

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2847, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Vitter-Bennett amendment No. 2644, to provide that none of the funds made available in this Act may be used for collection of census data that does not include a question regarding status of U.S. citizenship.

Johanns amendment No. 2393, prohibiting the use of funds to fund the Association of Community Organizations for Reform Now (ACORN).

Levin-Coburn amendment No. 2627, to ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions.

Durbin modified amendment No. 2647, to require the Comptroller General to review and audit Federal funds received by ACORN.

Begich-Murkowski amendment No. 2646, to allow tribes located inside certain boroughs in Alaska to receive Federal funds for their activities.

Ensign modified amendment No. 2648, to provide additional funds for the State Criminal Alien Assistance Program by reducing corporate welfare programs.

Shelby-Feinstein amendment No. 2625, to provide danger pay to Federal agents stationed in dangerous foreign field offices.

Leahy amendment No. 2642, to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

Graham amendment No. 2669, to prohibit the use of funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

ENERGY AND WATER APPROPRIATIONS

Mr. COBURN. Mr. President, I plan on spending some time on the CJS appropriations bill, but I want to delay a moment. We are going to have a cloture vote, whether that is today or tomorrow or sometime, on the Energy and Water Conference Report. I was the

one who objected to bringing that to the floor and for some very serious reasons. Unanimously, the Senate body agreed to an amendment that would create transparency in that appropriations bill. There were no objections; it was a unanimous vote. What we attempted to do was to bring to light, to the American people, not just the 30 Senators who were going to get the reports—70 percent of the Senate cannot see the reports—to the rest of the Senators and to the rest of the American people, the reports that are requested by Congress on the operation of this appropriation authority.

We put in there a very specific exclusion for anything that would affect security so those items would not be exposed.

There were no significant efforts to hold this in conference. So I wanted to explain for a few minutes to the American people and to my colleagues why it is important. What we have here are the following reports. The question you have to ask is, why does the Appropriations Committee not want the American people to see this information? What in the world could be a good reason for American citizens and 70 Senators to not be able to see this? There is not any good reason.

I will go through and list what some of the reports are in this bill. Then I will raise the question: Why are we not letting the American people see it? Why are we not letting 70 of our colleagues see it?

An annual report on the Department of Energy, on their financial balances, is important information to me. It should be to every Member of this body. But it also should be important to every citizen out there who is paying for the \$1.6 trillion deficit we have this year. Actually, they are not paying, their kids are.

A report by Chief of Engineers on Water Resources, but the way it is phrased, it is on a "water resource matter." In other words, someone very specifically tied that so they would have information others do not have. This is government in the dark; this is not transparent government.

A report by the Nuclear Regulatory Commission identifying barriers to and its recommendations for streamlining construction of new nuclear reactors. If we want to get to clean energy, that is one way to do it. Yet the barriers for that construction, we are not going to know what they are. The American people are not going to find out and 70 Senators are not going to find out. We are not going to have that made available to us.

Two reports to report on the transfer of funds within the Department of Army, and a report on the transfer of funds within the Bureau of Reclamation for oversight activities—in other words, a report on the funds that are transferring for oversight, only appropriators get to see that. The American people do not get to see it. I do not get to see it. The President pro tempore

right now does not get to see it. Only the appropriators. Why would we not want to share that with the American people? Is there some reason?

A report by the administration on detailed accounting of receipts into and obligations and expenditures from the inland waterways trust fund. Well, what most people do not realize is when we put out a number that is our budget deficit every year, that number does not recognize what we have stolen from multitudes of trust funds, including the inland waterway trust fund, which is very important to all of the things that go on along the Mississippi River, the McClellan-Kerr Navigation System, the Upper Mississippi River, the Great Lakes. All of those are funded by the inland waterways trust fund—except we steal all of the money out of it so there is no money in it. Here is the report on it, and they do not want the American people to see it. Why would you not want the American people to see that we are stealing from the funds we have set up that were supposed to be dedicated to do certain things? Because you really do not want a transparent Congress so the American people can see what is going on.

A report on remediation efforts by the Corps of Engineers through the formerly utilized Sites Remedial Action Program. Most of us do not even know what that is. But the fact is, if we have former sites that required remedial action, why shouldn't we all get to see that? Why should we not be able to make a value judgment on whether the Corps did a good job and what they are doing with the money? But yet we cannot.

A report detailing the implementation and progress of the measurement plans for each funded energy innovation hub. We have these hubs out there to create alternative and renewable energy, except we are not going to see what they are doing. It is not going to be available to us. It is not going to be available to the American people, and they are paying for it. What happens if there is an idea and somebody reads about it and it gives them another idea?

A report by the Secretary of Energy to the Committee on Appropriations of the House and the Senate on the state of defined benefit pension liabilities in the Department for the preceding year. That is something we should all be aware of, not just a couple of staff members on the Appropriations Committee. The American people should know that, in fact, they do not have the money in the bank to fund their pension liabilities. Yet we are going to suppress that information. We are going to keep it from the sunshine. We are going to keep it from the light of day so the American people cannot see how miserably the government runs its own business. We do not want that out. We do not want you to see it.

I could go on and on. I have three pages of reports. Notably, some of them are security related and should