competition if government is the choice, if, after 5 years time, as the House bill has said, all insurance plans have to look exactly like the government plan?

You could have 45,000 different insurance plans but so what? If they all look exactly the same, and if the Federal Government controls what you would

spend on premiums for that policy, this is nonsense.

The thing is, Mr. Speaker, the American people are too smart. They are seeing through the rhetoric from the President and from the majorities that dominate this Congress. That's why, Mr. Speaker, the American people are embracing our plan, which has rested on the groundwork of freedom, which is about the American people owning their own insurance policy, banding together with whomever they want to, to purchase whatever level of coverage they want from any State in the country.

I will tell you, Mr. Speaker, you will see States all across this great country change the number of mandates that they require on insurance policies. Their State can be the go-to State for issuing insurance policies, and from there, as a former tax lawyer, I would recommend this: I would recommend that every American be allowed to set aside, tax free, in an account, money that every American believes that they want to set aside to pay for their own health care. It's completely tax free. No taxes paid on it.

If they have a catastrophic event, where their expenses out-pace their tax-free money, they can fully deduct the cost of their premiums, of their copays, of their medicines, of their medical devices, of their surgeries, of their hearing aides, of their chiropractic care, of their acupuncture care. Whatever it is, they would be allowed to fully deduct that on their income tax returns. In other words, truly own and take responsibility for your own health care.

Then from there, finally, true lawsuit reform. Everybody knows this. You ask a doctor what do we need to do? Lawsuit reform, without a doubt. Eighty-three percent of all doctors sued in this country today are found not liable for the alleged problem. What's happening?

We are seeing now today people filing lawsuit after lawsuit. And rather than go through the hassle and worry about a jury award, doctors are settling, Mr. Speaker, when they don't want to settle, when they know they are innocent, when they know they didn't do anything wrong.

This isn't helping anyone, not anyone, not even the trial lawyers. Because, why? It's bringing down this great country. We truly do have the finest health care that has ever been offered to people ever in the history of the world. From my State of Minnesota, we are a leader in medical ally and medical devices. We have Medtronic. We have Boston Scientific. We have Guidance. We have great companies in Minnesota that have contributed mightily to medical advances and breakthroughs.

And now what? Now the government wants to impose a 10 percent tax on these medical devices? Why would we do this? Who gains? Who gains from all of this?

We have a positive alternative. Rather than the government taking it over, rather than the government ramping up expenses, rather than taking away choice from America's most vulnerable citizens, we could instead embrace a positive alternative where Americans own their own health care, band together with more people so they have purchasing power, purchasing any level of care they want from anyone they want in any State they want, putting aside tax-free money, deducting on their income tax return, their orthodontia, their hearing aids, their eyeglasses, truly owning their health insurance. Then they finally get rid of these evil lawsuits that are eating up so much of America's substance.

This is a positive alternative. It won't break the bank. When our country is functionally bankrupt now, this won't break the bank. It will cause our country to turn itself right-side up so we can get back on track, get people back to work. We want to be able to see this positive alternative.

Right now, Mr. Speaker, I am joined by two great physicians here in our body. One is Dr. JOHN FLEMING, and he is a new Member of Congress with great ideas.

Another Member in our Congress is Dr. PHIL GINGREY, who we are just so proud of for his courage. He offered an amendment in his committee that would keep illegal aliens from having access to taxpayer-subsidized health care. President Obama told America that illegal aliens will not receive taxpayer-subsidized health care.

That was after the Democrats in this body rejected Dr. GINGREY's amendment that would have denied taxpayer subsidized coverage to illegal aliens. We have a lot we can talk about.

I want to now turn over to my colleague, Dr. JOHN FLEMING.

Mr. FLEMING. I thank my colleague, Gentlewoman BACHMANN, for providing leadership in this hour and particularly on the subject of health care.

You know, Mr. Speaker, there is really a fundamental economic, that I think we always have to go back to. I practiced family medicine for over 30 years, still practice from time to time.

There is something very important that we all need to learn. That is that, yes, Medicare and Medicaid is government-run health care. If you ask the average person who has Medicare, they will say they are happy with it.

But there is a very important reason why they say this. Medicare currently pays a fraction of the actual cost and delivery of Medicare care.

So who pays the rest? The rest is paid for by private insurance. Private insurance today subsidizes Medicare and Medicaid. If you ask the average physician in practice, he or she will tell you that they can only have a certain number of Medicare and Medicaid patients in their office. Otherwise, they become insolvent.

So when the President says, Well, we need to have this government-run option to pull the cost of private insurance down, that really defies reasoning. It's really upside down from what economically is going on.

What is happening is, when you make your private insurance payment to the tune of about \$1,800 per family per year, what you are really finding is that that is the subsidy that goes for Medicare.

So, if you enlarge Medicare or government-run health care in general, and you artificially depress the price, which is what the President and H.R. 3200, our colleagues on the other side of the aisle call for, what will in fact happen is you will cause the cost of health care, private insurance premiums, to actually accelerate.

Under this plan, the employers are given the option: They can either pay 8 percent as a fine, if you will, or a tax, and dump their employees into this plan, this government-run option, or they can try to continue to keep up with the growing cost of private insurance. Over time and through competition, employers will be forced to dump their employees into enlarging, if you will, a black hole, a public option or government-run medicine.

What we end up with at the very end of the day is a very small flange, if you will, of private insurance, that which we all know and appreciate today. And everyone else, of course, is in this large government-run system.

Who will be left in the private insurance market? Well, it will be the very healthy, it will be the elite and, of course, Members of Congress.

I proposed House Resolution 615, and I have many of my colleagues, now, who have signed on to it and over a million Americans who have signed in support of it, that simply says that if a Congressman votes for the public option, he or she should be willing to sign up for it themselves. So far I have not had one person on the other side of the aisle who has also signed up for that.

In closing, let me say that we also need to focus on who the insured group is. You have heard this number: 46 million Americans who are uninsured. Well, who is that group?

About 10 million of them actually are not Americans at all. They are illegal immigrants. Ten to perhaps 17 million of them are young healthy adults, what we call the invincibles, who have opted out of the insurance, who have decided it's not worth the money because they are healthy anyway.

We also have a number who are eligible for Medicaid but simply don't sign up for it. Really what we have is 10 million Americans who qualify for health insurance as Americans, but they can't afford it because of a pre-existing illness or a current illness; the expense is too high. Perhaps they own a small business or they are employees of a small business. Because the risk pool is so small, they simply can't find affordable insurance. All of that is fix-

able for that targeted 10 million Americans who want insurance but can't buy it.

Instead, Mr. Speaker, what our colleagues on the other side of the aisle want us to do is totally dismantle the best health care system in the world and put in place a UK- or Canadian-style medicine, form of medicine, form of health care, which provides universal coverage but not universal care.

What do I mean by that? Certainly, I think we can all agree that care delayed is care denied.

In America today, those who are uninsured still can go to the emergency room and, by law, be treated for whatever ails them, even if they don't have the ability to pay for it. In fact, we are not even allowed to ask them, as providers, whether they can afford that.

If someone has needed surgery, perhaps, or they need to be admitted to the hospital for lifesaving treatment, it's going to be done. Now, you take the UK, you take Canada and much of Europe, yes, they have coverage. But what good is coverage if it takes 4 years to get the treatment?

The average waiting time in Canada today is a year to get an MRI scan. Then after the scan is done, you get in line for the needed surgery. Talking in my district, a lot of folks in my district have relatives back in Canada. One lady said, Well, my brother tore his rotator cuff, but it took a year to get an MRI. When he finally saw the doctor, it was too late to repair it. The definition of elective surgery in Canada is surgery that's not lifesaving. For us, elective surgery is surgery that you elect to have. You don't necessarily need to have it.

Mr. Speaker, I really think that we on this side of the aisle have won the debate on this issue. The American people agree with us today, 56 versus 32 percent, that the current health care we have today is better than this Obama care or this government-run option.

The problem is, we still have Members of Congress, we have Members of the Senate and even a President, who insist on going down that road and taking one-sixth of our entire economy and reforming it into a socialist government-run system. I think if we look back on what the government is doing today and what it has done in the past, whether you are talking about the post office, which has a \$9 billion deficit, whether you are talking about Medicare itself, which will run out of money completely within 8 years, and all the fraud, waste and abuse that exists there, and the \$350 billion that our President says he is going to save out of that, when after 40 years not one single politician has been able to find the solution to that problem. I think it's really the wrong decision to make, to have more government control of our health care.

With that, I appreciate so much my good friend, MICHELE BACHMANN, for inviting me and allowing me to participate in this discussion today.

□ 1545

Mrs. BACHMANN. I want to thank the gentleman so much for his remarks and for his comments. It is tremendous credibility to be able to come here on the floor and speak as a physician. You've had years of service treating and healing patients all across the United States. You look into the eyes of your patients and know the fear that they feel, knowing that they may lose some of the finest health care ever. And we don't want to see our physicians have their hands bound.

As a matter of fact, I just want to refer to, again, Investors Business Daily, which did a seven-part series, and they have said that 45 percent of American doctors may leave the profession if government takes over health care. As a matter of fact, doctors, more than anyone, detest the current status quo and the role played by insurance companies.

They want to see us change health care, which we agree. But this is not the route to go. And physicians are telling us that. As a matter of fact, two-thirds of practicing physicians said that senior citizen care will suffer under the government's plan. Three of five doctors think that drug development of new drugs will also be thwarted. Also, they see that fewer doctors will be entering the new profession of medicine.

Before I hand this over to my colleague, Dr. GINGREY of Georgia, I would like to just add something that we saw happen. There was an article in The Wall Street Journal. This just happened. Now we have a directive last week from one of our Senators, Mr. BAUCUS. He has ordered Medicare regulators to investigate and likely punish Humana for trying to educate their enrollees in their Advantage plan about the fact of the Medicare Advantage.

This is very concerning. We're seeing a United States Senator calling for an investigation of a company that is communicating with its enrollees in its companies. So a company with its customers is simply communicating material and now a company is given a gag order by the government?

Well, this didn't occur with the AARP. The government isn't telling the AARP, which also offers Medicare Advantage plans. They aren't putting a gag order on them.

This is really concerning, Mr. Speaker, because we can't have the Federal Government engaging in censorship. That's what this is, pure and simple.

The Obama administration and Democrat Senators are calling for censorship. They want to stop insurance companies from communicating with their customers about what government takeover of health care might mean for them. This is unconscionable. Who would have ever thought we would live in a time when government would be calling for censoring a company because the company is not communicating the message that government wants it to communicate.

Well, with that, I want to hand the next few minutes over to my colleague from Georgia, the great Dr. PHIL GINGREY, who courageously has offered amendment after amendment after amendment in committee to try and make it clear that no bureaucrat should ever come between you and your doctor, and also that no illegal alien should ever receive taxpayer-subsidized health care.

These issues were all brought up by the President in his joint session speech. Dr. GINGREY put Members of Congress on record. And that's why the American people are concerned—and rightly so.

Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I certainly appreciate the gentleness from Minnesota for carrying this hour of important information in regard to the health care reform proposal, H.R. 3200, and also my good friend and colleague, physician colleague from the great State of Louisiana, Dr. JOHN FLEMING.

As the gentlelady has said, before coming to Congress from the State of Georgia, I spent something like 32 years practicing medicine; 26 as an OB/GYN physician. The physician Members in this body—and there are about 17 of us; 5 on the Democratic side, 12 on the Republican side—probably have over 400 years of clinical experience combined in regard to health care.

We bring to this issue, I think, a fund of knowledge that needs to be listened to—and listened very carefully to. Not that we're necessarily the experts on the last word, but I think we are a very important word.

As Representative BACHMANN was saying, the President right here, Mr. Speaker, 2 weeks ago, as he spoke to the Nation about the need for health care reform and he had a joint session here—the Senate, the House of Representatives, his Cabinet, the Supreme Court Justices—the President was talking about promises that he had made to the Nation in regard to health care reform.

You remember, Mr. Speaker, that was when one of the Members on our side of the aisle in a moment of extreme passion and emotion suggested that the President was guilty of serial disingenuity.

But as we look at the speech and we look at the things that the President said about health care reform and you go through it almost line by line, certainly there are some statements that need to be questioned. And we will continue to question, and I think the American people will continue to question, Mr. Speaker. And they deserve answers. They deserve straightforward and accurate answers.

I have a little chart, Mr. Speaker, that I want my colleagues on both sides of the aisle this afternoon to pay close attention to. It's called the Obama Health Care Test. This is just sort of an abstract, really, of a much larger test. But I think it gives the

Members and their constituents an idea of where this test is going and what the likely grade would be.

The President said, "The reforms I'm proposing would not apply to those who are here illegally." Well, quite honestly, Mr. Speaker, H.R. 3200, that bill that has passed three committees of this body, including the committee that I serve on, Energy and Commerce, well, H.R. 3200 fails in regard to the President's pledge that the reforms would not apply to those who are here illegally because in this bill, while it says no one in this country illegally will be eligible for any government subsidies in this health reform plan to help them purchase health insurance, it takes out the provision that currently exists in law that says if you are going to be a beneficiary of a safety net program such as Medicaid in the 50 States, or the CHIP program, the Children's Health Insurance Program—a great program, but it's heavily federally funded with taxpayer dollars—in those programs you have to show verification: a Social Security card, a verifiable number; in some cases in some States, a photo identification. All of that is taken out in H.R. 3200.

So, quite honestly, that first statement the President makes, H.R. 3200 fails on that pledge.

The second quote I would like to have my colleagues be aware of, the President said—and this, again, is in his speech 2 week ago: "Nothing in the plan requires you to change what you have."

H.R. 3200 fails miserably in regard to the President's pledge of: if you like what you have, you can keep it. That certainly is not true for those 10 million of our Medicare recipients—that's 25 percent, by the way, of everybody that's on Medicare that gets their coverage through Medicare Advantage. And they pick Medicare Advantage because it covers so much more. And I think Dr. FLEMING spoke about that.

Under traditional fee-for-service Medicare, you can't even, Mr. Speaker, go to the doctor for a routine annual physical and have it paid for, other than that first entry level when you turn 65. But under Medicare Advantage, certainly you do; and you can on an annual basis. You don't have to be sick to be seen.

You can get coverage for things like hearing aids, and you have the opportunity when you get your prescriptions filled that a nurse will call and make sure that you're taking those medications.

So wellness and prevention, two aspects of improving health care in this country that the President, the Democratic majority has continued to stress. That is a huge part of Medicare Advantage. That's why we created Medicare Advantage and that's why 25 percent of our seniors choose that as the delivery system that they get.

In this bill, to help pay for it, \$500 billion, Mr. Speaker, \$500 billion, is ripped out of the Medicare system, and

\$170 billion for Medicare Advantage. That is a 17 percent cut per year over the next 10 years, each and every year, cutting that program by 17 percent.

It's estimated now by the Congressional Budget Office that at least 3 million people—that's 30 percent of those who are on Medicare Advantage—will lose that coverage because of the plan to pay for this massive new government takeover of our health care system.

Again, going back to the test, nothing in the plan requires you to change what you have. That is just absolutely, Mr. Speaker, not true. H.R. 3200 fails on that account.

I'm going to skip down to the last question on my little mini-test in the interest of time. The President says, I will not sign a plan that adds one dime to our deficit. I will not sign a plan that adds one dime to our deficit.

Well, again, Mr. Speaker, let's go back to what the nonpartisan Congressional Budget Office says—and the director, Mr. Elmendorf, is chosen by the Speaker of the House and by the Democratic leadership. And he says this bill is not fully paid for. In fact, \$260 billion are not paid for. That's a little bit more, Mr. Speaker, than one thin dime, isn't it, \$260 billion?

So I could go on and on and on. But the Obama health care test, quite honestly—my colleagues may have trouble seeing this—but we have a grade in the left-hand corner, and it's a big old fat F.

The American people understand that, and the American people are not happy with it. They're not happy with this idea also of a public option that they know and that we on this side of the aisle know is going to lead to a government takeover.

I'm going to close out, Mr. Speaker, so I can yield the time back to the gentlelady from Minnesota so she can yield to other speakers. But I want to close out with this: in our committee yesterday, as we continued to mark up some amendments to H.R. 3200, one of the most powerful members of that committee on the Democratic majority side made this statement: "When there is a marked failure in this country, the government must step in."

Now let me repeat that, Mr. Speaker. One of the most powerful members of the most powerful committees drafting and writing this health care legislation made this statement: "When there is a marked failure, the government must step in." I guess just like they did with Government Motors, just like they did with AIG, just like they want to do now with health care.

That's not the American way. And I don't think the American people want that. We should have the freedom under our Constitution to succeed or fail and not have the government come in and take over. That sounds like some other country that, thank God, I was not born and raised in.

Mr. KING of Iowa. Will the gentleman yield?

Mr. GINGREY of Georgia. I yield back to the gentlelady from Minnesota for a question from the gentleman from Iowa.

Mrs. BACHMANN. Thank you to the gentleman from Georgia.

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlelady from Minnesota and the gentleman from Georgia.

Dr. GINGREY, I wanted to just step in and reinforce your statement in looking at your poster. As ranking member of the Immigration Subcommittee, I want to reinforce the analysis that you've laid out, especially on that first point. The President said, The reforms I'm proposing would not apply to those who are here illegally.

H.R. 3200, not only has it been the vote in your committee, a vote of 29-28 that voted down the Deal amendment, which would have required proof of citizenship, which has been a consistent standard in Federal law under Medicaid, that pattern is played out here. Democrats want to fund illegals in this program and many others.

There is also a vote in the Ways and Means Committee that is consistent. That was a straight party-line vote on a very similar amendment that would have required proof of citizenship.

And the third piece of proof that you were right and your critics are wrong and my critics are wrong would be the Congressional Budget Office's estimate of the cost of funding illegals in this. Their estimate leaves as many as 5.6 million that would qualify under the language of H.R. 3200—5.6 million illegals.

The fourth reinforcement of your statement would be Congressional Research Services, who reached a similar conclusion, although from a different approach and a little bit different language.

So there's four ways that says that this bill will fund illegals. The President has denied that, and now he wants to simply legalize the illegals in order to be able to maintain his statement that he's not proposing anything that will fund illegals. That's a pretty deft maneuver, if you can get by with it. But this is a modern world, and we see it happening.

Then I drop down to the statement that the President said, which is, I will not sign a plan that adds one dime to our deficits.

□ 1600

All I need to say about that is the President said he will not sign a bill that has earmarks. We know he has signed bills that had thousands of earmarks in them, so I don't make that statement at face value. And I don't make allegations about labels of the President.

No Federal tax dollars will be used to fund abortions. We know historically if there is not a specific prohibition, Federal funds will be used to fund abortions, 300,000 of them in the first couple years alone after Roe v. Wade.

Nothing in the plan requires you to change what you have. No, probably not specifically requiring you to change what you have, but there are certainly many threats as to the viability of the health insurance companies and the existence of the policies after the new health choices administration czar gets done writing new rules.

So this is ambiguous language designed to cause people to believe what they want to hear. But upon analysis, I rise to support your analysis, Dr. GINGREY.

Mrs. BACHMANN. I thank the gentleman from Iowa. I think that is something that we wanted to consider when the President was here was speaking to the joint session of Congress. He made it clear there were some large details that had yet to be worked out. Essentially what that is is the President saying to the American people, Trust me. Trust me. Not only the American people, but to the Senators and the Members of Congress that were here serving as representatives of the people in this Chamber. Trust me. Because the details aren't worked out. There are so many vagaries. We don't know, for instance, how the bill will be paid for. Trust me, the President says.

Then the President talks about various commissions that will be set up. We know another health care czar will be set up in the bill. A czar? The American people are already saying government is wasting too much money. The American people's opinion is that 50 percent of every dollar we spend is wasted, and now we are supposed to give authority to a health care czar to basically write the bill over a 4-year period because as the current bill, H.R. 3200, is written, it is very interesting, who is the enforcer of this bill? Well, none other than the Internal Revenue Service, the IRS. That's the enforcer of this bill. Loads of new taxes larded onto the backs of the American taxpayer. Loads of new taxes enforced by the IRS. My goodness, Mr. Speaker, could we add insult to injury to the American people? It is amazing.

And the taxes would be scheduled to go in place January 1. In just a few months, the taxes will go into effect on insurance companies, on individuals, on businesses. The taxes will go into place January 1, 2010. Well, what about the care? What about all of the new care that people are going to get? Oh, that doesn't go into effect for another 3, 4 years down the road. What?

So we are paying for this with larded new taxes to the Federal Government for 3 or 4 years, and then the care comes down? And we are supposed to trust this administration? We are supposed to trust this Democrat majority that they will figure it all out and somehow it won't cost any money and we won't have to worry about it. We are going to bring another 47 million people into the system, not add any new doctors, and we are going to actually cut costs? That is like saying you

can eat a chocolate cake and it has no calories. This doesn't add up. That's why there is no credibility on the government takeover of health care, which is why our colleague, Dr. GINGREY, offered his very simple amendments, put up or shut up.

Will illegal aliens be covered or not? Oops, Democrats apparently think they will.

Will abortion be covered by taxpayers? Our colleague, JOE PITTS, put that in. Oops, I guess that it will because they didn't take it out.

What about bureaucrats? Will bureaucrats be able to substitute their decisions for you and those of your doctor? Will a bureaucrat get between you and your doctor? That was offered by Dr. GINGREY. Oops, I guess it is up to a bureaucrat now, not a doctor.

There is a reason why the American people are panicking on this issue, and we are right there with them. Because we think you deserve better than that. Because, Mr. Speaker, this is the American people's money; and because, Mr. Speaker, this is about life and death. That's why we have such a great alternative. That's why we say to the American people, you own your own insurance policy. You ban together with whoever you want to buy that policy. You buy it from anyone you want to buy it from. You buy it in any amount you want to buy it, and you buy it anywhere in the United States. And that's why we say buy it with your own tax free money and deduct the rest on your income tax return. And then let's truly have lawsuit reform. That is 95 percent of the problems; done just like that. What does it cost the Treasury? I guarantee it doesn't bankrupt it, not the way that this \$2 trillion monstrosity will do.

That is why we are here this afternoon, because we have a positive alternative to the government takeover of health care. We can do far better.

I yield to the gentleman from Georgia.

Mr. GINGREY of Georgia. I thank the gentlelady for yielding.

I just want to refer back to the other night and the President's speech and the issue of whether or not illegal immigrants were covered. That was the point at which my good friend, Mr. WILSON, JOE WILSON from South Carolina, made his comment, and it kind of upset the applecart a little bit, if you will.

But, Mr. Speaker, after the speech was over with and the President was back at the White House, I don't know, possibly talking with Rahm Emanuel or David Axelrod and they went through the speech, went through H.R. 3200 and said, Mr. President, the gentleman from South Carolina was a little bit on the rude side, but by golly, maybe he was a little bit on the right side as well and we need to do something about this verification, because if we don't, then illegal immigrants are going to be able to take advantage of our hardworking taxpayers across this country.

And so the President in subsequent speeches, and on Sunday morning he was on a number of shows and he is continuing to give speeches, he made the comment, you know, we absolutely do need a verification system very similar to what we currently have with our safety net programs that I referenced earlier, Medicaid and the SCHIP program.

So I think the President is certainly paying attention and is maybe getting a little more careful about understanding and reading those—how many pages are in the bill, 1,200?

Mrs. BACHMANN. There are 1,018.

I thank the gentleman from Louisiana, the gentleman from Georgia and the gentleman from Iowa. Clearly, the American people know we can do better. That is what we will do.

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. QUIGLEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

Mr. QUIGLEY, for 5 minutes, today.

(The following Members (at the request of Mr. KING of Iowa) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, October 1.

Mr. JONES, for 5 minutes, October 1.

Mr. BURTON of Indiana, for 5 minutes, September 28, 29, 30 and October 1.

Mr. DEAL of Georgia, for 5 minutes, today.

Mr. FORBES, for 5 minutes, today and September 25.

Ms. FOXX, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. SHIMKUS, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 41. Concurrent resolution providing for the acceptance of a statue of Helen Keller, presented by the people of Alabama, to the Committee on House Administration.

ADJOURNMENT

Mrs. BACHMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Friday, September 25, 2009, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3772. A communication from the President of the United States, transmitting FY 2010 Budget Amendments for the Department of Energy; (H. Doc. No. 111—65); to the Committee on Appropriations and ordered to be printed.

3773. A communication from the President of the United States, transmitting FY 2010 Budget Amendments for the Department of Defense; (H. Doc. No. 111—66); to the Committee on Appropriations and ordered to be printed.

3774. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — National Flood Insurance Program (NFIP); Assistance to Private Sector Property Insurers, Write-Your-Own Arrangement [Docket ID FEMA-2008-0001] (RIN: 1660-AA58) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3775. A letter from the Office of Chief Counsel, Department of Homeland Security/FEMA, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8083] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3776. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital-Residential Mortgage Loans Modified Pursuant to the Making Home Affordable Program [Docket ID: OCC-2009-0007] (RIN: 1557-AD25) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3777. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Commission Guidance Regarding the Financial Accounting Standards Board's Accounting Standards Codification received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3778. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Examination of the 2008 Summer Youth Employment Program Contracts", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

3779. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the letter report entitled "Audit of Advisory Neighborhood Commission 1D for Fiscal Years 2006 Through 2009, as of March 31, 2009", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

3780. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Audit of the Department of Employment Service's 2008 Summer Youth Program", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

3781. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Audit of Advisory Neighborhood Commission 3E for Fiscal Years 2007 Through 2009, as of March 31, 2009", pursuant to D.C.

Code section 47-117(d); to the Committee on Oversight and Government Reform.

3782. 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; Pelagic Shelf Rockfish by Vessels Subject to Amendment 80 Sideboard Limits in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ52) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3783. A letter from the Deputy Assistant Administrator for Operations, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea/Aleutian Islands Crab Rationalization Program; Amendment 28 [Docket No.: 080630808-91192-03] (RIN: 0648-AW97) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3784. 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; Atka Mackerel Lottery in Areas 542 and 543 [Docket No. 0810141351-9087-02] (RIN: 0648-XQ93) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3785. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Total Allowable Catch (TAC) Harvested for Loligo Squid Trimester II [Docket No.: 0808041043-9036-02] (RIN: 0648-XQ73) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3786. A letter from the Deputy Assistant Administrator for Operations, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands (Amendment 92) and Gulf of Alaska License (Amendment 82) Limitation Program [Docket No.: 0808011016-91210-04] (RIN: 0648-AX14) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3787. 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; Northern Rockfish in the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ26) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3788. 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; Coastal Pelagic Species Fisheries; Closure [Docket No. 0812171612-9134-02] (RIN: 0648-XQ35) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3789. A letter from the Acting Assistant Administrator for Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption [Docket No.: 090224231-91118-02] (RIN: 0648-AX54) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3790. A letter from the Deputy Assistant Administrator For Regulatory Programs,

NMFS, Department of Commerce, transmitting the Department's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2009-2011 and Turtle Mitigation Requirements in Purse Seine Fisheries [Docket No.: 090130104-9910-01] (RIN: 0648-AX60) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3791. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Revision of Single Geographic Location Requirement in the Bering Sea Subarea; Amendments 62/62 [Docket No.: 071102641-91087-04] (RIN: 0648-AR06) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3792. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Department of Commerce, transmitting the Department's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2009-2011 and Turtle Mitigation Requirements in Purse Seine Fisheries [Docket No.: 090130104-91027-02] (RIN: 0648-AX60) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3793. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2009-2010 Hunting and Sport Fishing Regulations for the Upper Mississippi River National Wildlife and Fish Refuge [Docket No.: FWS-R3-NSR-2009-0007] (RIN: 1018-AW48) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3794. A letter from the Chief Justice, Supreme Court of the United States, transmitting notification that the Supreme Court will open the October 2009 Term on Monday, October 5, 2009 at 10:00 am and will continue until all matters before the Court ready for argument have been disposed of or decided; to the Committee on the Judiciary.

3795. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Port Huron to Mackinac Island Sail Race [Docket No.: USCG-2009-0659] (RIN: 1625-AA08) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3796. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Naval Training August and September, San Clemente Island, CA [Docket No.: USCG-2009-0456] (RIN: 1625-AA00) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3797. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; AVI September Fireworks Display, Colorado River, Laughlin, NV [Docket No.: USCG-2008-1262] (RIN: 1625-AA00) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3798. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No.: FAA-2008-1143; Directorate Identifier 2008-NM-136-AD; Amendment 39-15990; AD 2009-16-07] (RIN: 2120-AA64) received August 21, 2009,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3799. 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 tax liability (Rev. Proc. 2009-34) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3800. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rollovers from Employer Plans to Roth IRAs [Notice 2009-75] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3801. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Paid Time Off Contributions at Termination of Employment (Rev. Rul. 2009-32) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3802. A letter from the Regulation Coordinator, Centers for Medicare and Medicaid Services, transmitting the Service's final "Major" rule — Medicare Program; Limitation on Recoupment of Provider and Supplier Overpayments [CMS-6025-F] (RIN: 0938-AN42) received September 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. WASSERMAN SCHULTZ: Committee of Conference. Conference report on H.R. 2918. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-265). Ordered to be printed.

Mr. MCGOVERN: Committee on Rules. House Resolution 772. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for the other purposes (Rept. 111-266). 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 Mrs. MALONEY (for herself, Mr. FRANK of Massachusetts, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. CAPUANO, Ms. HIRONO, Mr. TIERNEY, and Mr. LEVIN):

H.R. 3639. A bill to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes; to the Committee on Financial Services.

By Mr. CHILDERS (for himself and Mr. KRATOVIL):

H.R. 3640. A bill to amend the Internal Revenue Code of 1986 to extend and expand the first-time homebuyers credit and to provide a loss deduction on the sale of a principal residence; to the Committee on Ways and Means.

By Mr. NYE:

H.R. 3641. A bill to amend the Internal Revenue Code of 1986 to expand the military

housing allowance exclusion for purposes of determining area gross income in determining whether a residential rental property is a qualified residential rental property for purposes of the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. BERMAN (for himself, Mr. KIRK, Mr. ACKERMAN, Mr. ROYCE, Ms. JACKSON-LEE of Texas, and Mr. WEXLER):

H.R. 3642. A bill to authorize appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALEXANDER:

H.R. 3643. A bill to make technical corrections to section 3013(b) of the Water Resources Development Act of 2007; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. EHLERS, and Mr. FARR):

H.R. 3644. A bill to direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions; to the Committee on Natural Resources.

By Mrs. KIRKPATRICK of Arizona (for herself, Mr. MATHESON, and Mr. LUJAN):

H.R. 3645. A bill to amend the Transportation Equity Act for the 21st Century to reauthorize a provision relating to additional contract authority for States with Indian reservations; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 3646. A bill to amend the Communications Act of 1934 to establish a Lifeline Assistance Program for universal broadband adoption, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SABLAN:

H.R. 3647. A bill to delay the implementation of the provisions of the Consolidated Natural Resources Act of 2008 applying Federal immigration laws to the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, 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. SALAZAR (for himself and Ms. MARKEY of Colorado):

H.R. 3648. A bill to amend title VII of the Public Health Service Act to increase the number of physicians who practice in underserved rural communities; to the Committee on Energy and Commerce.

By Mr. PENCE:

H. Res. 770. A resolution electing a minority member to a standing committee; considered and agreed to.

By Ms. MCCOLLUM (for herself, Mrs. CAPPS, Mr. ELLISON, Mr. COHEN, Mr. OBERSTAR, Mr. LANCE, Mr. GRIJALVA, Ms. BORDALLO, and Mr. GENE GREEN of Texas):

H. Res. 771. A resolution supporting the goals and ideals of a National Mesothelioma Awareness Day; to the Committee on Oversight and Government Reform.

By Mr. BOOZMAN (for himself and Mr. SESTAK):

H. Res. 773. A resolution expressing the sense of the House of Representatives with respect to the United States Submarine Force; to the Committee on Veterans' Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. MORAN of Virginia, Mr. DELAHUNT, and Mr. WEXLER):

H. Res. 774. A resolution expressing appreciation to Bermuda for accepting 4 individuals released from the detention facility at Naval Station, Guantanamo Bay, Cuba; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. MORAN of Virginia, Mr. WEXLER, and Mr. DELAHUNT):

H. Res. 775. A resolution expressing appreciation to Portugal for accepting two detainees released from Guantanamo Bay prison; to the Committee on Foreign Affairs.

By Mr. HODES (for himself and Mr. CAPUANO):

H. Res. 776. A resolution congratulating the Dartmouth Outing Club of Hanover, New Hampshire, for 100 years of service to the United States and its wilderness; to the Committee on Education and Labor.

By Mr. McDERMOTT (for himself, Ms. BALDWIN, Mr. FRANK of Massachusetts, and Mr. POLIS):

H. Res. 777. A resolution honoring all those participating in a production of "The Laramie Project: 10 Years Later" in remembrance of Matthew Shepard; to the Committee on the Judiciary.

By Mr. MORAN of Kansas:

H. Res. 778. A resolution expressing the sense of the House of Representatives that the White House's increasing use of "czars" leads to inadequate vetting standards and unacceptable growth in the size and scope of the Federal Government; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. PELOSI introduced a bill (H.R. 3649) for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. JONES, Mr. HINOJOSA, Mr. YOUNG of Alaska, Mr. SNYDER, Ms. SCHAKOWSKY, Mr. BARTLETT, Mr. SKELTON, Mr. LANGEVIN, Mr. ABERCROMBIE, Mr. SPRATT, Mr. MCCARTHY of California, Mr. GRIFFITH, Mr. MELANCON, Mr. DAVIS of Tennessee, Ms. FALLIN, Mr. SHIMKUS, and Mr. SCOTT of Georgia.

H.R. 211: Ms. PINGREE of Maine.

H.R. 333: Mr. DAVIS of Alabama.

H.R. 365: Mr. SNYDER.

H.R. 484: Ms. ZOE LOFGREN of California and Mrs. McMORRIS RODGERS.

H.R. 622: Mr. BISHOP of Georgia.

H.R. 690: Mr. NUNES, Mr. NEUGEBAUER, Mr. MANZULLO, and Mr. MCCAUL.

H.R. 716: Ms. BALDWIN.

H.R. 775: Mr. INGLIS, Mrs. DAHLKEMPER, Mr. MATHESON, Ms. TITUS, Mr. LEE of New York, Mr. COFFMAN of Colorado, Mr. WALDEN, and Ms. DEGETTE.

H.R. 836: Mr. KRATOVIL and Mr. TOWNS.

H.R. 868: Mr. LOEBSACK, Ms. PINGREE of Maine, Mr. CHANDLER, and Mr. LANGEVIN.

H.R. 916: Mr. SARBANES.

H.R. 932: Mr. COHEN and Mr. CARNAHAN.

H.R. 1022: Mr. FORBES and Mr. CARDOZA.

H.R. 1074: Mr. BACHUS.

H.R. 1103: Mr. CARNEY, Mr. ALTMIRE, and Mr. ROONEY.

H.R. 1132: Mr. CONAWAY, Mr. CARTER, Mr. THORNBERRY, Mr. BARTON of Texas, Mrs. CAPPS, Mr. WATT, Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Mr. HARPER, Mr. SMITH of Texas, Mr. TEAGUE, Mr. AL GREEN of Texas, and Mr. MATHESON.

H.R. 1203: Mr. TERRY.

H.R. 1207: Mr. CUELLAR.

H.R. 1250: Ms. BERKLEY.

H.R. 1283: Mr. RYAN of Ohio.

H.R. 1351: Mr. NUNES.

H.R. 1410: Mr. DOYLE.

H.R. 1469: Mr. ROTHMAN of New Jersey and Mr. GRAYSON.

H.R. 1505: Mrs. CAPITO and Mr. LOBIONDO.

H.R. 1521: Mr. FLEMING, Mr. GRAYSON, and Mr. WU.

H.R. 1558: Ms. LORETTA SANCHEZ of California.

H.R. 1560: Mr. WESTMORELAND.

H.R. 1585: Ms. LINDA T. SANCHEZ of California.

H.R. 1695: Mr. LYNCH, Mr. SHULER, Mr. RALL, Mrs. LOWEY, and Mr. LIPINSKI.

H.R. 1751: Mr. MORAN of Virginia.

H.R. 1829: Mr. ANDREWS.

H.R. 1855: Ms. PINGREE of Maine.

H.R. 1961: Ms. TSONGAS.

H.R. 1989: Mr. LATTA.

H.R. 1993: Mr. HOLT.

H.R. 2017: Mr. GOODLATTE.

H.R. 2035: Mr. RADANOVICH.

H.R. 2138: Mr. MCNERNEY and Mr. WALZ.

H.R. 2139: Mr. SHADEGG.

H.R. 2266: Mr. PERRIELLO, Mr. WEXLER, Mr. ACKERMAN, Mr. CAPUANO, Mr. McDERMOTT, and Mr. GUTIERREZ.

H.R. 2277: Mr. LEE of New York.

H.R. 2378: Mr. DINGELL.

H.R. 2421: Mrs. LOWEY, Mr. STEARNS, Ms. EDWARDS of Maryland, Mr. GRIFFITH, Mr. JACKSON of Illinois, Ms. PINGREE of Maine, and Ms. RICHARDSON.

H.R. 2427: Mr. PASCRELL.

H.R. 2456: Mr. SARBANES.

H.R. 2480: Mrs. SCHMIDT and Mr. LOBIONDO.

H.R. 2492: Ms. ZOE LOFGREN of California.

H.R. 2499: Mr. TIERNEY.

H.R. 2517: Mr. DOYLE.

H.R. 2607: Mr. PUTNAM.

H.R. 2616: Mr. COHEN.

H.R. 2708: Mr. COLE.

H.R. 2906: Mr. CASTLE.

H.R. 2927: Mr. WILSON of South Carolina.

H.R. 2941: Mr. GRAYSON.

H.R. 2946: Mr. BISHOP of Georgia, Ms. BERKLEY, Mr. PAYNE, Mr. LUJAN, Mr. SIREN, Mr. SALAZAR, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. COSTA, Mr. GRIJALVA, and Mr. SERRANO.

H.R. 2949: Mrs. BONO MACK.

H.R. 2954: Ms. SCHAKOWSKY.

H.R. 2999: Mr. SESTAK.

H.R. 3001: Mr. PASTOR of Arizona.

H.R. 3007: Ms. SCHAKOWSKY.

H.R. 3011: Mr. MARCHANT, Mr. MCCAUL, Mr. ROGERS of Michigan, Mr. MILLER of Florida, Mrs. SCHMIDT, Mr. CAMP, Mr. HARPER, Ms. FOX, Mr. MARIO DIAZ-BALART of Florida, Ms. GRANGER, Mr. CULBERSON, Mr. HENSARLING, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. BRADY of Texas, Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. CONAWAY, Mr. HALL of Texas, Mr. GOHMERT, Mr. KING of Iowa, Mr. LOBIONDO, Mr. GOODLATTE, Mr. LATTA, Mrs. BLACKBURN, Mr. WALDEN, Mr. EHLERS, Mr. NUNES, Mr. SOUDER, Mr. COLE, Mr. SULLIVAN, Mrs. LUMMIS, Mr. REICHERT, Mr. MACK, and Mr. HOEKSTRA.

H.R. 3044: Mr. INGLIS, Mr. BACA, Mr. BRADY of Texas, Mr. DONNELLY of Indiana, Mr. WESTMORELAND, Mr. MACK, Mr. SAM JOHNSON of Texas, and Mr. SHERMAN.

H.R. 3076: Mr. CARSON of Indiana.

H.R. 3217: Mr. PUTNAM.

H.R. 3284: Mr. GRAYSON.

H.R. 3329: Mr. STARK and Mr. ELLISON.

H.R. 3371: Ms. RICHARDSON.

H.R. 3380: Mr. MICHAUD, Mr. BRALEY of Iowa, and Mr. SCHRADER.

H.R. 3401: Mr. COSTA and Mr. VAN HOLLEN.

H.R. 3438: Mr. BILBRAY and Mr. PITTS.

H.R. 3439: Ms. MATSUI.

H.R. 3455: Mr. AUSTRIA.

H.R. 3519: Mr. HARPER, Mr. PIERLUISI, and Mr. GOODLATTE.

H.R. 3535: Mr. GRAYSON.

H.R. 3545: Mr. GUTIERREZ and Ms. HIRONO.

H.R. 3551: Ms. BALDWIN.

H.R. 3554: Ms. BALDWIN.

H.R. 3567: Ms. CHU, Mr. HALL of New York, and Mr. CLAY.

H.R. 3569: Mr. WILSON of South Carolina.

H.R. 3572: Mr. BARTLETT.

H.R. 3578: Mr. FILNER.

H.R. 3592: Mr. HASTINGS of Florida.

H.R. 3604: Mr. HONDA.

H.R. 3612: Mr. KLINE of Minnesota.

H.R. 3631: Mr. COHEN, Mr. TIBERI, Mr. PIERLUISI, Mr. LARSEN of Washington, Mrs. LOWEY, Mr. KLEIN of Florida, Mr. MAFFEI, Mr. MASSA, and Mr. FRANKS of Arizona.

H.R. 3636: Ms. WOOLSEY.

H.J. Res. 26: Ms. MOORE of Wisconsin.

H. Con. Res. 51: Mr. CARSON of Indiana.

H. Con. Res. 129: Mr. JONES, Mr. NYE, Mrs. McMORRIS RODGERS, Mr. FLEMING, Mr. MASSA, Mr. REICHERT, Mr. TIAHRT, Mr. ROONEY, and Mr. HASTINGS of Washington.

H. Con. Res. 149: Mr. ROE of Tennessee.

H. Con. Res. 168: Mr. COURTNEY and Mr. NYE.

H. Con. Res. 170: Mr. ROGERS of Kentucky, Mr. CAMPBELL, and Mr. MASSA.

H. Res. 16: Mr. LANCE, Mr. FRANK of Massachusetts, Mr. BRADY of Texas, and Mr. PAULSEN.

H. Res. 200: Ms. WATERS.

H. Res. 216: Mr. LAMBORN.

H. Res. 225: Mr. BROWN of South Carolina and Mr. GRAVES.

H. Res. 416: Mr. OLVER.

H. Res. 524: Mr. MCNERNEY.

H. Res. 554: Mr. BARROW, Mr. LAMBORN, Mr. UPTON, Mr. WOLF, and Mr. SIMPSON.

H. Res. 638: Mr. MILLER of North Carolina and Mr. SKELTON.

H. Res. 672: Mr. HONDA.

H. Res. 700: Mr. MANZULLO.

H. Res. 715: Mr. COURTNEY, Mr. CONNOLLY of Virginia, and Mr. CHAFFETZ.

H. Res. 727: Mr. WU, Mr. YOUNG of Florida, Mr. THOMPSON of California, and Mr. LOBIONDO.

H. Res. 740: Mr. CARNAHAN, Mr. LATTA, Mr. MASSA, and Mr. GRAYSON.

H. Res. 742: Mr. BOREN, Mr. BOCCIERI, Mr. DONNELLY of Indiana, Mr. COOPER, Ms. MCCOLLUM, Mr. MURPHY of Connecticut, Mr. BRALEY of Iowa, Mr. PERLMUTTER, Mr. YARMUTH, Ms. BALDWIN, Ms. HERSETH SANDLIN, Mr. NYE, Mr. DEFAZIO, Mr. HODES, Ms. SCHAKOWSKY, Mr. ETHERIDGE, Ms. ZOE LOFGREN of California, Mr. PETERSON, Mr. WALZ, Mr. ROGERS of Alabama, Mr. BONNER, Mr. CASSIDY, Ms. FOX, Mrs. SCHMIDT, Mr. LUCAS, Mr. COLE, Mrs. MILLER of Michigan, Mrs. CAPITO, Mrs. BLACKBURN, Mr. NEUGEBAUER, Mrs. McMORRIS RODGERS, Mrs. BIGGERT, Mrs. MYRICK, Mrs. BONO MACK, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Ms. WATERS, Ms. CLARKE, Ms. TITUS, Mrs. DAVIS of California, Ms. MARKEY of Colorado, Ms. WOOLSEY, Mrs. LOWEY, Ms. DEGETTE, Ms. GIFFORDS, and Mr. SNYDER.

H. Res. 743: Mr. GUTIERREZ, Mr. FOSTER, Mr. PETERS, Mr. MARSHALL, Mr. WEINER, Mr. BAIRD, Mrs. DAVIS of California, Ms. CLARKE, Ms. TITUS, Mr. McDERMOTT, and Mr. DONNELLY of Indiana.

H. Res. 747: Mr. TOWNS, Ms. BORDALLO, Mr. DAVIS of Kentucky, Mr. HASTINGS of Florida, Ms. KILPATRICK of Michigan, Mr. LATTA, and Mr. MCNERNEY.

H. Res. 752: Mr. BOUCHER and Ms. WOOLSEY.

H. Res. 759: Mr. ROGERS of Michigan, Mrs. MILLER of Michigan, Mr. EHLERS, Mr. MCCOTTER, Mr. FRANKS of Arizona, Mr. SMITH of New Jersey, Mrs. SCHMIDT, Mr. DONNELLY of Indiana, Mr. ROE of Tennessee, Mr. PENCE, Mr. LAMBORN, and Mr. HOEKSTRA.

H. Res. 768: Ms. DELAURO and Ms. WOOLSEY.