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House of Representatives

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

PRAYER

Rabbi Jacob Luski, Congregation B'Nai, St. Petersburg, Florida, offered the following prayer:

Loving God, we are grateful to You for this moment of meditation, which can help us to catch our breath in the midst of our busy, crowded, and often self-centered day.

Lift us, lest we be too gloomy to hope, too proud to change, or too timid to venture.

Help us to be guides into unborn tomorrows rather than merchants dealing with yesterdays; to be creative cooperators in the world as it should be, rather than clever competitors in the world as it is.

Help us to appreciate one another and to respect the many and varied ways that we serve You.

Bless all the Members of this House of Representatives. Grant them wisdom so that they may govern our great Nation with justice and compassion.

Guardian of life and liberty, may our Nation always merit Your protection. May the spirit of love and shalom of peace renew our country, our communities, and our world.

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.

WELCOMING RABBI JACOB LUSKI

The SPEAKER. Without objection, the gentleman from Florida (Mr. YOUNG) is recognized for 1 minute.

There was no objection.

Mr. YOUNG of Florida. Madam Speaker, our guest chaplain today is Rabbi Jacob Luski of Congregation B'Nai Israel in St. Petersburg, Florida.

Rabbi Luski is a longtime friend and constituent and one of our community's most respected religious leaders. He has served his congregation faithfully for 32 years and is an important leader in a number of community organizations, including serving as a Jewish chaplain ministering to our veterans for the last 20 years at the Veterans Medical Center at Bay Pines.

Madam Speaker, Rabbi Luski is a 1971 graduate of Georgia Tech with a bachelor of science degree in industrial management. He went on to the Jewish Theological Seminary in New York City and was ordained there in 1977, and he earned his doctorate of divinity degree there in 2003.

Something very interesting about Rabbi Luski: He was born in Havana, Cuba, on November 2, 1949, which makes him, in just a couple of days, 60 years old. But he left Cuba 50 years ago at the age of 10 and came to the United States with his family. Rabbi Luski has with him this morning his mother, his father, and his sister.

Madam Speaker, it is an honor for me to welcome Rabbi Luski to the House this morning, along with his wife, Joanne, and one of his four children, Rachel.

Thank you for your inspiring life story, Rabbi, and for your devotion to your synagogue and to the people of our community and for your friendship of many, many years.

CONFERENCE REPORT ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. DICKS submitted the following conference report and statement on the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes:

CONFERENCE REPORT (H. REPT. 111–316)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2996), making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, 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

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

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

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TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $959,571,000, to remain available until expended; of which $3,000,000 shall be available in fiscal year 2010 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

In addition, $45,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from $6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and in addition, $36,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2010 so as to result in a final appropriation estimated at not more than $959,571,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: Provided, That notwithstanding section 430 of division E of Public Law 111–8, the amount of $1,000,000 made available to the Bureau of Land Management for the shipment and storage of oil shale core samples in the State of Colorado, as described in the table entitled ''Congressionally Designated Spending'' contained in the joint explanatory statement, is rescinded.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $8,626,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $29,650,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That, notwithstanding the joint explanatory statement of the Committee on Appropriations of the House of Representatives accompanying Public Law 111–8 (123 Stat. 524), the amount of $2,000,000 made available for the Henry's Lake ACEC in the State of Idaho (as described in the table entitled ''Congressionally Designated Spending'' contained in section 430 of that joint explanatory statement) shall be made available for the Upper Snake/South Fork River ACEC/SRMA in the State of Idaho.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $111,557,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used through fiscal year 2015 for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited through fiscal year 2015 into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Projects funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the bureau upon receipt of the written commitment. Appropriations for the Bureau of Land Management (BLM) shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products: Provided further, That title I of division E of the Omnibus Appropriations Act, 2009, is further amended, under the heading ''Department of the Interior—Bureau of Land Management—Administrative Provisions'' in the second paragraph: (1) by striking the phrase ''mining law administration'' and inserting ''from mining claim holders the mining claim maintenance fees and location''; and (2) by striking ''those'': Provided further, That section 28f(a) of title 30, United States Code, is amended by striking the phrase ''for years 2004 through 2008,'' and replacing it with '', to the extent provided in advance in Appropriations Acts,''. Section 28g of title 30, United States Code, is amended by striking the phrase ''and before September 30, 2008,'' and replacing it with '', to the extent provided in advance in Appropriations Acts,''. Section 28i of title 30, United States Code, is amended by striking ''28k'' and replacing it with ''28l''.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,269,406,000, to remain available until September 30, 2011 except as otherwise provided herein: Provided, That $2,500,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: Provided further, That not to exceed $22,103,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as

amended, (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $11,632,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2009: Provided further, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $37,439,000, to remain available until expended: Provided, That funds provided under this heading in Public Law 111–8, division E for Kealia Pond National Wildlife Refuge, Nisqually National Wildlife Refuge, Patuxent Research Refuge, Tennessee National Wildlife Refuge, and Mammoth Springs National Fish Hatchery may be reallocated to acquire migratory bird survey aircraft and for construction at Neosho National Fish Hatchery.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $86,340,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding 16 U.S.C. 460l–9, not more than $4,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $120,000 for administrative expenses: Provided, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, $85,000,000, to remain available until expended, of which $29,000,000 is to be derived from the Cooperative Endangered Species Conservation Fund, of which $5,145,706 shall be for the Idaho Salmon and Clearwater River Basins Habitat Account pursuant to the Snake River Water Rights Act of 2004; and of which $56,000,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,500,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, as amended (16 U.S.C. 4401–4414), $47,647,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act, as amended, (16 U.S.C. 6101 et seq.), $5,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4214, 4221–4225, 4241–4246, and 1538), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301–6305), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601–6606), $11,500,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $90,000,000, to remain available until expended: Provided, That of the amount provided herein, $7,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That $5,000,000 is for a competitive grant program for States, territories, and other jurisdictions with approved plans, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting $12,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2010 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2011, shall be reapportioned, together with funds appropriated in 2012, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including expenses to carry out programs of the United States Park Police), and for the general administration of the National Park Service, $2,261,559,000, of which $9,982,000 for planning and interagency coordination in support of Everglades restoration and $98,622,000 for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments shall remain available until September 30, 2011.

PARK PARTNERSHIP PROJECT GRANTS

For expenses necessary to carry out provisions of section 814(g) of Public Law 104–333 relating to challenge cost-share agreements, $15,000,000, to remain available until expended for Park Partnership signature projects and programs: Provided, That not less than 50 percent of the total cost of each project or program is derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit: Provided further, That, of the amount made available under this heading, $10,000,000 shall be derived from the transfer of prior year unobligated balances available in the National Park Service recreation enhancement fee program established by title VIII, division J, Public Law 108–447.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $68,436,000, of which $4,600,000 shall be for Preserve America grants as authorized by section 7302 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $79,500,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2011; of which $25,000,000 shall be for Save America's Treasures grants as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11): Provided, That of the funds provided for Save America's Treasures, $10,200,000 shall be allocated in the amounts specified for those projects and purposes in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $232,969,000, to remain available until expended: Provided, That, beginning in

fiscal year 2010 and thereafter, procurements for the removal and restoration of the Elwha and Glines Canyon dams as authorized in Public Law 102–495 may be issued which include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232.18: Provided further, That funds provided under this heading shall be made available without regard to the requirements of section 8(b) of Public Law 102–543, as amended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2010 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $126,266,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $40,000,000 is for the State assistance program and of which $9,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,111,740,000, to remain available until September 30, 2011, of which $65,561,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which $40,150,000 shall remain available until expended for satellite operations; of which $7,321,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost; and of which $2,000,000 shall be available to fund the operating expenses for the Civil Applications Committee: Provided, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; for energy-related or other authorized marine-related purposes on the Outer Continental Shelf; and for matching grants or cooperative agreements, $175,217,000, to remain available until September 30, 2011, of which $89,374,000 shall be available for royalty management activities; and an amount not to exceed $156,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, and from cost recovery fees: Provided, That notwithstanding 31 U.S.C. 3302, in fiscal year 2010, such amounts as are assessed under 31 U.S.C. 9701 shall be collected and credited to this account and shall be available until expended for necessary expenses: Provided further, That to the extent $156,730,000 in addition to receipts are not realized from the sources of receipts stated above, the amount needed to reach $156,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That the term ''qualified Outer Continental Shelf revenues'', as defined in section 102(9)(A) of the Gulf of Mexico Energy Security Act, division C of Public Law 109–432, shall include only the portion of rental revenues that would have been collected at the rental rates in effect before August 5, 1993: Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That for the costs of administration of the Coastal Impact Assistance Program authorized by section 31 of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1456a), in fiscal year 2010, MMS may retain up to 4 percent of the amounts which are disbursed under section 31(b)(1), such retained amounts to remain available until expended.

For an additional amount, $10,000,000, to remain available until expended, which shall be derived from non-refundable inspection fees collected in fiscal year 2010, as provided in this Act: Provided, That to the extent that such amounts are not realized from such fees, the amount needed to reach $10,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,303,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

ADMINISTRATIVE PROVISION

Notwithstanding the provisions of section 35(b) of the Mineral Leasing Act, as amended (30 U.S.C. 191(b)), the Secretary shall deduct 2 percent from the amount payable to each State in fiscal year 2010 and deposit the amount deducted to miscellaneous receipts of the Treasury.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $127,180,000, to remain available until September 30, 2011: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, $35,588,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That

such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $2,335,965,000, to remain available until September 30, 2011 except as otherwise provided herein; of which not to exceed $30,000 may be for official reception and representation expenses; of which not to exceed $74,915,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster; and of which, notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $166,000,000 shall be available for payments for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2010, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; of which not to exceed $568,702,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2010, and shall remain available until September 30, 2011; of which $25,000,000 shall be for public safety and justice programs as authorized by the Emergency Fund for Indian Safety and Health, established by section 601 of Public Law 110–293 (25 U.S.C. 443c); and of which not to exceed $59,895,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $43,373,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2009 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2009, of Bureau-funded schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2011, may be transferred during fiscal year 2012 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2012: Provided further, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $225,000,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2010, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): Provided further, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 108–447, 109–379, 109–479, 110–297, and 111–11, and for implementation of other land and water rights settlements, $47,380,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $8,215,000, of which $1,629,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $93,807,956.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $3,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the Revolving Fund for Loans Liquidating Account, Indian Loan Guaranty and Insurance Fund Liquidating Account, Indian Guaranteed Loan Financing Account, Indian Direct Loan Financing Account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate

and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter schools operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $118,836,000; of which not to exceed $25,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,136,000 for consolidated appraisal services is to be derived from the Land and Water Conservation Fund and shall remain available until expended: Provided, That, for fiscal year 2010 up to $400,000 of the payments authorized by the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided further, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: Provided further, That for fiscal years 2008 through 2012 the Secretary may reduce the payment authorized by 31 U.S.C. 6901–6907, as amended, for an individual county by the amount necessary to correct prior year overpayments to that county: Provided further, That for fiscal years 2008 through 2012 the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties using current fiscal year funds.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $85,195,000, of which: (1) $75,915,000 shall remain available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,280,000 shall be available until September 30, 2011 for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $5,318,000, to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: Provided further, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,076,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $48,590,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $185,984,000, to remain available until expended, of which not to exceed $56,536,000 from this or any other Act, shall be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Salaries and Expenses'' account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2010, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $794,897,000, to remain available until expended, of which not to exceed $6,137,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in

Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: Provided further, That no less than $125,000,000 in prior-year wildfire suppression balances shall be made available in addition to amounts provided in this Act for that purpose.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For deposit in the FLAME Wildfire Suppression Reserve Fund created in title V, section 502(b) of this Act, $61,000,000, to remain available until expended.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,175,000, to remain available until expended: Provided, That Public Law 110–161 (121 Stat. 2116) under this heading is amended by striking ''in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act'' and inserting in lieu thereof ''including any fines or penalties''.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $6,462,000, to remain available until expended.

WORKING CAPITAL FUND

For the acquisition of a departmental financial and business management system and information technology improvements of general benefit to the Department, $85,823,000, to remain available until expended: Provided, That none of the funds in this Act or previous appropriations Acts may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in 40 U.S.C. 3306(a)) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2010. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

TWIN CITIES RESEARCH CENTER

SEC. 106. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such

reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by 16 U.S.C. 460zz.

PAYMENT OF FEES

SEC. 107. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Salazar to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Salazar.

MASS MARKING OF SALMONIDS

SEC. 108. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 109. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

PROHIBITION ON USE OF FUNDS

SEC. 110. (a) Any proposed new use of the Arizona & California Railroad Company's Right of Way for conveyance of water shall not proceed unless the Secretary of the Interior certifies that the proposed new use is within the scope of the Right of Way.

(b) No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water underground for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management, or for carrying out any activities associated with such right-of-way or similar approval.

CONTRIBUTION AUTHORITY

SEC. 111. Title 43 U.S.C. 1473, as amended by Public Law 111–8, is further amended by striking ''in fiscal years 2008 and 2009 only'' and inserting ''in fiscal years 2010 through 2013''.

USE OF COOPERATIVE AGREEMENTS

SEC. 112. For fiscal year 2010, and each fiscal year thereafter, the Secretary of the Interior may enter into cooperative agreements with a State or political subdivision (including any agency thereof), or any not-for-profit organization if the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Department of the Interior; and (2) all parties will contribute resources to the accomplishment of these objectives. At the discretion of the Secretary, such agreements shall not be subject to a competitive process.

ICE AGE NATIONAL SCENIC TRAIL

SEC. 113. Funds provided in this Act for Federal land acquisition by the National Park Service for Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

CONFORMING AMENDMENT

SEC. 114. Notwithstanding any other provision of law, Sections 109 and 110 of the Federal Oil and Gas Royalty Management Act (30 U.S.C. 1719 and 1720) shall, for fiscal year 2010 and each fiscal year thereafter, apply to any lease authorizing exploration for or development of coal, any other solid mineral, or any geothermal resource on any Federal or Indian lands and any lease, easement, right of way, or other agreement, regardless of form, for use of the Outer Continental Shelf or any of its resources under sections 8(k) or 8(p) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(k) and 1337(p)) to the same extent as if such lease, easement, right of way, or other agreement, regardless of form, were an oil and gas lease, except that in such cases the term ''royalty payment'' shall include any payment required by such lease, easement, right of way or other agreement, regardless of form, or by applicable regulation.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 115. (a) In fiscal year 2010, the Minerals Management Service (MMS) shall collect a nonrefundable inspection fee, which shall be deposited in the ''Royalty and Offshore Minerals Management'' account, from the designated operator for facilities subject to inspection by MMS under 43 U.S.C. 1348(c) that are above the waterline, except mobile offshore drilling units, and are in place at the start of fiscal year 2010.

(b) Fees for 2010 shall be:

(1) $2,000 for facilities with no wells, but with processing equipment or gathering lines;

(2) $3,250 for facilities with one to ten wells, with any combination of active or inactive wells; and

(3) $6,000 for facilities with more than ten wells, with any combination of active or inactive wells.

(c) MMS will bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing.

PROHIBITION ON USE OF FUNDS, POINT REYES NATIONAL SEASHORE

SEC. 116. None of the funds in this Act may be used to further reduce the number of Axis or Fallow deer at Point Reyes National Seashore below the number as of the date of enactment of this Act.

YOSEMITE NATIONAL PARK AUTHORIZED PAYMENTS, AMENDMENT

SEC. 117. Section 101(a)(1) of Public Law 109–131 is amended by striking ''2009'' and inserting ''2013''.

SAN JUAN ISLAND NATIONAL HISTORIC PARK AUTHORIZATION

SEC. 118. Section 4 of Public Law 89–565, as amended (16 U.S.C. 282c), relating to San Juan Island National Historic Park, is amended by striking ''$5,575,000'' and inserting ''$13,575,000''.

JAPANESE AMERICAN CONFINEMENT SITES, AMENDMENT

SEC. 119. Section 1(c)(2) of Public Law 109–441 is amended by adding after subparagraph (D) the following new subparagraph:

''(E) Heart Mountain, depicted in Figure 6.3 of the Site Document.''.

NORTHERN PLAINS HERITAGE AREA, AMENDMENT

SEC. 120. Section 8004 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1240) is amended—

(1) by redesignating subsections (g) through (i) as subsections (h) through (j), respectively;

(2) in subsection (h)(1) (as redesignated by paragraph (1)), in the matter preceding subparagraph (A), by striking ''subsection (i)'' and inserting ''subsection (j)''; and

(3) by inserting after subsection (f) the following:

''(g) REQUIREMENTS FOR INCLUSION AND REMOVAL OF PROPERTY IN HERITAGE AREA.—

''(1) PRIVATE PROPERTY INCLUSION.—No privately owned property shall be included in the Heritage Area unless the owner of the private property provides to the management entity a written request for the inclusion.

''(2) PROPERTY REMOVAL.—

''(A) PRIVATE PROPERTY.—At the request of an owner of private property included in the Heritage Area pursuant to paragraph (1), the private property shall be immediately withdrawn from the Heritage Area if the owner of the property provides to the management entity a written notice requesting removal.

''(B) PUBLIC PROPERTY.—On written notice from the appropriate State or local government entity, public property included in the Heritage Area shall be immediately withdrawn from the Heritage Area.''.

PEARL HARBOR NAVAL COMPLEX, JOINT TICKETING

SEC. 121. (a) DEFINITIONS.—In this section:

(1) HISTORIC ATTRACTION.—The term ''historic attraction'' mean a historic attraction within the Pearl Harbor Naval Complex, including—

(A) the USS Bowfin Submarine Museum and Park;

(B) the Battleship Missouri Memorial;

(C) the Pacific Aviation Museum-Pearl Harbor; and

(D) any other historic attraction within the Pearl Harbor Naval Complex that—

(i) the Secretary identifies as a Pearl Harbor historic attraction; and

(ii) is not administered or managed by the Secretary.

(2) MONUMENT.—The term ''Monument'' means the Word War II Valor in the Pacific National Monument in the State of Hawaii.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) VISITOR CENTER.—The term ''Visitor Center'' means the visitor center located within the Pearl Harbor Naval Complex on land that is—

(A) within the Monument; and

(B) managed by the Secretary, acting through the Director of the National Park Service.

(b) FACILITATION OF ADMISSION TO HISTORIC ATTRACTIONS WITHIN PEARL HARBOR NAVAL COMPLEX.—

(1) IN GENERAL.—In managing the Monument, the Secretary may enter into an agreement with any organization that is authorized to administer or manage a historic attraction—

(A) to allow visitors to the historic attraction to gain access to the historic attraction by passing through security screening at the Visitor Center; and

(B) to allow the sale of tickets to a historic attraction within the Visitor Center by—

(i) employees of the National Park Service; or

(ii) the organization that administers or manages the historic attraction.

(2) TERMS AND CONDITIONS.—In any agreement entered into under paragraph (1), the Secretary—

(A) shall require the organization administering or managing the historic attraction to pay to the Secretary a reasonable fee to recover administrative costs of the Secretary associated with the use of the Visitor Center for public access and ticket sales;

(B) shall ensure that the liability of the United States is limited with respect to any liability arising from—

(i) the admission of the public through the Visitor Center to a historic attraction; and

(ii) the sale or issuance of any tickets to the historic attraction; and

(C) may include any other terms and conditions that the Secretary determines to be appropriate.

(3) USE OF FEES.—The proceeds of any amounts collected as fees under paragraph (2)(A) shall remain available, without further appropriation, for use by the Secretary for the Monument.

(4) LIMITATION OF AUTHORITY.—Nothing in this section authorizes the Secretary—

(A) to regulate or approve the rates for admission to a historic attraction;

(B) to regulate or manage any visitor services within the Pearl Harbor Naval Complex (other than the services managed by the National Park Service as part of the Monument); or

(C) to charge an entrance fee for admission to the Monument.

(5) PROTECTION OF RESOURCES.—Nothing in this section authorizes the Secretary or any organization that administers or manages a historic attraction to take any action in derogation of the preservation and protection of the values and resources of the Monument.

ASSISTANCE FOR THE REPUBLIC OF PALAU

SEC. 122. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2010 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the ''Compact'').

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2010 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

GOLDEN GATE NATIONAL RECREATION AREA, FORT BAKER AMENDMENT

SEC. 123. Section 120 of title I of H.R. 3423 (Appendix C) as enacted into law by section 1000(a)(3) of division B of Public Law 106–113 is amended by striking the last sentence.

POINT REYES NATIONAL SEASHORE, EXTENSION OF PERMIT

SEC. 124. Prior to the expiration on November 30, 2012 of the Drake's Bay Oyster Company's Reservation of Use and Occupancy and associated special use permit (''existing authorization'') within Drake's Estero at Point Reyes National Seashore, notwithstanding any other provision of law, the Secretary of the Interior is authorized to issue a special use permit with the same terms and conditions as the existing authorization, except as provided herein, for a period of 10 years from November 30, 2012: Provided, That such extended authorization is subject to annual payments to the United States based on the fair market value of the use of the Federal property for the duration of such renewal. The Secretary shall take into consideration recommendations of the National Academy of Sciences Report pertaining to shellfish mariculture in Point Reyes National Seashore before modifying any terms and conditions of the extended authorization. Nothing in this section shall be construed to have any application to any location other than Point Reyes National Seashore; nor shall anything in this section be cited as precedent for management of any potential wilderness outside the Seashore.

NATIONAL PARK SYSTEM, SPECIAL RESOURCE STUDY

SEC. 125. (a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall conduct a special resource study of the national significance, suitability, and feasibility of including the Honouliuli Gulch and associated sites within the State of Hawaii in the National Park System.

(b) GUIDELINES.—In conducting the study, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System described in section 8 of Public Law 91–383 (16 U.S.C. 1a–5).

(c) CONSULTATION.—In conducting the study, the Secretary shall consult with—

(1) the State of Hawaii;

(2) appropriate Federal agencies;

(3) Native Hawaiian and local government entities;

(4) private and nonprofit organizations;

(5) private land owners; and

(6) other interested parties.

(d) THEMES.—The study shall evaluate the Honouliuli Gulch, associated sites located on Oahu, and other islands located in the State of Hawaii with respect to—

(1) the significance of the site as a component of World War II;

(2) the significance of the site as the site related to the forcible internment of Japanese Americans, European Americans, and other individuals; and

(3) historic resources at the site.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the findings, conclusions, and recommendations of the study required under this section.

CONTROL OF BORDER

SEC. 126. None of the funds made available by this Act may be used to impede, prohibit, or restrict activities of the Secretary of Homeland Security on public lands to achieve operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367) over the international land and maritime borders of the United States with respect to section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note).

NATIONAL HERITAGE AREA, OPT OUT PROVISION

SEC. 127. Any owner of private property within an existing or new National Heritage Area may opt out of participating in any plan, project, program, or activity conducted within the National Heritage Area if the property owner provides written notice to the local coordinating entity.

PLACEMENT OF PLAQUE AT WORLD WAR II MEMORIAL

SEC. 128. Notwithstanding any other law, the Secretary of the Interior shall install in the area of the World War II Memorial in the District of Columbia a suitable plaque to commemorate the extraordinary leadership of Senator Robert J. Dole in making the Memorial a reality on the National Mall: Provided, That the Secretary shall design, procure, prepare and install the plaque: Provided further, That the Secretary of the Interior is authorized to accept and expend contributions toward the cost of preparing and installing the plaque, without further appropriation: Provided further, That Federal funds may be used to design, procure, or install the plaque.

MARTIN LUTHER KING, JR. MEMORIAL AUTHORITY, EXTENSION

SEC. 129. Section 508(b)(2) of the Omnibus Parks and Public Lands Management Act of 1996, as amended (40 U.S.C. 8903 note; 110 Stat. 4157, 114 Stat. 26, 117 Stat. 1347, 119 Stat. 527, 122 Stat. 5034) shall be amended by striking ''November 12, 2009'' and inserting ''September 30, 2010''.

JOHN ADAMS MEMORIAL AUTHORITY, EXTENSION

SEC. 130. Notwithstanding section 8903(e) of title 40, United States Code, the authority provided by Public Law 107–62 and Public Law 107–315 shall continue to apply through September 30, 2010.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $846,049,000, to remain available until September 30, 2011.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $9,000 for official reception and representation expenses, $2,993,779,000, to remain available until September 30, 2011: Provided, That of the funds included under this heading, not less than $608,441,000 shall be for the Geographic Programs specified in the explanatory statement accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $44,791,000, to remain available until September 30, 2011.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $37,001,000, to remain available until expended, of which up to $500,000 shall be made available for preliminary planning and design of a high-performance green building to consolidate the multiple offices and research facilities of the Environmental Protection Agency in Las Vegas, Nevada.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,306,541,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2009, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,306,541,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $9,975,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2011, and $26,834,000

shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2011.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, as amended, $113,101,000, to remain available until expended, of which $78,671,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act, as amended; $34,430,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code, as amended: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,379,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $4,970,223,000, to remain available until expended, of which $2,100,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the ''Act''); of which $1,387,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended: Provided, That for fiscal year 2010, to the extent there are sufficient eligible project applications, not less than 20 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and not less than 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities; $17,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $13,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided further, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) the State of Alaska shall make awards consistent with the State-wide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $156,777,000 shall be for making special project grants and technical corrections to prior-year grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; $100,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $60,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005, as amended; $20,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the joint explanatory statement of the managers accompanying this Act; and $1,116,446,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $49,495,000 shall be for carrying out section 128 of CERCLA, as amended, $10,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, $18,500,000 of the funds available for grants under section 106 of the Act shall be for water quality monitoring activities, $10,000,000 shall be for competitive grants to communities to develop plans and demonstrate and implement projects which reduce greenhouse gas emissions and, in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act, as amended, $2,500,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2010 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2010, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2010, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2010, in addition to the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.2486 percent of the funds appropriated for the Clean Water State Revolving Fund program under the Act may be reserved by the Administrator for grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2010, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That not less than 30 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and not less than 30 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), except that for the Clean Water State Revolving Fund capitalization grant appropriation this section shall only apply to the portion that exceeds $1,000,000,000: Provided further, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For fiscal year 2010, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 110–94, the Pesticide Registration Improvement Renewal Act.

Title II of Public Law 109–54, as amended by title II of division E of Public Law 111–8 (123 Stat. 729), is amended in the fourth paragraph under the heading ''Administrative Provisions'' by striking ''2011'' and inserting ''2015.''

The Administrator is authorized to transfer up to $475,000,000 of the funds appropriated for the Great Lakes Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

From unobligated balances to carry out projects and activities funded through the ''State and Tribal Assistance Grants'' and

''Hazardous Substance Superfund'' accounts, $40,000,000 are permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Not later than 18 months after the date of enactment of this Act, the Administrator, in consultation with other Federal agencies, shall carry out and submit to Congress the results of a study on domestic and international black carbon emissions that shall include an inventory of the major sources of black carbon, an assessment of the impacts of black carbon on global and regional climate, an assessment of potential metrics and approaches for quantifying the climatic effects of black carbon emissions (including its radiative forcing and warming effects) and comparing those effects to the effects of carbon dioxide and other greenhouse gases, an identification of the most cost-effective approaches to reduce black carbon emissions, and an analysis of the climatic effects and other environmental and public health benefits of those approaches.

For fiscal year 2010 the requirements of section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) shall apply to the construction of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized by title VI of that Act (33 U.S.C. 1381 et seq.), or with assistance made available under section 205(m) of that Act (33 U.S.C. 1285(m)), or both.

For fiscal year 2010 the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j–9(e)) shall apply to any construction project carried out in whole or in part with assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of that Act (42 U.S.C. 300j–12).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $312,012,000, to remain available until expended: Provided, That of the funds provided, $66,939,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $308,061,000, to remain available until expended, as authorized by law; of which $76,460,000 is to be derived from the Land and Water Conservation Fund; and of which $2,000,000 may be made available to the Pest and Disease Revolving Loan Fund established by section 10205(b) of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 2104a(b)).

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,551,339,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That, through fiscal year 2012, the Secretary may authorize the expenditure or transfer of up to $10,000,000 to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $556,053,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, capital improvement, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That $90,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered or sensitive species or community water sources: Provided further, That funds provided herein shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: Provided further, That the decommissioning of unauthorized roads not part of the official transportation system shall be expedited in response to threats to public safety, water quality, or natural resources: Provided further, That funds becoming available in fiscal year 2010 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $63,522,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,050,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 460l–516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $50,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,582,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $2,103,737,000, to remain available until expended: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That, notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: Provided further, That of the funds provided, $350,285,000 is for hazardous fuels reduction activities, $11,600,000 is for rehabilitation and restoration, $23,917,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $71,250,000 is for State fire assistance, $9,000,000 is for volunteer fire assistance, $20,752,000 is for forest health activities on Federal lands and $11,428,000 is for forest health activities on State and private lands: Provided further, That no less than $75,000,000 in prior-year wildfire suppression balances shall be made available in addition to amounts provided in this Act for that purpose: Provided further, That of the funds provided for hazardous fuels reduction, $10,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund State fire assistance, volunteer fire assistance, forest health

management, forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: Provided further, That up to $15,000,000 of the funds provided under this heading for hazardous fuels treatments may be transferred to and made a part of the ''National Forest System'' account at the sole discretion of the Chief 30 days after notifying the House and the Senate Committees on Appropriations: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements, or issue grants, for hazardous fuels reduction activities and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the State and Private Forestry Appropriation: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That of the funds provided for hazardous fuels reduction, not to exceed $5,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: Provided further, That funds designated for wildfire suppression shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For deposit in the FLAME Wildfire Suppression Reserve Fund created in title V, section 502(b) of this Act, $413,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions five days after the Secretary notifies the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings ''Wildland Fire Management'' and ''FLAME Wildfire Suppression Reserve Fund'' shall be fully obligated within 30 days: Provided, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the joint explanatory statement of the managers accompanying this Act.

Not more than $78,350,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $19,825,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center.

Funds available to the Forest Service shall be available to conduct a program of up to $5,000,000 for priority projects within the scope of the approved budget, of which $2,500,000 shall be carried out by the Youth Conservation Corps and $2,500,000 shall be carried out under the authority of the Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $3,000,000 of the funds available to the Forest Service shall be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

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, is amended by striking ''2009'' and inserting ''2014''.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,657,618,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further,

That $779,347,000 for contract medical care, including $48,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: Provided further, That $18,251,000 is provided for Headquarters operations and information technology activities and, notwithstanding any other provision of law, the amount available under this proviso shall be allocated at the discretion of the Director of the Indian Health Service: Provided further, That of the funds provided, up to $32,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That $16,391,000 is provided for the methamphetamine and suicide prevention and treatment initiative and $10,000,000 is provided for the domestic violence prevention initiative and, notwithstanding any other provision of law, the amounts available under this proviso shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants that fall within two fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $398,490,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2010, of which not to exceed $5,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts, or annual funding agreements: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): Provided further, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $394,757,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,212,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $76,792,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substance and Disease Registry shall remain available until expended for Individual Learning Accounts: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of

CERCLA during fiscal year 2010, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,159,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,147,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board: Provided further, That of the funds appropriated under this heading, $600,000 shall be for a study by the National Academy of Sciences to examine the use and storage of methyl isocyanate including the feasibility of implementing alternative chemicals or processes and an examination of the cost of alternatives at the Bayer CropScience facility in Institute, West Virginia.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,000,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $8,300,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $636,161,000, to remain available until September 30, 2011, except as otherwise provided herein; of which not to exceed $19,117,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; of which $1,553,000 is for fellowships and scholarly awards; of which $250,000 may be made available to carry out activities under the Civil Rights History Project Act of 2009 (20 U.S.C. 80s et seq.), to remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $125,000,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109.

LEGACY FUND

(INCLUDING RESCISSION OF FUNDS)

For the purpose of developing a public-private partnership to facilitate the reopening of the Arts and Industries Building of the Smithsonian Institution, $30,000,000, to remain available until expended, for repair, renovation and revitalization of the building: Provided, That such funds shall be matched on a 1:1 basis by private donations: Provided further, That major in-kind donations that contribute significantly to the redesign and purpose of the reopened building be considered to qualify toward the total private match: Provided further, That privately contributed endowments, which are designated for the care and renewal of permanent exhibitions installed in the Arts and Industries Building, be considered as qualifying toward the total private match: Provided further, That this appropriation may be made available to the Smithsonian Institution incrementally as private funding becomes available: Provided further, That any other provision of law that adjusts the overall amount of the Federal appropriation for this account shall also apply to the privately contributed requirement: Provided further, That the unobligated balances provided under this heading in Public Law 110–161 and Public Law 111–8 are hereby rescinded.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $110,746,000, of which not to exceed $3,386,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $56,259,000, to remain available until expended: Provided, That of this amount, $40,000,000 shall be available for repair of the National Gallery's East Building façade: Provided further, That notwithstanding any other provision of law, a single procurement for the foregoing Major Critical Project may be issued which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232.18: Provided further, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $23,000,000: Provided, That of the funds included under this heading, $500,000 is available until expended to implement a program to train arts managers throughout the United States.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $17,447,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $12,225,000, to remain available until September 30, 2011.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $167,500,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $167,500,000, to remain available until expended, of which $153,200,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $14,300,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act including $9,500,000 for the purposes of section 7(h): Provided, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $2,294,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: Provided further, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), as amended, $9,500,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $5,908,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $8,507,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $49,122,000, of which $515,000 for the Museum's equipment replacement program, $1,900,000 for the museum's repair and rehabilitation program, and $1,264,000 for the museum's exhibition design and production program shall remain available until expended.

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $23,200,000 shall be available to the Presidio Trust, to remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $3,000,000, to remain available until expended.

CAPITAL CONSTRUCTION

For necessary expenses of the Dwight D. Eisenhower Memorial Commission for design and construction of a memorial in honor of Dwight D. Eisenhower, as authorized by Public Law 106–79, $16,000,000, to remain available until expended.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

LIMITATION ON CONSULTING SERVICES

SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, 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 pursuant to existing law.

RESTRICTION ON USE OF FUNDS

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

PROHIBITION ON USE OF FUNDS FOR PERSONAL SERVICES

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 405. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities and subactivities to support government-wide, departmental, agency or bureau administrative functions or headquarters, regional or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

GIANT SEQUOIA

SEC. 406. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2009.

TRANSFER OF FUNDS AUTHORITY

SEC. 407. 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 provided in, this Act or any other Act.

MINING APPLICATIONS

SEC. 408. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2010, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS

SEC. 409. Notwithstanding any other provision of law, amounts appropriated to or otherwise designated in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, 108–447, 109–54, 109–289, division B and Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Laws 110–5 and 110–28), Public Laws 110–92, 110–116, 110–137, 110–149, 110–161, 110–329, 111–6, and 111–8 for payments for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service

as funded by such Acts, are the total amounts available for fiscal years 1994 through 2009 for such purposes, except that the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

FOREST MANAGEMENT PLANS

SEC. 410. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 411. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

INTERNATIONAL FIREFIGHTER COOPERATIVE AGREEMENTS

SEC. 412. In entering into agreements with foreign fire organizations pursuant to the Temporary Emergency Wildfire Suppression Act (42 U.S.C. 1856m–1856o), the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the fire organization receiving said services when the individuals are engaged in fire suppression or presuppression: Provided, That the Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign fire organization agrees to assume any and all liability for the acts or omissions of American firefighters engaged in fire suppression or presuppression in a foreign country: Provided further, That when an agreement is reached for furnishing fire suppression or presuppression services, the only remedies for acts or omissions committed while engaged in fire suppression or presuppression shall be those provided under the laws applicable to the fire organization receiving the fire suppression or presuppression services, and those remedies shall be the exclusive remedies for any claim arising out of fire suppression or presuppression activities in a foreign country: Provided further, That neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action, consistent with the applicable laws governing sovereign immunity, pertaining to or arising out of the firefighter's role in fire suppression or presuppression, except that if the foreign fire organization is unable to provide immunity under laws applicable to it, it shall assume any and all liability for the United States or for any legal organization associated with the American firefighter, and for any and all costs incurred or assessed, including legal fees, for any act or omission pertaining to or arising out of the firefighter's role in fire suppression or presuppression.

CONTRACTING AUTHORITIES

SEC. 413. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal Government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the ''Secretaries'') may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: Provided, That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or micro-business or disadvantaged business: Provided further, That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: Provided further, That the terms ''rural community'' and ''economically disadvantaged'' shall have the same meanings as in section 2374 of Public Law 101–624: Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

LIMITATION ON TAKINGS

SEC. 414. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

HUNTERS POINT ENVIRONMENTAL CLEANUP

SEC. 415. In addition to the amounts otherwise provided to the Environmental Protection Agency in this Act, $8,000,000, to remain available until expended, is provided to EPA to be transferred to the Department of the Navy for cleanup activities at the Treasure Island Naval Station—Hunters Point Annex.

EXTENSION OF GRAZING PERMITS

SEC. 416. The terms and conditions of section 325 of Public Law 108–108, regarding grazing permits at the Department of the Interior and the Forest Service shall remain in effect for fiscal year 2010.

NATIONAL COUNCIL ON THE ARTS MEMBERSHIP

SEC. 417. Section 6 of the National Foundation on the Arts and the Humanities Act of 1965 (Public Law 89–209, 20 U.S.C. 955), as amended, is further amended as follows:

(1) In the first sentence of subsection (b)(1)(C), by striking ''14'' and inserting in lieu thereof ''18''; and

(2) In the second sentence of subsection (d)(1), by striking ''Eight'' and inserting in lieu thereof ''Ten''.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS AUTHORIZATION

SEC. 418. The item relating to ''National Capital Arts and Cultural Affairs'' in the Department of the Interior and Related Agencies Appropriations Act, 1986, as enacted into law by section 101(d) of Public Law 99–190 (99 Stat. 1261; 20 U.S.C. 956a), is amended—

(1) in the second sentence of the first paragraph, by striking ''$7,500,000'' and inserting ''$10,000,000''; and

(2) in the second sentence of the fourth paragraph, by striking ''$500,000'' and inserting ''$650,000''.

ALASKA NATIVE HEALTH CARE SERVICES

SEC. 419. (a) Notwithstanding any other provision of law and until October 1, 2011, the Indian Health Service may not disburse funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 450 et seq.) to any Alaska Native village or Alaska Native village corporation that is located within the area served by an Alaska Native regional health entity.

(b) Nothing in this section shall be construed to prohibit the disbursal of funds to any Alaska Native village or Alaska Native village corporation under any contract or compact entered into prior to May 1, 2006, or to prohibit the renewal of any such agreement.

(c) For the purpose of this section, Eastern Aleutian Tribes, Inc., the Council of Athabascan Tribal Governments, and the Native Village of Eyak shall be treated as Alaska Native regional health entities to which funds may be disbursed under this section.

EXTENSION OF FOREST BOTANICAL PRODUCT AUTHORITIES

SEC. 420. Section 339(h) of the Department of the Interior and Related Agencies Appropriations Act, 2000, as amended, concerning a pilot program for the sale of forest botanical products by the Forest Service, is further amended by striking ''September 30, 2009'' and inserting ''September 30, 2014''.

TIMBER SALE REQUIREMENTS

SEC. 421. The Forest Service shall use the residual value approach to appraising all timber sales in Alaska's Region 10 that contain a component of Western red cedar and shall only offer sales that contain a component of Western red cedar that are not deficit. Western red cedar shall be appraised using lower 48 State domestic values if the timber might be eligible for shipment to the lower 48 States. All of the Western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices in the contiguous 48 United States. Western red cedar shall be deemed ''surplus to the needs of domestic processors in Alaska'' if the Forest Service determines it is surplus or if the timber sale holder has presented to the Forest Service documentation that the Forest Service determines is valid of the inability to sell Western red cedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling value stated in the contract. All additional Western red cedar volume not sold to Alaska or to contiguous 48 United States domestic processors may be exported to foreign markets if the Forest Service determines it is surplus to the needs of the 50 States. All Alaska yellow cedar may be sold at prevailing export prices if the Forest Service determines it is surplus to the needs of the 50 States.

COLORADO COOPERATIVE CONSERVATION AUTHORITY

SEC. 422. Section 331(e) of the Department of the Interior and Related Agencies Appropriations Act, 2001, (Public Law 106–291), as added by section 336 of division E of the Consolidated Appropriations Act, 2005 (Public Law 108–447), concerning cooperative forestry agreements known as the Colorado Good Neighbor Act Authority is amended by striking ''September 30, 2009'' and inserting ''September 30, 2013''.

GEOTHERMAL ENERGY RECEIPTS

SEC. 423. All monies received by the United States in fiscal year 2010 from sales, bonuses, rentals, and royalties under the Geothermal

Steam Act of 1970 shall be disposed of as provided by section 20 of that Act (30 U.S.C. 1019), as in effect immediately before enactment of the Energy Policy Act of 2005 (Public Law 109–58), and without regard to the amendments contained in sections 224(b) and section 234 of the Energy Policy Act of 2005 (42 U.S.C. 17673).

PROHIBITION ON USE OF FUNDS

SEC. 424. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 425. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 426. Not later than 120 days after the date on which the President's fiscal year 2011 budget request is submitted to Congress, the President shall submit a report to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate describing in detail all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2009 and fiscal year 2010, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix.

PROHIBITION ON USE OF FUNDS

SEC. 427. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

GUANTANAMO BAY DETAINEES, FUNDING RESTRICTIONS

SEC. 428. (a) None of the funds made available in this or any other Act may be used to release an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI).

(b) None of the funds made available in this or any other Act may be used to transfer an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purpose of detention, except as provided in subsection (c).

(c) None of the funds made available in this or any other Act may be used to transfer an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purposes of prosecuting such individual, or detaining such individual during legal proceedings, until 45 days after the plan described in subsection (d) is received.

(d) The President shall submit to Congress, in classified form, a plan regarding the proposed disposition of any individual covered by subsection (c) who is detained as of June 24, 2009. Such plan shall include, at a minimum, each of the following for each such individual:

(1) A determination of the risk that the individual might instigate an act of terrorism within the continental United States, Alaska, Hawaii, the District of Columbia, or the United States territories if the individual were so transferred.

(2) A determination of the risk that the individual might advocate, coerce, or incite violent extremism, ideologically motivated criminal activity, or acts of terrorism, among inmate populations at incarceration facilities within the continental United States, Alaska, Hawaii, the District of Columbia, or the United States territories if the individual were transferred to such a facility.

(3) The costs associated with transferring the individual in question.

(4) The legal rationale and associated court demands for transfer.

(5) A plan for mitigation of any risks described in paragraphs (1), (2), and (7).

(6) A copy of a notification to the Governor of the State to which the individual will be transferred, to the Mayor of the District of Columbia if the individual will be transferred to the District of Columbia, or to any United States territories with a certification by the Attorney General of the United States in classified form at least 14 days prior to such transfer (together with supporting documentation and justification) that the individual poses little or no security risk to the United States.

(7) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services of the United States, that is posed by such transfer and the actions taken to mitigate such risk.

(e) None of the funds made available in this or any other Act may be used to transfer or release an individual detained at Naval Station, Guantanamo Bay, Cuba, as of June 24, 2009, to the country of such individual's nationality or last habitual residence or to any other country other than the United States or to a freely associated State, unless the President submits to the Congress, in classified form, at least 15 days prior to such transfer or release, the following information:

(1) The name of any individual to be transferred or released and the country or the freely associated State to which such individual is to be transferred or released.

(2) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services of the United States, that is posed by such transfer or release and the actions taken to mitigate such risk.

(3) The terms of any agreement with the country or the freely associated State for the acceptance of such individual, including the amount of any financial assistance related to such agreement.

(f) In this section, the term ''freely associated States'' means the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau.

(g) Prior to the termination of detention operations at Naval Station, Guantanamo Bay, Cuba, the President shall submit to the Congress a report in classified form describing the disposition or legal status of each individual detained at the facility as of the date of enactment of this Act.

JUNGO DISPOSAL SITE EVALUATION

SEC. 429. Using funds made available under this Act, the Director of the United States Geological Survey may conduct an evaluation of the aquifers in the area of the Jungo Disposal Site in Humboldt County, Nevada (referred to in this section as the ''site''), to evaluate—

(1) how long it would take waste seepage (including asbestos, discarded tires, and sludge from water treatment plants) from the site to contaminate local underground water resources;

(2) the distance that contamination from the site would travel in each of—

(A) 95 years; and

(B) 190 years;

(3) the potential impact of expected waste seepage from the site on nearby surface water resources, including Rye Patch Reservoir and the Humboldt River;

(4) the size and elevation of the aquifers; and

(5) any impact that the waste seepage from the site would have on the municipal water resources of Winnemucca, Nevada.

BUYOUT AND RELOCATION

SEC. 430. (a) As soon as practicable after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') is encouraged to consider all appropriate criteria relating to the buyout and relocation of residents of properties in Treece, Kansas, that are subject to risk relating to, and that may endanger the health of occupants as a result of risks posed by, chat (as defined in section 278.1(b) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(b) For the purpose of the remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) that includes permanent relocation of residents of Treece, Kansas, any such relocation shall not be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(c) Nothing in this section shall in any way affect, impede, or change the relocation or remediation activities pursuant to the Record of Decision Operable Unit 4, Chat Piles, Other Mine and Mill Waste, and Smelter Waste, Tar Creek Superfund Site, Ottawa County, Oklahoma (OKD980629844) issued by the Environmental Protection Agency Region 6 on February 20, 2008, or any other previous Record of Decision at the Tar Creek, Oklahoma, National Priority List Site, by any Federal agency or through any funding by any Federal agency.

AGRICULTURAL RESEARCH AUTHORIZATION

SEC. 431. Section 404(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7624(c)) is amended—

(1) in paragraph (1), by striking ''Agricultural Research Service'' and inserting ''Agricultural Research Service and the Forest Service''; and

(2) by adding at the end the following:

''(3) AUTHORITY OF SECRETARY.—To carry out a cooperative agreement with a private entity under paragraph (1), the Secretary may rent to the private entity equipment, the title of which is held by the Federal Government.''.

NATIONAL FOREST FOUNDATION

SEC. 432. Section 403(a) of the National Forest Foundation Act (16 U.S.C. 583j–1(a)) is amended, in the first sentence, by striking ''fifteen Directors'' and inserting ''not more than 30 Directors''.

CABIN USER FEES

SEC. 433. Notwithstanding any other provision of law, none of the funds made available by this or any other Act may be used by the Secretary of Agriculture to increase a recreation residence user fee for calendar year 2010 by more than 25 percent of the recreation residence user fee applicable to the recreation residence for calendar year 2009.

PROHIBITION ON NO-BID CONTRACTS

SEC. 434. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of the Federal Property and Administrative Service Act of 1949 (41 U.S.C. 253) or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulations, unless:

(1) Federal law specifically authorizes a contract to be entered into without regard for these

requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education and Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq., as amended) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 435. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL CONSERVATION AREA MAP AMENDMENT

SEC. 436. Section 1971(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note; Public Law 111–11) is amended by striking ''December 18, 2008'' and inserting ''September 20, 2009''.

TAR CREEK SUPERFUND SITE

SEC. 437. (a) IN GENERAL.—To expedite the cleanup of the Federal land and Indian land at the Tar Creek Superfund Site (referred to in this section as the ''site''), any purchase of chat (as defined in section 278.1(b) of title 40, Code of Federal Regulations (or a successor regulation)), from the site shall be—

(1) counted at twice the purchase price of the chat; and

(2) eligible to be counted toward meeting the federally required disadvantaged business enterprise set-aside on federally funded projects.

(b) RESTRICTED INDIAN OWNERS.—Subsection (a) shall only apply if the purchase of chat is made from 1 or more restricted Indian owners or an Indian tribe.

(c) APPLICABLE LAW.—The use of chat acquired under subsection (a) shall conform with applicable laws (including the regulations for the use of chat promulgated by the Administrator of the Environmental Protection Agency).

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 438. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 439. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

ENERGY AND WATER DEVELOPMENT, TECHNICAL CORRECTION

SEC. 440. Section 208(a)(2)(E) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 is amended by striking ''$45,000,000'' and inserting ''$5,000,000''.

AWARDS TO FOR-PROFIT ENTITIES

SEC. 441. Specific projects contained in the report of the Committee on Appropriations of the House of Representatives accompanying this Act (H. Rept. 111–180) that are considered congressional earmarks for purposes of clause 9 of rule XXI of the Rules of the House of Representatives, when intended to be awarded to a for-profit entity, shall be awarded under a full and open competition.

PROHIBITION ON USE OF FUNDS

SEC. 442. None of the funds made available for the Environmental Protection Agency in this Act may be expended by the Administrator of the Environmental Protection Agency to issue a final rule that includes fuel sulfur standards applicable to existing steamships that operate exclusively within the Great Lakes, and their connecting and tributary waters.

AUTHORIZATION FOR REFINANCING

SEC. 443. The Administrator of the Environmental Protection Agency shall allow the State of Mississippi to refinance the Clean Water State Revolving Loans made to the Hancock Water and Sewer District and the Hancock Utility Authority for a period not to exceed one year with the payment schedule amortized over that additional period.

INCORPORATION OF CONGRESSIONALLY REQUESTED PROJECTS

SEC. 444. Within the amounts appropriated in this Act, funding shall be allocated in the amounts specified for those projects and purposes delineated in the table titled ''Incorporation of Congressionally Requested Projects'' included in the joint explanatory statement of the managers accompanying this Act, except that such funding appropriated for land acquisition, construction, and capital improvement and maintenance may be reallocated to other projects in that table funded by the same appropriation account if such reallocation has been approved by the House and Senate Committees on Appropriations; and, such funding appropriated for ''National Park Service—Historic Preservation Fund'' for Save America's Treasures grants may be reallocated to be used for competitive grants under the Save America's Treasures program if such reallocation has been approved by the House and Senate Committees on Appropriations.

TITLE V—FLAME ACT OF 2009

SEC. 501. SHORT TITLE.

This title may be cited as the ''Federal Land Assistance, Management, and Enhancement Act of 2009'' or ''FLAME Act of 2009''.

SEC. 502. FLAME WILDFIRE SUPPRESSION RESERVE FUNDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means—

(A) public land, as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702);

(B) units of the National Park System;

(C) refuges of the National Wildlife Refuge System;

(D) land held in trust by the United States for the benefit of Indian tribes or members of an Indian tribe; and

(E) land in the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(2) FLAME FUND.—The term ''FLAME Fund'' means a FLAME Wildfire Suppression Reserve Fund established by subsection (b).

(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means the Committee on Appropriations, the Committee on Natural Resources, and the Committee on Agriculture of the House of Representatives and the Committee on Appropriations, the Committee on Energy and Natural Resources, and the Committee on Indian Affairs of the Senate.

(4) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to—

(i) Federal land described in subparagraphs (A), (B), (C), and (D) of paragraph (1); and

(ii) the FLAME Fund established for the Department of the Interior; and

(B) the Secretary of Agriculture, with respect to—

(i) National Forest System land; and

(ii) the FLAME Fund established for the Department of the Agriculture.

(b) ESTABLISHMENT OF FLAME FUNDS.—There is established in the Treasury of the United States the following accounts:

(1) The FLAME Wildfire Suppression Reserve Fund for the Department of the Interior.

(2) The FLAME Wildfire Suppression Reserve Fund for the Department of Agriculture.

(c) PURPOSE OF FLAME FUNDS.—The FLAME Funds shall be available to cover the costs of large or complex wildfire events and as a reserve when amounts provided for wildfire suppression and Federal emergency response in the Wildland Fire Management appropriation accounts are exhausted.

(d) FUNDING.—

(1) CREDITS TO FUNDS.—A FLAME Fund shall consist of the following:

(A) Such amounts as are appropriated to that FLAME Fund.

(B) Such amounts as are transferred to that FLAME Fund under paragraph (5).

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the FLAME Funds such amounts as are necessary to carry out this section.

(B) CONGRESSIONAL INTENT.—It is the intent of Congress that, for fiscal year 2011 and each fiscal year thereafter, the amounts requested by the President for a FLAME Fund should be not less than the amount estimated by the Secretary concerned as the amount necessary for that fiscal year for wildfire suppression activities of the Secretary that meet the criteria specified in subsection (e)(2)(B)(i).

(C) SENSE OF CONGRESS ON DESIGNATION OF FLAME FUND APPROPRIATIONS, SUPPLEMENTAL FUNDING REQUEST, AND SUPPLEMENT TO OTHER SUPPRESSION FUNDING.—It is the sense of Congress that for fiscal year 2011 and each fiscal year thereafter—

(i) amounts appropriated to a FLAME Fund in excess of the amount estimated by the Secretary concerned as the amount necessary for that fiscal year for wildfire suppression activities of the Secretary that meet the criteria specified in subsection (e)(2)(B)(i) should be designated as amounts necessary to meet emergency needs;

(ii) the Secretary concerned should promptly make a supplemental request for additional funds to replenish the FLAME Fund if the Secretary determines that the FLAME Fund will be exhausted within 30 days; and

(iii) funding made available through the FLAME Fund should be used to supplement the funding otherwise appropriated to the Secretary concerned for wildfire suppression and Federal emergency response in the Wildland Fire Management appropriation accounts.

(3) AVAILABILITY.—Amounts in a FLAME Fund shall remain available to the Secretary concerned until expended.

(4) NOTICE OF INSUFFICIENT FUNDS.—The Secretary concerned shall notify the relevant congressional committees if the Secretary estimates that only 60 days worth of funds remain in the FLAME Fund administered by that Secretary.

(5) TRANSFER AUTHORITY.—If a FLAME Fund has insufficient funds, the Secretary concerned administering the other FLAME Fund may transfer amounts to the FLAME Fund with insufficient funds. Not more than $100,000,000 may be transferred from a FLAME Fund during any fiscal year under this authority.

(e) USE OF FLAME FUND.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), amounts in a FLAME Fund shall be available to the Secretary concerned to transfer to the Wildland Fire Management appropriation account of that Secretary to pay the costs of wildfire suppression activities of that Secretary that are separate from amounts for wildfire suppression activities annually appropriated to that Secretary under the Wildland Fire Management appropriation account of that Secretary.

(2) DECLARATION REQUIRED.—

(A) IN GENERAL.—Amounts in a FLAME Fund shall be available for transfer under paragraph (1) only after that Secretary concerned issues a declaration that a wildfire suppression event is eligible for funding from the FLAME Fund.

(B) DECLARATION CRITERIA.—A declaration by the Secretary concerned under subparagraph (A) may be issued only if—

(i) in the case of an individual wildfire incident—

(I) the fire covers 300 or more acres; or

(II) the Secretary concerned determines that the fire has required an emergency Federal response based on the significant complexity, severity, or threat posed by the fire to human life, property, or resources; or

(ii) the cumulative costs of wildfire suppression and Federal emergency response activities for the Secretary concerned will exceed, within 30 days, all of the amounts previously appropriated (including amounts appropriated under an emergency designation, but excluding amounts appropriated to the FLAME Fund) to the Secretary concerned for wildfire suppression and Federal emergency response.

(3) STATE, PRIVATE, AND TRIBAL LAND.—Use of a FLAME Fund for emergency wildfire suppression activities on State land, private land, and tribal land shall be consistent with any existing agreements in which the Secretary concerned has agreed to assume responsibility for wildfire suppression activities on the land.

(f) TREATMENT OF ANTICIPATED AND PREDICTED ACTIVITIES.—For fiscal year 2011 and subsequent fiscal years, the Secretary concerned shall request funds within the Wildland Fire Management appropriation account of that Secretary for regular wildfire suppression activities that do not meet the criteria specified in subsection (e)(2)(B)(i).

(g) PROHIBITION ON OTHER TRANSFERS.—The Secretary concerned may not transfer funds from non-fire accounts to the Wildland Fire Management appropriation account of that Secretary unless amounts in the FLAME Fund of that Secretary and any amounts appropriated to that Secretary for the purpose of wildfire suppression will be exhausted within 30 days.

(h) ACCOUNTING AND REPORTS.—

(1) ACCOUNTING AND REPORTING REQUIREMENTS.—The Secretary concerned shall account and report on amounts transferred from the respective FLAME Fund in a manner that is consistent with existing National Fire Plan reporting procedures.

(2) ANNUAL REPORT.—The Secretary concerned shall submit to the relevant congressional committees and make available to the public an annual report that—

(A) describes the obligation and expenditure of amounts transferred from the FLAME Fund; and

(B) includes any recommendations that the Secretary concerned may have to improve the administrative control and oversight of the FLAME Fund.

(3) ESTIMATES OF WILDFIRE SUPPRESSION COSTS TO IMPROVE BUDGETING AND FUNDING.—

(A) IN GENERAL.—Consistent with the schedule provided in subparagraph (C), the Secretary concerned shall submit to the relevant congressional committees an estimate of anticipated wildfire suppression costs for the applicable fiscal year.

(B) INDEPENDENT REVIEW.—The methodology for developing the estimates under subparagraph (A) shall be subject to periodic independent review to ensure compliance with subparagraph (D).

(C) SCHEDULE.—The Secretary concerned shall submit an estimate under subparagraph (A) during—

(i) the first week of March of each year;

(ii) the first week of May of each year;

(iii) the first week of July of each year; and

(iv) if a bill making appropriations for the Department of the Interior and the Forest Service for the following fiscal year has not been enacted by September 1, the first week of September of each year.

(D) REQUIREMENTS.—An estimate of anticipated wildfire suppression costs shall be developed using the best available—

(i) climate, weather, and other relevant data; and

(ii) models and other analytic tools.

(i) TERMINATION OF AUTHORITY.—The authority of the Secretary concerned to use the FLAME Fund established for that Secretary shall terminate at the end of the third fiscal year in which no appropriations to, or withdrawals from, that FLAME Fund have been made for a period of three consecutive fiscal years. Upon termination of such authority, any amounts remaining in the affected FLAME Fund shall be transferred to, and made a part of, the Wildland Fire Management appropriation account of the Secretary concerned for wildland suppression activities.

SEC. 503. COHESIVE WILDFIRE MANAGEMENT STRATEGY

(a) STRATEGY REQUIRED.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, acting jointly, shall submit to Congress a report that contains a cohesive wildfire management strategy, consistent with the recommendations described in recent reports of the Government Accountability Office regarding management strategies.

(b) ELEMENTS OF STRATEGY.—The strategy required by subsection (a) shall provide for—

(1) the identification of the most cost-effective means for allocating fire management budget resources;

(2) the reinvestment in non-fire programs by the Secretary of the Interior and the Secretary of Agriculture;

(3) employing the appropriate management response to wildfires;

(4) assessing the level of risk to communities;

(5) the allocation of hazardous fuels reduction funds based on the priority of hazardous fuels reduction projects;

(6) assessing the impacts of climate change on the frequency and severity of wildfire; and

(7) studying the effects of invasive species on wildfire risk.

(c) REVISION.—At least once during each five-year period beginning on the date of the submission of the cohesive wildfire management strategy under subsection (a), the Secretary of the Interior and the Secretary of Agriculture shall revise the strategy to address any changes affecting the strategy, including changes with respect to landscape, vegetation, climate, and weather.

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010''.

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2010

SEC. 101. The Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68) is amended by striking the date specified in section 106(3) and inserting ''December 18, 2009''.

SEC. 102. Section 129 of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68) is amended by striking ''2009'' and inserting ''2008'', and such amendment shall apply as if included in such public law on the date of its enactment.

SEC. 103. Subsections (c)(1) and (e)(3) of section 9503, and subparagraphs (A), (B), and (C) of section 9504(b)(2), of the Internal Revenue Code of 1986 are each amended by inserting ''the last amendment to'' after ''on the date of the enactment of''.

SEC. 104. The Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68) is amended by adding after section 164 the following new sections:

''SEC. 165. In addition to amounts provided in section 101, amounts are provided for 'Small Business Administration—Business Loans Program Account', for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans as authorized by section 7(a) of the Small Business Act, at a rate for operations of $80,000,000.

''SEC. 166. (a) LOAN LIMIT FLOOR BASED ON 2008 LEVELS.—For mortgages for which the mortgagee issues credit approval for the borrower during calendar year 2010, if the dollar amount limitation on the principal obligation of a mortgage determined under section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) for any size residence for any area is less than such dollar amount limitation that was in effect for such size residence for such area for 2008 pursuant to section 202 of the Economic Stimulus Act of 2008 (Public Law 110–185; 122 Stat. 620), notwithstanding any other provision of law or of this joint resolution, the maximum dollar amount limitation on the principal obligation of a mortgage for such size residence for

such area for purposes of such section 203(b)(2) shall be considered (except for purposes of section 255(g) of such Act (12 U.S.C.1715z-20(g))) to be such dollar amount limitation in effect for such size residence for such area for 2008.

''(b) DISCRETIONARY AUTHORITY FOR SUB-AREAS.—Notwithstanding any other provision of law or of this joint resolution, if the Secretary of Housing and Urban Development determines, for any geographic area that is smaller than an area for which dollar amount limitations on the principal obligation of a mortgage are determined under section 203(b)(2) of the National Housing Act, that a higher such maximum dollar amount limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Secretary may, for mortgages for which the mortgagee issues credit approval for the borrower during calendar year 2010, increase the maximum dollar amount limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section), but in no case to an amount that exceeds the amount specified in section 202(a)(2) of the Economic Stimulus Act of 2008.

''SEC. 167. (a) LOAN LIMIT FLOOR BASED ON 2008 LEVELS.—For mortgages originated during calendar year 2010, if the limitation on the maximum original principal obligation of a mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation determined under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) or section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C.1754(a)(2)) respectively, for any size residence for any area is less than such maximum original principal obligation limitation that was in effect for such size residence for such area for 2008 pursuant to section 201 of the Economic Stimulus Act of 2008 (Public Law 110–185; 122 Stat. 619), notwithstanding any other provision of law or of this joint resolution, the limitation on the maximum original principal obligation of a mortgage for such Association and Corporation for such size residence for such area shall be such maximum limitation in effect for such size residence for such area for 2008.

''(b) DISCRETIONARY AUTHORITY FOR SUB-AREAS.—Notwithstanding any other provision of law or of this joint resolution, if the Director of the Federal Housing Finance Agency determines, for any geographic area that is smaller than an area for which limitations on the maximum original principal obligation of a mortgage are determined for the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, that a higher such maximum original principal obligation limitation is warranted for any particular size or sizes of residences in such sub-area by higher median home prices in such sub-area, the Director may, for mortgages originated during calendar year 2010, increase the maximum original principal obligation limitation for such size or sizes of residences for such sub-area that is otherwise in effect (including pursuant to subsection (a) of this section) for such Association and Corporation, but in no case to an amount that exceeds the amount specified in the matter following the comma in section 201(a)(l)(B) of the Economic Stimulus Act of 2008.

''SEC. 168. Notwithstanding any other provision of this joint resolution, for mortgages for which the mortgagee issues credit approval for the borrower during calendar year 2010, the second sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) shall be considered to require that in no case may the benefits of insurance under such section 255 exceed 150 percent of the maximum dollar amount in effect under the sixth sentence of section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

''SEC. 169. Notwithstanding any other provision of this joint resolution, other than section 106, up to $200,000,000 of the funds provided by Public Law 111–8 that are available on October 1, 2009, in the 'Tenant-Based Rental Assistance' account may be available to adjust allocations for public housing agencies to prevent termination of assistance to families.''.

And the Senate agree to the same.

DAVID R. OBEY,
NORMAN D. DICKS,
JAMES P. MORAN,
ALAN B. MOLLOHAN,
BEN CHANDLER,
MAURICE, D. HINCHEY,
JOHN W. OLVER
ED PASTOR,
DAVID E. PRICE,
Managers on the Part of the House.

DIANNE FEINSTEIN,
ROBERT C. BYRD,
PATRICK J. LEAHY,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
HERB KOHL,
TIM JOHNSON,
JACK REED,
BEN NELSON,
JON TESTER,
DANIEL K. INOUYE,
LAMAR ALEXANDER,
THAD COCHRAN,
ROBERT F. BENNETT,
JUDD GREGG,
LISA MURKOWSKI,
SUSAN M. COLLINS,
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 disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2996), making appropriations for the Department of the Interior, Environment and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 2996 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 111–180 or Senate Report 111–38 that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

Except as expressly provided otherwise, any reference to ''this Act'' or ''at the end of this statement'' shall be treated as referring only to the provisions of this division.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

REPROGRAMMING GUIDELINES

The following are the procedures governing reprogramming actions for programs and activities funded in the Department of the Interior, Environment and Related Agencies Appropriations Act.

Definitions.—''Reprogramming,'' as defined in these procedures, includes the reallocation of funds from one budget activity, budget line-item or program area, to another within any appropriation funded in this Act. In cases where either the House or Senate Committee report displays an allocation of an appropriation below those levels, that more detailed level shall be the basis for reprogramming.

For construction, land acquisition and forest legacy accounts, a reprogramming constitutes the reallocation of funds, including unobligated balances, from one construction, land acquisition, or forest legacy project to another such project. The construction, land acquisition and forest legacy projects and amounts identified in the ''Incorporation of Congressionally Requested Projects'' table at the end of this statement of managers may be reprogrammed, but only pursuant to Section 444 of this Act.

A reprogramming shall also consist of any significant departure from the program described in the agency's budget justifications. This includes proposed reorganizations, especially those of significant national or regional importance, even without a change in funding. Any change to the organization table presented in the budget justification shall be subject to this requirement.

General Guidelines for Reprogramming.—

(a) A reprogramming should be made only when an unforeseen situation arises; and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage.

(b) Any project or activity, which may be deferred through reprogramming, shall not later be accomplished by means of further reprogramming; but, instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(c) Except under the most urgent situations, reprogramming should not be employed to initiate new programs or increase allocations specifically denied or limited by Congress, or to decrease allocations specifically increased by the Congress.

(d) Reprogramming proposals submitted to the House and Senate Committees on Appropriations for approval shall be considered approved 30 calendar days after receipt if the Committees have posed no objection. However, agencies will be expected to extend the approval deadline if specifically requested by either Committee.

Criteria and Exceptions.—A reprogramming must be submitted to the Committees in writing prior to implementation if it exceeds $1,000,000 annually or results in an increase or decrease of more than 10 percent annually in affected programs, with the following exceptions:

(a) With regard to the Tribal priority allocations of the Bureau of Indian Affairs, there is no restriction on reprogrammings among these programs. However, the Bureau shall report on all reprogrammings made during a given fiscal year no later than 60 days after the end of the fiscal year.

(b) With regard to the Environmental Protection Agency, State and Tribal Assistance Grants account, the Committee does not require reprogramming requests associated with States and Tribes Partnership Grants.

Assessments.—''Assessment'' as defined in these procedures shall refer to any charges, reserves, or holdbacks applied to a budget activity or budget line item for costs associated with general agency administrative costs, overhead costs, working capital expenses, or contingencies.

(a) No assessment shall be levied against any program, budget activity, subactivity, budget line item, or project funded by the Interior, Environment, and Related Agencies Appropriations Act unless such assessment and the basis therefore are presented to the Committees on Appropriations in the budget justifications and are subsequently approved by the Committees. The explanation for any assessment in the budget justification shall show the amount of the assessment, the activities assessed, and the purpose of the funds.

(b) Proposed changes to estimated assessments, as such estimates were presented in

annual budget justifications, shall be submitted through the reprogramming process and shall be subject to the same dollar and reporting criteria as any other reprogramming.

(c) The Committees direct that each agency or bureau which utilizes assessments shall submit an annual report to the Committees which provides details on the use of all funds assessed from any other budget activity, line item, subactivity, or project.

(d) In no case shall contingency funds or assessments be used to finance projects and activities disapproved or limited by Congress, or to finance programs or activities that could be foreseen and included in the normal budget review process.

Quarterly Reports.—All reprogrammings between budget activities, budget line-items, program areas or the more detailed activity levels shown in the Statement of the Managers, including those below the monetary thresholds established above, shall be reported to the Committees within 60 days of the end of each quarter and shall include cumulative totals for each budget activity, budget line item, or construction, land acquisition, or forest legacy project.

Land Acquisitions, Easements, and Forest Legacy.—Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91–646), unless such acquisitions are submitted to the Committees on Appropriations for approval in compliance with these procedures.

Land Exchanges.—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than $1,000,000, shall not be consummated until the Committees have had a 30-day period in which to examine the proposed exchange. In addition, the Committee shall be provided advance notification of exchanges valued between $500,000 and $1,000,000.

Budget Structure.—The budget activity or line item structure for any agency appropriation account shall not be altered without advance approval of the House and Senate Committees on Appropriations.

Report Language.—Any limitation or directive contained in either the House or Senate report which is not contradicted by the other report nor specifically denied in the conference report shall be considered as having been approved by both Houses of Congress.

RENEWABLE ENERGY AND PUBLIC LANDS

The conferees understand that renewable energy will become a more significant source of power for the Nation and that the Department of the Interior and the Forest Service will play a prominent role in its development. However, the conferees are concerned about the impacts these projects may have on the landscape and water resources, particularly those for wind and solar power. Proposed solar projects can each cover several square miles and the newest wind turbines are over 500 feet tall. Appropriate siting of these projects and cost-appropriate size limitations are critical to ensuring that the pristine landscapes, limited water resources, and magnificent views of the country's public lands and coastlines are protected.

Accordingly, within 180 days of enactment, the conferees direct the Department of the Interior to submit a report in consultation with the Forest Service on the criteria used for siting renewable energy projects, including the extent to which protection of scenic landscapes, ridgetops, water resources, habitat including that for endangered species, and shorelines will be considered. The report should also provide a detailed strategic plan on how the Department and the Forest Service will coordinate the development of such projects, particularly in areas where there is mixed ownership or management by the Department of the Interior, Forest Service, Department of Defense, and non-Federal landowners. Additionally, the report should identify specifically what areas of the public lands and the Outer Continental Shelf will be considered for projects based on: (1) their potential for renewable energy generation; (2) what additional transmission lines will be necessary to connect these new sources of power to the energy grid; (3) where these transmission lines will be placed; (4) the methodology to be used to limit the size of solar troughs and photovoltaic facilities, and (5) the impact on water resources.

The report should also include an analysis of the useful life of renewable energy sites and provide an explanation of how the infrastructure will be removed from the public lands when it is no longer functional. The conferees believe that some mechanism, such as a bond put forth by the permittees, should be utilized by the Department and the Forest Service so that the government does not have to pay for the removal of these large facilities after they are no longer viable.

The Department of the Interior and Forest Service should consult with the Congress on a regular basis as they proceed with the development of policies and the preparation of environmental documents and permitting of renewable energy projects.

The conferees believe that renewable energy developers should have less difficulty permitting their projects on disturbed private lands than on pristine public lands, in order to facilitate greater species protection and stewardship of public resources and public lands. The conferees recommend that the Secretary evaluate whether a cooperative agreement with States under Section 6 of the Endangered Species Act, the establishment of a Section 4(d) rule under the same Act, or the creation of a template ''general habitat conservation plan'' would improve the permitting process for solar projects on private lands in the California desert.

GLOBAL CLIMATE CHANGE SCIENCE AND ADAPTATION

The conference agreement includes a major investment in science and management related to impacts of global warming. Overall, the bill provides over $400,000,000, including funds for the Department of the Interior climate change initiative and substantial investments at the Environmental Protection Agency, Forest Service, and Smithsonian Institution. The conference agreement supports direction provided by both the House and the Senate regarding this issue. This includes the need for a national strategy for dealing with climate change, as well as continued development of the National Climate Change and Wildlife Science Center at the U.S. Geological Survey as a model for further implementation of an integrated approach to climate change science and adaptation by the Interior Department bureaus. The conference agreement also includes a provision in Section 426 requiring a detailed report on the Administration's obligations, expenditures and activities regarding climate change programs. The conferees expect that the next budget request will include cross-cutting tables for all Federal climate change related activities including climate change observation, science, and management implementation of adaptation and mitigation.

The conferees note the previous direction provided within the fiscal year 2009 appropriations act directing the Secretary of the Interior to develop a national strategy to assist fish, wildlife, plants, and associated ecological processes in becoming more resilient, adapting to, and surviving the impacts of climate change. This conference agreement provides ample funds to accomplish substantial scientific and management activities, but this needs to be done within the context of an integrated approach among the various Federal departments, States, Tribes and other institutions. The conferees urge the Council on Environmental Quality, working closely with the Department of the Interior as the lead department, to develop a national, government-wide strategy to address climate impacts on fish, wildlife, plants, and associated ecological processes. It should provide that there is integration, coordination, and public accountability to ensure efficiency and avoid duplication. The conferees expect to receive a timeline and a blueprint for the completion of such a national strategic planning effort, as well as regular updates as progress is made.

The conferees are encouraged by aspects of the recent Interior Department Secretarial Order addressing the impacts of climate change on America's water, land and other natural and cultural resources, as well as the draft Fish and Wildlife Service national strategy for climate change adaptation, mitigation and engagement. However, it is essential that further departmental implementation of the Secretary's order on climate change build upon the successful National Climate Change and Wildlife Science Center (NCCWSC) and its approach to provide regional science application centers focused on fauna, flora and ecological processes as previously described in Congressional direction and the budget request. The future identity and activities of the NCCWSC must be distinct and accountable, while also working with other departmental and national efforts on climate change science and applications.

LAND ACQUISITION

The conferees are concerned that lands acquired with funds appropriated via the Land and Water Conservation Fund are being, or have been, made available for uses inconsistent with the recreation, conservation or public access for which they were purchased. Accordingly, the conferees direct the Secretary of the Interior and the Secretary of Agriculture to notify the House and Senate Committees on Appropriations before any land use or management decision is made that will change the use of the land from conservation or recreational use. Additionally, the conferees encourage the Secretaries of Agriculture and Interior to include land acquisition projects that provide increased access to our Federally-owned public lands to provide opportunities for the public to recreate and enjoy our nation's natural resources.

The conferees direct the agencies to use inholdings funding to acquire high priority lands that are threatened by development and are partially or entirely bordered by land currently owned by the Federal government. The conferees have been advised that each of the land management agencies has unique inholding acquisition policies and practices that have not been coordinated with each of the other agencies. It is the intention of the conferees that there be a single set of policies for implementing Land and Water Conservation Fund acquisitions to the maximum extent possible. Therefore, the Secretaries of the Interior and Agriculture are directed to jointly examine the policies and practices of each land management agency and submit a report on findings and recommendations to the House and Senate Committees on Appropriations by June 30, 2010.

The conferees continue to be concerned about the delays in obtaining adequate appraisals for acquisition of Federal lands.

Consistent with the language included in the House report, the conferees direct the Department of the Interior to revisit the Department-wide appraisal services consolidation and immediately address the undue delays in obtaining appraisals for Federal land acquisition projects.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

(INCLUDING RESCISSION OF FUNDS)

The conference agreement provides $958,571,000 for Management of Lands and Resources instead of $950,496,000 as proposed by the House and $965,721,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Range Management.—Within the funds provided for range management, the agreement designates $1,000,000 to help reduce the backlog in grazing permits. The conferees recognize that the increasing numbers of expiring permits, increased costs for processing, and litigation, has resulted in a significant backlog and workload in processing permits. This funding should be targeted to those areas where litigation is causing significant delays.

Cultural Resources Management.—The conference agreement includes $500,000 above the request for cultural resource activities in wilderness lands as authorized by the Omnibus Public Lands Act of 2009. The Senate had recommended $1,000,000 for this activity.

Wild Horse and Burro Management.—The conference agreement provides $63,986,000 for wild horse and burro management, an increase of $23,373,000 above the fiscal year 2009 level. This is a 58 percent increase, by far the largest increase ever provided for this program. The conference agreement requires the Bureau to follow the Senate direction for this program. The conferees note that the bill language proposed by the Senate within administrative provisions provides that funds shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the BLM or its contractors, or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

Wildlife Management.—Within the funds provided for wildlife management, the conference agreement includes increases of $500,000 each above the request for the general wildlife and plant conservation programs as was proposed by the House.

Threatened and Endangered Species Management.—The conference agreement includes the Senate-proposed additions of $200,000 for the general program and $300,000 for redband trout and salmon habitat assessment and restoration in Nevada.

Realty and Ownership Management.—The conference agreement includes the Senate proposed additions of $100,000 for the general cadastral survey program and $300,000 for the Utah Rural Cadastral Data Program.

The conferees strongly encourage the BLM to apply the necessary resources to complete landscape scale assessments by the end of fiscal year 2010 on the Mojave Basin and Range, Central Basin and Range, Sonoran Desert, and the Colorado Plateau. These assessments should, at a minimum, include spatial analyses of priority conservation areas, renewable energy potential, invasive species, and wildfires.

Resource Protection and Maintenance.—The conference agreement includes a $500,000 increase for law enforcement and the Senate proposed addition of $1,000,000 for travel and transportation plans for lands authorized by the Omnibus Public Lands Act of 2009.

National Monuments and Conservation Areas.—The conference agreement includes a $2,500,000 general program increase above the request for national monuments and conservation area management.

Bill Language.—The conference agreement includes a $1,000,000 rescission of funds provided in fiscal year 2009 for oil shale core samples; this project was accomplished from other funding sources. A technical change is included to correct language regarding mining claim maintenance fees and location fees.

CONSTRUCTION

The conference agreement includes the funds requested for Construction, plus additions recommended by the Senate of $36,000 for architectural and engineering services and $2,000,000 for the California National Historic Trail visitor center interpretative displays in Nevada. The funding includes:

State	Project	Amount
AK	Anchorage Field Office—Campbell Airstrip Safety Fencing.	$190,000
AZ	Gila District—Browning Ranch House Preservation.	124,000
AZ	Lake Havasu—Partners Point Waterline	110,000
CA	California Radio Fencing and Grounding Improvement.	537,000
CA	Hollister Field Office—El Toro Creek Parking Project.	1,209,000
CA	Barstow—Sawtooth Campground and Trail	541,000
CO	Grand Junction Field Office—Bridgeport Access Trail.	176,000
ID	Salmon Field Office—Lemhi River Total Maximum Daily Load Road Maintenance.	1,588,000
ID	Salmon Field Office—Sharkey Hot Springs Renovation.	287,000
NV	California National Historic Trail Interpretive Center.	2,000,000
UT	Salt Lake District—Five Mile Pass Recreation Site Facility.	362,000
UT	West Desert District—Knolls Facility	381,000
UT	Pelican Lake Recreation Site Reconstruction	697,000
	Subtotal, projects	8,202,000
	Architectural and engineering services	424,000
	Total	8,626,000

LAND ACQUISITION

The conference agreement includes $29,650,000 instead of $26,529,000 as proposed by the House and $28,650,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
CA	California Wilderness	$1,500,000
CA	Johnson Canyon Area of Critical Environmental Concern.	1,500,000
CA	King Range National Conservation Area	2,000,000
CA	Lacks Creek Area of Critical Environmental Concern.	750,000
CA	Santa Rosa and San Jacinto Mountains National Monument.	500,000
CA	Upper Sacramento River Area of Critical Environmental Concern.	2,800,000
MT	Blackfoot River Special Recreation Management Area.	4,500,000
MT	Meeteetsee Spires Area of Critical Environmental Concern.	1,500,000
NM	La Cienega Area of Critical Environmental Concern/El Camino Real De Tierra Adento National Historic Trail.	3,000,000
NM	Lesser Prairie Chicken Habitat Area of Critical Environmental Concern.	1,500,000
OR	Cascade-Siskiyou National Monument	1,000,000
OR	Sandy River/Oregon National Historic Trail	2,100,000
WY	Craig Thomas Little Mountain Special Management Area.	2,000,000
	Subtotal, Line Item Projects	$24,650,000
	Acquisition Management	2,000,000
	Inholdings, Emergencies, and Hardships	3,000,000
	Total, BLM Land Acquisition	29,650,000

Bill Language.—The conference agreement includes bill language making available $2,000,000 for the Upper Snake/South Fork River Area of Critical Environmental Concern/Special Resource Management Area from funds appropriated in FY 2009 for the Henry's Lake Area of Critical Environmental Concern, as proposed by the Senate.

OREGON AND CALIFORNIA GRANT LANDS

The conference agreement provides $111,557,000 as requested and proposed by both the House and the Senate for Oregon and California Grant Lands. The detailed allocation of funding by activity is included in the table at the end of the statement.

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

The conference agreement includes language, as in the past, allowing funds made available in the Forest Ecosystem Health and Recovery Fund to be used for various forestry purposes including planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem restoration activities. This authority is extended through fiscal year 2015 as proposed by the House.

RANGE IMPROVEMENTS

The conference agreement includes an indefinite appropriation of not less than $10,000,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts. This was requested and was proposed by both the House and the Senate. Receipts are used for construction, purchase, and maintenance of range improvements, such as seeding, fence construction, weed control, water development, fish and wildlife habitat improvement, and planning and design of these projects.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The conference agreement includes an indefinite appropriation estimated to be $31,255,000 for Service Charges, Deposits, and Forfeitures as requested and proposed by both the House and the Senate. The appropriation is offset with fees collected under specified sections of the Federal Land Policy and Management Act of 1976 and other Acts to pay for reasonable administrative and other costs.

MISCELLANEOUS TRUST FUNDS

The conference agreement includes an indefinite appropriation estimated to be $20,130,000 for Miscellaneous Trust Funds as requested and proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

The conference agreement includes the Administrative Provisions as requested, and includes two additional items proposed by the Senate. The first provides authority for the BLM to carry out operations by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. The second provides that appropriations shall not be available for destruction of healthy, unadopted, wild horses and burros in the care of the BLM or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products. The agreement also includes a technical correction to a minor amendment made in fiscal year 2009 regarding mining claim maintenance and location fees.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The conference agreement includes $1,269,406,000 instead of $1,248,756,000 as proposed by the House and $1,244,386,000 as proposed by the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. In addition to the directions included in the House and Senate Committee reports, the conference agreement includes the following directions:

Ecological Services.—The conference agreement includes $311,227,000 instead of

$295,127,000 as proposed by the House and $305,677,000 as proposed by the Senate.

Within the funds provided for the listing program there is $11,632,000 for critical habitat and $10,471,000 for listing. Within the funds for candidate conservation, there is $1,000,000 for sage grouse conservation in Idaho and a general increase of $1,000,000. There is an increase in the consultation program of $2,500,000 for increased monitoring and record-keeping pursuant to recommendations by the GAO.

Within the funds for the recovery program, there is $3,000,000 for responding to the State of the Birds report, $1,000,000 for the livestock loss demonstration program, $1,900,000 for increased research and monitoring on white nose syndrome in bats, $350,000 for Lahontan cutthroat trout restoration, $1,500,000 for endangered species grants to be administered by the National Fish and Wildlife Foundation, $350,000 for sea eider conservation efforts, $500,000 for whooping crane breeding facilities in Louisiana, and an increase of $200,000 for additional wolf monitoring in western States.

The conferees support the requested funding for aplomado falcon and California condor recovery. The Service is encouraged to continue to support these ongoing, successful recovery efforts.

The conferees intend that the funding included for the State of the Birds report be used to begin to initiate actions in response to the recently published multi-agency report, *The State of the Birds, United States of America, 2009*. This report provides a comprehensive overview of the crises and challenges confronting birds in every part of the country. The situation for native birds in Hawaii is particularly dire. Seventy-one known species of Hawaiian birds have gone extinct. Predator control and habitat preservation are critical to the survival of the 31 species of endangered birds remaining in Hawaii. The conferees therefore recommend that a significant portion of this funding be used to develop a comprehensive strategy, hire staff, and begin on the ground projects to recover endangered and threatened bird species in Hawaii.

The conference agreement includes $1,000,000 for the Wolf Livestock Loss Demonstration Project as authorized by the Omnibus Public Lands Management Act of 2009. These funds will be used to provide grants to States and Indian Tribes to assist livestock producers in undertaking proactive, non-lethal activities to reduce the risk of livestock loss due to predation by wolves, and to compensate livestock producers, as appropriate, for livestock losses due to such predation. This is a new demonstration program and the conferees encourage the agencies to act quickly to implement the program.

The Service should implement program guidelines that establish criteria for the disbursal of funds to ensure that the funds are spent efficiently and effectively with a minimum potential for waste and abuse. The Service should consult with representatives from the relevant agencies and key stakeholders to create the guidelines. The guidelines should ensure that each participating State/Tribe allocates money evenly between compensation and non-lethal activities specified in the Act and, in order to work towards reducing depredations overall, that only livestock owners who demonstrate reasonable use of nonlethal methods will remain eligible for compensation after one initial incident of reimbursable depredation.

The conferees recommend $1,900,000 for research, monitoring, and related activities to respond to the massive mortality in bats from white nose syndrome (WNS) in the northeastern and Appalachian States. This is an increase of $1,400,000 over the Senate proposed amount. WNS is spreading rapidly and poses threats of extinction to several bat species. The Service is spearheading efforts to better understand this deadly disease and learn how to limit its spread, working in conjunction with the U.S. Geological Survey, National Park Service, U.S. Forest Service, State and local partners, scientists, caving groups and conservation organizations.

Within the funds for the partners for fish and wildlife program, there is $6,000,000 for climate change projects, $1,000,000 for invasive species management in Hawaii, $350,000 for the Natural Resources Economic Enterprises Program at Mississippi State University, $500,000 for milfoil control in Maine lakes, and $500,000 for stream bank restoration in Georgia.

Within the funds provided, the conferees have included $750,000 for the Secretary of the Interior to contract with the National Academy of Sciences to conduct studies in support of sustainable water and environmental management of the Sacramento-San Joaquin Delta in California. A study shall be completed no later than March 15, 2010, addressing questions drafted by the Secretary on the subjects of (1) whether the science supports the assumptions and conclusions in the biological opinions regarding the Bureau of Reclamation operations in the Central Valley, and (2) whether lesser restrictions on pumping could avoid jeopardy to the species.

There are program increases of $1,000,000 for the coastal program, $250,000 for the national wetlands inventory and $500,000 for the environmental contaminants program.

National Wildlife Refuge System.—The conference agreement provides $503,279,000 for the National Wildlife Refuge System as proposed by the House, instead of $488,629,000 as proposed by the Senate.

Within the funds provided for the refuge system there are increases over the request of $16,000,000 for wildlife and habitat management, $1,000,000 for the volunteer program, $2,000,000 for refuge law enforcement, and $1,000,000 for conservation planning. Within the funding provided for refuge system maintenance, there is a $2,000,000 increase for annual maintenance and a $2,000,000 decrease for deferred maintenance. Within the funds provided for wildlife and habitat management, the Service is directed to provide $1,200,000 for invasive rat eradication on Palmyra Atoll to protect native bird populations.

The conferees remain concerned about the situation on the southwest border and encourage the Service to direct a portion of the increase for law enforcement to the southwest.

The conferees are concerned that the Service is not dedicating sufficient resources to the management of the new marine national monuments and urge the Service to increase resources for managing the monuments and partnering with other Federal, international, and private entities.

Migratory Bird Management, Law Enforcement, and International Affairs.—The conference agreement provides $134,743,000 for migratory bird management, law enforcement and international affairs instead of $133,593,000 as proposed by the House and $133,573,000 as proposed by the Senate.

Within the funds provided for migratory birds, law enforcement and international programs, there are increases of $500,000 for new urban treaties as a part of the Department-wide youth initiative, $1,000,000 for joint ventures under the North American Waterfowl Management Plan, $2,000,000 for law enforcement operations, $1,000,000 for the wildlife without borders program, and $150,000 for the Caddo Lake Ramsar Center. The increase for joint ventures is intended to provide all approved joint ventures with sufficient base funding.

The conferees are aware of the impacts of the chytrid disease on amphibian species worldwide. Amphibian species are disappearing at over 200 times their historic rate. The conferees urge the Service to use a portion of the increase provided for the wildlife without borders program to work with the international conservation community to establish conservation and captive breeding programs as well as to support the development and testing of novel methods to combat amphibian chytrid to conserve the most imperiled of these species.

Fisheries.—The conference agreement provides $148,345,000 for the fisheries program instead of $144,195,000 as proposed by the House and $143,695,000 as proposed by the Senate.

Within the funds provided for fisheries and aquatic resource conservation, there is: $2,150,000 to conduct scientific review of the Klamath, North Coast, and Central Valley hatchery operations in California; $1,000,000 for mass marking fisheries in the Great Lakes; $500,000 general increase for fish hatchery operations; $500,000 for native freshwater mussel recovery; $1,300,000 to establish a Fisheries Resource Office in West Virginia to focus on aquatic species restoration and management in the Appalachian Highlands; $2,000,000 to control the spread of and eradicate invasive quagga and zebra mussels; and $200,000 for sea otter and Steller sea lion conservation in Alaska.

The conference agreement includes $2,000,000 above the President's request for the Service to respond to the urgent nationwide problem of invasive mussels entering lakes and rivers in the U.S. These mussels crowd out native species and encrust any hard surface, including municipal water supply pipes and boat motors. They are easily spread by watercraft from one location to another and are nearly impossible to eradicate once established. For example, the infestation of quagga mussels in Lake Mead was first found in 2007. The number of quagga mussels has grown to 3 trillion since then and is likely irreversible. Today, infestation by quagga and zebra mussels and Asian clams is threatening the pristine waters of Lake Tahoe. The introduction of these aquatic nuisance species to the Lake Tahoe region could have devastating effects to the regional economy, including effects on recreation, tourism, property values, and other infrastructure. Therefore, the conferees strongly encourage the Service to devote a significant portion of the increase to the study, construction, staffing, and other expenses necessary for watercraft inspection and decontamination stations to be located away from boat and vessel ramps at Lake Tahoe, Echo Lake, and Fallen Leaf Lake. The conferees recommend that such inspection and decontamination stations be located on each of the seven roads leading to the Lake Tahoe region. Further, the conferees believe that the Service should increase its coordination with local, State and Federal entities, including the U.S. Forest Service, to prevent quagga mussels and other aquatic invasive species from entering the Lake Tahoe ecosystem.

Climate Change Adaptive Science.—The conference agreement includes $20,000,000 for climate change adaptive science, as proposed by both the House and the Senate.

The conferees have included the requested funding for climate change activities. Consistent with language included elsewhere in this statement, the Service is directed to implement its climate change activities, including the landscape conservation cooperatives, within the scope of the Service's national strategy for climate change, the Secretary's order on climate change, and the National Climate Change and Wildlife Science Center in the U.S. Geological Survey. Additionally, the Service should fully

integrate these activities with other Federal agencies, States, Tribes and other partners.

General Administration.—The conference agreement provides $152,812,000 for general administration as proposed by the Senate instead of $153,562,000 as proposed by the House.

Within the funds provided for general administration there is an increase of $750,000 for necessary maintenance at the National Conservation Training Center. Funding for the National Fish and Wildlife Foundation is $7,537,000 as proposed by the Senate.

Sale of Surplus Property.—The conference agreement includes the proposed reduction of $1,000,000 due to the sale of surplus property.

CONSTRUCTION

The conference agreement includes $37,439,000 instead of $21,139,000 as proposed by the House and $39,741,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
	National Wildlife Refuge Projects:	
CA	Don Edwards San Francisco Bay National Wildlife Refuge—Salt Pond Restoration.	$4,000,000
GU	Guam National Wildlife Refuge, Invasive Species Fence Construction.	866,000
HI	Kilauea Point National Wildlife Refuge—Lighthouse Repair.	1,000,000
IN	Big Oaks National Wildlife Refuge, Old Timbers Dam Rehabilitation.	100,000
MN	Fergus Falls Wetland Management District, Stang Lake Dam.	175,000
MS	Theodore Roosevelt National Wildlife Refuge—Visitor Center/Office.	2,000,000
OK	Wichita Mountains Wildlife Refuge, Lake Rush Dam.	4,100,000
WA	Turnbull National Wildlife Refuge, Lower Pine Lake Dam.	250,000
WV	Canaan Valley National Wildlife Refuge—Trails.	850,000
WV	Ohio River Islands National Wildlife Refuge—Erosion Control.	800,000
Mult.	National Wildlife Refuge System Visitor Facility Enhancements.	3,000,000
Mult.	National Wildlife Refuge System Green Energy Projects.	2,000,000
	National Fish Hatchery Projects:	
AZ	Willow Beach National Fish Hatchery, Water Treatment.	482,000
PA	Allegheny National Fish Hatchery, Fish Production and Electrical Systems.	1,500,000
WA	Quinault National Fish Hatchery, Replace Electric Fish Barriers.	1,000,000
WV	White Sulphur Springs National Fish Hatchery—Water Supply System.	1,500,000
WY	Jackson National Fish Hatchery, Replace Water Supply Line.	1,650,000
Mult.	National Fish Hatchery System Visitor Facility Enhancements.	400,000
Mult.	National Fish Hatchery System Green Energy Projects.	600,000
	Other Projects:	
NV	Nevada Water Catchments	150,000
	Subtotal, Line Item Projects	26,423,000
	Dam & Bridge Safety Inspections	1,855,000
	Nationwide Engineering Services	9,161,000
	Total, FWS Construction	37,439,000

LAND ACQUISITION

The conference agreement includes $86,340,000 instead of $69,250,000 as proposed by the House and $82,790,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
AK	Alaska Maritime National Wildlife Refuge	$300,000
AK	Togiak National Wildlife Refuge	325,000
AK	Yukon Delta National Wildlife Refuge	365,000
AL	Bon Secour National Wildlife Refuge	500,000
AZ	Leslie Canyon National Wildlife Refuge	500,000
CA	Grasslands Wetland Management Area	1,000,000
CA	San Joaquin River National Wildlife Refuge	2,000,000
CT	Stewart McKinney National Wildlife Refuge	2,000,000
DE	Prime Hook National Wildlife Refuge	1,000,000
FL	Crystal River National Wildlife Refuge, Three Sisters Spring.	1,500,000
FL	St. Marks National Wildlife Refuge	500,000
GA	Bond Swamp National Wildlife Refuge	1,200,000
HI	James Campbell National Wildlife Refuge	7,400,000
IA	Driftless Area National Wildlife Refuge	450,000
IA, MN	Northern Tallgrass Prairie National Wildlife Refuge.	500,000
IA, MN, WI, IL	Upper Mississippi River National Wildlife & Fish Refuge.	1,200,000
IL	Cypress Creek National Wildlife Refuge	500,000
IN	Patoka River National Wildlife Refuge	1,150,000
KY	Clarks River National Wildlife Refuge	750,000
LA	Red River National Wildlife Refuge	1,000,000
LA	Upper Ouachita National Wildlife Refuge	500,000
MA, CT, VT, NH.	Silvio Conte National Wildlife Refuge	2,500,000
MD	Blackwater National Wildlife Refuge	2,000,000
ME	Maine Coastal Islands National Wildlife Refuge.	1,000,000
ME	Rachel Carson National Wildlife Refuge	3,000,000
MO	Big Muddy National Fish & Wildlife Refuge	300,000
MS	Panther Swamp National Wildlife Refuge	500,000
MT	Red Rock Lakes National Wildlife Refuge	1,000,000
MT	Rocky Mountain Front Conservation Area	3,750,000
ND, SD	Dakota Tallgrass Prairie Wetland Management Area.	1,000,000
ND	North Dakota Wetland Management Area	1,000,000
NE	Rainwater Basin Wetlands Management District.	500,000
NH	Lake Umbagog National Wildlife Refuge	1,000,000
NJ	Cape May National Wildlife Refuge	2,000,000
NJ	Edwin B. Forsythe National Wildlife Refuge	1,100,000
NJ	Great Swamp National Wildlife Refuge	1,000,000
NJ	Wallkill National Wildlife Refuge	1,400,000
NM	Sevilleta National Wildlife Refuge	500,000
OR	Nestucca Bay National Wildlife Refuge	1,000,000
PA	Cherry Valley National Wildlife Refuge	750,000
PA, CT, NJ, NY.	Highlands Conservation Act	4,000,000
RI	John H. Chafee National Wildlife Refuge	900,000
SC	Ernest F. Hollings ACE Basin National Wildlife Refuge.	500,000
SC	Waccamaw National Wildlife Refuge	600,000
TN	Chickasaw National Wildlife Refuge	500,000
TX	Balcones Canyonlands National Wildlife Refuge.	1,000,000
TX	Laguna Atascosa National Wildlife Refuge	500,000
TX	Lower Rio Grande Valley National Wildlife Refuge.	1,000,000
TX	San Bernard National Wildlife Refuge, Austin's Woods Unit.	1,250,000
UT	Bear River Migratory Bird Refuge	1,300,000
VA	Back Bay National Wildlife Refuge	545,000
VA	Great Dismal Swamp National Wildlife Refuge.	500,000
VA	James River National Wildlife Refuge	1,000,000
VA	Rappahannock River National Wildlife Refuge, Bowers Property.	500,000
WA	Nisqually National Wildlife Refuge	500,000
WA	Turnbull National Wildlife Refuge	1,500,000
WA	Willapa National Wildlife Refuge	750,000
	Subtotal, Line Item Projects	66,785,000
	Acquisition Management	10,555,000
	Cost Allocation Methodology	2,000,000
	Exchanges	2,000,000
	Inholdings, Emergencies, and Hardships	5,000,000
	Total, FWS Acquisition	86,340,000

Bill Language.—The conference agreement includes bill language allowing the Service to fund limited administrative costs for the Highlands Conservation Act program administration.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The conference agreement provides $85,000,000 for the Cooperative Endangered Species Conservation Fund instead of $100,000,000 as proposed by the House and $85,001,000 as proposed by the Senate.

The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides $14,500,000 for payments to counties authorized by the National Wildlife Refuge Fund, as proposed by the Senate, instead of $14,100,000 as proposed by the House.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides $47,647,000 for the North American Wetlands Conservation Fund instead of $52,647,000 as proposed by the House and $45,147,000 as proposed by the Senate. A detailed allocation of funding by activity is included in the table at the end of this section of the statement.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The conference agreement provides $5,000,000 for Neotropical Migratory Bird Conservation, as proposed by the Senate instead of $5,250,000 as proposed by the House.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides $11,500,000 for the Multinational Species Conservation Fund as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

STATE AND TRIBAL WILDLIFE GRANTS

The conference agreement provides $90,000,000 for State and Tribal Wildlife Grants instead of $115,000,000 as proposed by the House and $80,000,000 as proposed by the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. In addition to the directions included in the House and Senate Committee reports, the conference agreement includes the following directions:

The conference agreement includes $12,000,000 for competitive grants, including $7,000,000 for Tribes and $5,000,000 for States. The conferees are supportive of these competitive grant programs as a way to promote wildlife conservation. The conferees direct the Service to report to the House and Senate Committees on Appropriations on the use of these competitive funds in fiscal year 2008 and 2009, including the types of grants administered and the extent to which these grants were coordinated with other State and Tribal conservation plans. The Service should submit this report within 90 days of enactment of this Act.

The conference agreement includes $78,000,000, an increase of $15,000,000 above the fiscal year 2009 enacted level for the State and Tribal apportioned grants. The conferees recognize the need for States, Tribes and Territories to update their plans to respond to climate change, but feel that this can be done within the framework of the required plan updates. Therefore, the conferees have not included language directing a portion of these funds for additional planning efforts focused on climate change. The conferees consider climate change to be an integral component of State and Tribal wildlife action plan implementation and recommend that the States use the increased funding provided for on-the-ground conservation projects to adapt and mitigate the effects of climate change on wildlife populations.

Bill Language.—The conference agreement modifies bill language included in the House and Senate bills changing the State share of implementation grants to 35 percent instead of 25 percent as proposed by the House and 50 percent as proposed by the Senate. In addition, the conference agreement does not include language included by the House that limits funding to States or territories that do not have approved wildlife action plans. The conferees understand that all States, territories and other jurisdictions now have approved plans.

The conference agreement does not include requested funds for Federal Aid in Wildlife Restoration.

ADMINISTRATIVE PROVISIONS

Bill Language.—The conference agreement includes language, as in the Senate bill, allowing the Service to carry out the operations of programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. This language was previously included in the Resource Management account.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides $2,261,559,000 for the Operation of the National Park System instead of $2,260,684,000 as proposed by the House and $2,261,309,000 as proposed by the Senate. The detailed allocation of funding by program and activity for

this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Resource Stewardship.—Within the amount provided, the conference agreement provides the request of $10,000,000 for the Climate Impacts Initiative as proposed by the House instead of $8,000,000 as proposed by the Senate. The agreement also provides $1,250,000 for the Enhanced Ocean and Coastal Resources program, as proposed by the House instead of $2,000,000 as proposed by the Senate.

Visitor Services.—Within the amount provided, the conference agreement provides $247,386,000 for Visitor Services as proposed by the Senate instead of $246,511,000 as proposed by the House. The conferees have provided $375,000 for the web learning component of the Interpretative Renaissance Plan and redirect $1,000,000 of the request to a new pilot program for teaching American history and civics in the National Parks as proposed by the Senate. The conferees further direct the Service to work with the Department of Education to develop curriculum and bring scholars to park units to instruct students and teachers and within 90 days of enactment provide a report to the House and Senate Committees on Appropriations concerning the status of the pilot program.

Facilities Operations and Maintenance.—The conference agreement provides $702,013,000 as proposed by the House instead of $703,013,000 as proposed by the Senate. Within the amount provided, the conferees provide $4,388,000 for the facility management software system.

Bill Language.—The conference agreement includes language to limit the amount for maintenance, repair or rehabilitation projects to $98,622,000 as proposed by the House instead of $99,622,000 as proposed by the Senate.

National Mall Concerts.—As proposed by the House, the conferees direct the National Park Service to increase funding for this program by $350,000 over the level provided in fiscal year 2009.

Sesquicentennial Civil War Planning.—The conferees encourage the National Park Service, in collaboration with the Civil War Preservation Trust and other organizations, to update the content of its website and the information available at its Civil War parks and to employ modern technology and adaptive and interactive media to present this information to the public.

Regional Reorganizations.—The conferees have recently become aware of a planned reorganization of the Northeast Regional Office of the Park Service. The conferees appreciate the Service's willingness to provide information about the planned reorganization and ask that the Service continue to report to the House and Senate Committees on Appropriations its plans for managing the current programs administered by the Boston Regional Office and Service proposals to further change the staffing plan for that office.

Sequoia National Park.—The conferees are aware that the Department of the Interior has been negotiating the renewal terms of a special use permit for the Kaweah hydroelectric project inside Sequoia National Park. Initial proposals from the Department would have resulted in a 2,545 percent fee increase to the operator. The conferees find that situation unacceptable. As such, the Department is directed to continue its negotiations in an effort to reach a fair, cost-effective agreement for the terms of a 10-year special use permit.

Mississippi River Study.—The conferees note that the Mississippi River is one of the Nation's great natural treasures, an integral part of the country's history, and a critical transportation artery for modern commerce. As such, the protection and preservation of natural resources along the Mississippi River, and the telling of the history of this great resource is an important and worthy goal. The conferees therefore direct the Service to identify those natural and cultural resources most in need of protection and preservation and to begin to craft a plan that would address these needs. In undertaking this task, the Service shall consult with the various Federal, State and local units of government along the corridor, and with non-governmental organizations and partner coalitions working on preservation and interpretation initiatives within or along the corridor.

PARK PARTNERSHIP PROJECT GRANTS

The conference agreement provides $15,000,000 for Park Partnership Project Grants instead of $25,000,000 as proposed by the House. Of the amount provided, $10,000,000 will be proportionally derived from the unobligated balance in the recreation fee account. The conferees urge the Director to fund signature projects and programs consistent with the original intent of the program. The conferees direct the Service to provide a report within 90 days of enactment of this Act that (1) outlines the status of the projects announced in January 2009; and (2) provides the criteria to be used to select new projects. After the Service competes the remaining funds for new projects, the Service will provide the House and Senate Committees on Appropriations a complete description of the new projects selected and describe the funds allotted for each project from both Federal and non-Federal sources.

Bill Language.—The conferees have included language that authorizes the National Park Service to use a portion of the high unobligated recreation fee balance to fund projects selected through the Park Partnerships Program.

Recreation Fees.—The conferees remain concerned by the National Park Service's ineffective management of its recreation fee revenues which has led to high unobligated carryover balances over many years. It is clear that dramatic changes are needed to address this problem.

The conferees understand that the Service, in response to Congressional expressions of concern, has developed a phased plan to aggressively reduce the recreation fee carryover balance which was more than $270,000,000 at the beginning of fiscal year 2009. Further, the conferees recognize that existing authority provides the Service sufficient flexibility to address this challenge by reducing the allocation of fee revenues to the largest collecting parks from 80 percent to 60 percent as needed. The conferees encourage the Park Service to exercise this authority fully to meet its goal, as outlined by the Service, to reduce the end-of-year carryover balance to no more than $80,000,000 by January, 2011.

When implemented fully, this plan will redirect funds away from collecting parks with high carryover balances to fund nationally ranked projects that can be commenced quickly. Parks will receive at least 60 percent of their annual collections, which is the minimum allowed by law. To allow these changes to take effect, the conferees will not direct specific changes to the management of the fee program at this time. However, the conferees will closely monitor the implementation of this effort to ensure it dramatically reduces recreation fee carryover balances and results in more efficient use of fee revenues. Lastly, the conferees reserve the option of taking future action to ensure adequate management of recreation fee dollars.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides $68,436,000 for the National Recreation and Preservation program instead of $59,386,000 as proposed by the House and $67,438,000 as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Cultural Programs.—The conferees have included bill language in General Provisions, Department of the Interior, amending the Japanese-American Confinement Site Grants program by authorizing land acquisition grants at the Heart Mountain Relocation Center, WY, as proposed by the House. Similar House bill language authorizing land acquisition grants and donations at Minidoka National Historic Site is not included. At the request of the Department, the conferees have withdrawn the language because of an unresolved issue involving a pre-existing right-of-way and crossing agreement for the Southwest Intertie Project's renewable energy transmission line within or near the Minidoka National Historic Site boundary. The conferees urge the Secretary to resolve the issue quickly, giving fair consideration to the existing rights of all land and permit holders, refraining from acquiring any donations of land or interests therein during the 90 day period following enactment of this Act so that a suitable resolution can be reached, and reporting any progress to the House and Senate Committees on Appropriations within 90 days of enactment of this Act. The conferees remain supportive of the Secretary's renewable energy initiative and also recognize that the Federal government has an obligation to preserve lands for the Minidoka National Historic Site and other relocation centers and to provide for their preservation and interpretation. Accordingly, the conferees have provided $350,000 for land acquisition and $3,000,000 for the Japanese-American Confinement Site Grants program.

Heritage Partnership Program.—Within the amount provided, the conference agreement provides $16,805,000 for commissions and grants as proposed by the House instead of $16,732,000 as proposed by the Senate. The increase above the request will provide at least $150,000 to new heritage areas without approved plans.

Preserve America.—The conference agreement provides $4,600,000 for Preserve America. The conferees have funded this program under the National Recreation and Preservation account, instead of the Historic Preservation Fund account as proposed by the House.

Statutory or Contractual Aid.—The conference agreement provides $5,850,000 for Statutory or Contractual Aid, instead of $1,900,000 as proposed by the House and $5,350,000 proposed by the Senate. The funds provided are to be distributed as follows:

State	Project	Amount
CA	Angel Island Immigration Station, PL 109–119.	$1,000,000
CA	Yosemite National Park schools, PL 109–131	400,000
DC	Sewall Belmont House, PL 99–498	1,000,000
HI	National Tropical Botanical Garden, PL 111–11.	500,000
HI	Native Hawaiian Culture & Arts Program, PL 99–498.	500,000
MD	Star Spangled Banner National Historic Trail	500,000
MD, VA, DC	Chesapeake Bay Gateways, PL 107–308	1,000,000
NH	Lamprey Wild & Scenic River, PL 90–542	200,000
VT, NY	Hudson-Fulton-Champlain Quadricentennial, PL 110–229.	750,000
	Total, Line Item Projects	$5,850,000

Bill Language.—The conference agreement includes language which designates the amount for Preserve America grants.

HISTORIC PRESERVATION FUND

The conference agreement provides $79,500,000 for the Historic Preservation Fund instead of $91,675,000 as proposed by the House and $74,500,000 as proposed by the Senate. The conference agreement funds the Preserve America program in the National Recreation and Preservation account as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Save America's Treasures.—The conference agreement includes a total of $25,000,000 for Save America's Treasures. Of this amount, $14,800,000 is for competitive grants and the balance of the funds are to be distributed as follows:

State	Project	Amount
AL	Historic Fort Payne Coal and Iron Building Rehabilitation.	$150,000
AL	Historic Montevallo Main Hall Renovation	150,000
AL	Swayne Hall, Talladega	490,000
CA	Mission Santa Barbara, Santa Barbara	650,000
CO	Shenandoah-Dives Mill National Historic Landmark.	150,000
CT	Harriet Beecher Stowe Center Preservation	150,000
CT	Sterling Opera House Renovation	150,000
FL	Freedom Tower, Miami, FL	500,000
GA	Morehouse College (King papers)	200,000
IA	Des Moines Art Center, Des Moines	200,000
ID	Historic Old Pen Site Stabilization Project	150,000
IL	Repairs to Historic Chicago Landmark	50,000
KS	Colonial Fox Theater, Pittsburg	500,000
KY	Judge Joseph Holt House Historic Restoration	150,000
MA	Hancock Shaker Village Restoration	150,000
MA	Stockbridge Mission House Renovation	117,000
MD	Harmony Hall Restoration	100,000
MI	Big Sable Lighthouse, Ludington	100,000
MN	CSPS Sokol Hall	150,000
MN	Restoration of Historic Coe Mansion	150,000
MS	Madison County Courthouse	500,000
MS	Medgar Evers site, Jackson	250,000
MT	City of Bozeman Main Street Historic District Restoration.	150,000
NC	Bellamy Mansion Slave Quarters	100,000
NJ	Georgian Court Mansion Restoration	200,000
NJ	South Orange Village Hall Restoration	150,000
NV	Lincoln County Courthouse, Pioche	200,000
NY	Historic Owego Municipal Building Rehabilitation.	150,000
NY	Hudson River Sloop Clearwater Restoration	150,000
NY	Richardson Olmsted Complex, Buffalo	200,000
NY	Strand Theater, Plattsburgh	200,000
NY	Tarrytown Music Hall Restoration	150,000
NY	Village Park Historic Preservation	150,000
OR	Wallowa County Courthouse, Enterprise	200,000
PA	Hatborough Union Library Restoration	38,000
PA	Saylor Cement Kilns Historic Preservation	200,000
PR	San Juan North Portal Restoration	150,000
RI	Warwick City Hall, Warwick	350,000
SC	Chesterfield Courthouse Restoration	150,000
SC	Cypress Historic Meeting Compound	200,000
SC	Modjeska Simkins Home Restoration	150,000
SD	State Theater, Sioux Falls	200,000
TN	Blount Mansion, Knoxville	250,000
UT	Historic Fisher Mansion Restoration Project	150,000
VA	Belgian Building Preservation	150,000
VA	Chesterfield County Historic Preservation	150,000
VA	Fort Ward Park Preservation	75,000
WA	Schooner Adventuress Restoration	180,000
WI	Bayfield Historic Courthouse Restoration	150,000
WV	Capitol Theater, Wheeling	200,000
WV	Claymont Court Historic Site Restoration	150,000
WV	Cottrill's Opera House Restoration	150,000
	Total, Line Item Projects	$10,200,000

Bill Language.—The conference agreement includes language which designates the amount for Save America's Treasures and incorporates the projects into law by reference.

CONSTRUCTION

The conference agreement provides $232,969,000 for Construction instead of $213,691,000 as proposed by the House and $219,731,000 as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Line Item Construction.—The bill allocates funding for line item construction projects and activities as follows:

State	Project	Amount
AK	Katmai, replace failing infrastructure at Brooks Camp.	$6,471,000
AZ	Chiricahua, Replace Failing Sewer Systems	2,410,000
AZ	Grand Canyon, employee housing	16,890,000
AZ	Saguaro National Park Trail Improvements	398,000
CA	Golden Gate National Recreation Area (Alcatraz).	1,400,000
CA	Joshua Tree National Park Visitor Center	300,000
CA	Manzanar National Historical Site	900,000
CA	Point Reyes, restore critical dune habitat	2,803,000
CO	Mesa Verde curation center	11,675,000
CO	Mesa Verde Visitor Information Center	10,500,000
DC	African American Civil War Memorial, security enhancements.	220,000
DC	National Capital Region, GW Memorial Parkway, Theodore Roosevelt rehabilitation site.	1,706,000
DC	National Capital Region, preserve and protect Meridian Hill Park.	3,844,000
FL	Castillo de San Marcos National Monument	500,000
FL	Everglades Mod Waters (NPS)	4,200,000
FL	Everglades Mod Waters (COE)	4,200,000
GA	Fort Pulaski, replace Cockspur Lighthouse revetment.	1,577,000
IN	George Rogers Clark NHP, restore and rehabilitate historic Wabash River floodwall.	3,600,000
IN	Restore Good Fellow Lodge, Indiana Dunes National Lakeshore.	1,000,000
MA	New Bedford Whaling National Historical Park (Bourne bldg).	1,500,000
MI	Keweenaw National Historical Park (Quincy Smelting Works).	1,000,000
MI	Keweenaw National Historical Park Union Building.	1,380,000
MO	Harry S. Truman NHS, rehabilitate interior grounds of Historic Noland House and install interpretive exhibits.	1,018,000
MT	Glacier NP, safety improvements at Many Glacier Hotel.	8,507,000
NC	Blue Ridge Parkway, repair Craggy Gardens retaining and guardwalls.	2,728,000
NJ	Gateway NRA, Sandy Hook Repair of Historic Gun Batteries.	800,000
NJ, PA	Delaware Water Gap NRA, demolish and remove hazardous structures.	2,234,000
NY	Fire Island Land Trust Historic Restoration	250,000
OH	Cuyahoga Valley National Park Site and Structure Rehabilitation Program.	500,000
OK	Chickasaw National Recreation Area Visitor Center.	500,000
OR	Crater Lake Visitor Education Center	350,000
PA	Delaware Water Gap NRA, rehabilitate Childs Park.	3,048,000
PA	Flight 93 National Memorial	725,000
PA	Valley Forge National Park Visitor Center	325,000
TN	Great Smoky Mountains National Park (curatorial facility).	1,500,000
TN	Great Smoky Mountains National Park (Tremont/Cosby water).	1,940,000
TN	Moccasin Bend National Archeological District	500,000
UT	Timpanogos Cave National Monument Interagency Visitors Center.	1,600,000
UT	Utah Public Lands Artifact Preservation Act, PL 107–329.	1,000,000
VA	Fort Hunt NCO Quarters Restoration	250,000
WA	Olympic National Park, restore Elwha River ecosystem and fisheries.	20,000,000
WI	Apostle Islands Lighthouse Restoration	2,000,000
WI	Ice Age National Scenic Trail	265,000
WV	Harpers Ferry National Historical Park	275,000
WV	New River Gorge National River	1,025,000
WY	Grand Teton National Park, construct critical housing.	13,174,000
	Total, Line Item Projects	$142,988,000

Everglades.—The conference agreement includes $8,400,000 for the Modified Water Deliveries Project at Everglades National Park as proposed by the House. This includes $4,200,000 which the President had requested in the budget for the Army Corps of Engineers. These funds will allow for continuous work on the Tamiami Trail bridge and road modifications as a first step to return water flow to the Park. It is critical that the bridging of the Tamiami Trail be completed at the earliest possible date so that flows can be restored between Everglades National Park and the State-managed Water Conservation Areas.

Paterson Great Falls National Historical Park.—Of the amount provided, the conferees have included $500,000 for the Park Service's general management plan for the Paterson Great Falls National Historical Park.

Castillo de San Marcos National Monument.—The conferees have included $500,000 for preliminary planning and design of the Castillo de San Marcos National Monument restoration project with the understanding that construction will not commence until fee simple title of the affected property is conveyed to the Federal government by the City of St. Augustine, FL and the State of Florida.

Bill Language.-The conference agreement includes language for the Everglades Modified Water Projects as proposed by the House. The agreement also authorizes a single contract for the full scope of the Elwha Dam project. The conference agreement does not include statutory language proposed by the House to authorize a special resources study along the Mississippi River. The conferees have addressed this issue in report language under the Operation of the National Park System account. The conference agreement also provides that construction funds for the Quincy Smelter stabilization project at Keweenaw National Historical Park shall be made without regard to requirements in section 8(b) of Public Law 102–543, as amended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The conference agreement rescinds $30,000,000, as in previous years, in annual contract authority. There are no plans to use this authority in fiscal year 2010.

LAND ACQUISITION AND STATE ASSISTANCE

The conference agreement includes $126,266,000 for Land Acquisition and State Assistance instead of $113,222,000 as proposed by the House and $118,586,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
AL	Little River Canyon National Preserve.	$1,500,000
AR, OK	Ft. Smith National Historic Site	362,000
AZ	Petrified Forest National Park	4,575,000
CA	Golden Gate National Recreation Area.	5,000,000
CA	Mojave National Preserve, Joshua Tree National Park, Death Valley National Park.	1,000,000
CA	Santa Monica Mountains National Recreation Area.	1,000,000
GA	Chattahoochee River National Recreation Area.	3,100,000
ID	Minidoka National Historic Site	350,000
KY	Cumberland Gap National Historical Park.	1,150,000
MI	Sleeping Bear Dunes National Lakeshore.	1,000,000
MO	Harry S. Truman National Historic Site.	1,300,000
MS	Natchez National Historical Park	264,000
NC	Guilford Courthouse National Military Park.	880,000
NH	Appalachian National Scenic Trail	1,375,000
NM	Petroglyph National Monument	1,000,000
OH	Cuyahoga Valley National Park	4,000,000
PA	Appalachian National Scenic Trail	1,820,000
SC	Congaree National Park	1,320,000
TN	Shiloh National Military Park	250,000
TX	Big Thicket National Preserve	5,000,000
TX	Fort Davis National Historic Site	500,000
TX	Palo Alto Battlefield National Park	4,120,000
VA	Fredericksburg and Spotsylvania National Military Park.	200,000
VA	Prince William Forest Park	425,000
VA, NC	Blue Ridge Parkway	1,250,000
VI	Virgin Islands National Park	3,250,000
VT	Appalachian National Scenic Trail	625,000
WA	Mt. Ranier National Park	2,150,000
WA	Olympic National Park	3,000,000
WA	San Juan Island National Historical Park.	6,000,000
WI	Ice Age National Scenic Trail	2,000,000
Mult.	Civil War Battlefield Grants	9,000,000
	Subtotal, Line Item Projects	68,766,000
	Acquisition Management	9,500,000
	Inholdings and Exchanges	5,000,000
	Emergencies, and Hardships	3,000,000
	Total, National Park Service Land Acquisition.	86,266,000
	Stateside conservation grants	37,200,000
	Administrative expenses	2,800,000
	Total, Assistance to States	40,000,000
	Grand Total, Land Acquisition and State Assistance.	$126,266,000

The funding provided for the Virgin Islands National Park includes $2,250,000 for the Maho Bay property and $1,000,000 for the Hawksnest Bay property.

The conferees have included report language under National Recreation and Preservation guiding the acquisition of lands or interests therein at the Minidoka National Historic Site.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The bill continues administrative provisions applicable to the National Park Service as proposed by the House and the Senate.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides $1,111,740,000 for Surveys, Investigations and Research instead of $1,105,744,000 as proposed by the House and $1,104,340,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the guidance included in both the House and Senate committee reports, the conference agreement provides the following direction:

Geographic Research and Remote Sensing.—The conference agreement includes the House proposed bill language and direction concerning the Civil Applications Committee, and provides $1,650,000 above the budget request for its operation.

Geologic Hazards Assessments.—The conference agreement includes the following increases to the request: $1,000,000 for LIDAR and high risk seismology activities and $250,000 for the Global Seismographic Network as proposed by the House; and $250,000 for the UH-Manoa/HVO volcano research/monitoring partnership in Hawaii as proposed by the Senate.

Geologic Resource Assessments.—The conference agreement includes the Senate proposed increase of $650,000 to continue the Nye County minerals assessment project, NV.

Ground Water Resources.—The conference agreement includes the following increases to the request: $300,000 for the South Arkansas Sparta Aquifer Recovery Initiative and $280,000 for the McHenry County groundwater and storm water protection study as proposed by the House; and $900,000 to continue the San Diego Formation mapping project as proposed by the Senate.

Hydrologic Research and Development.—The conference agreement includes the following increases to the request: $1,000,000 for the U.S.-Mexico Transboundary Aquifer Assessment Program; $200,000 for the Hood Canal Dissolved Oxygen Study, WA; and $400,000 for the Survey's participation in the work of the Long Term Estuary Assessment Group, LA.

Hydrologic Networks and Analysis.—The conference agreement includes the following increases to the request, as proposed by the Senate: $346,000 for Lake Champlain Basin streamflow monitoring/toxic studies; $500,000 for a water resources assessment of Maryland's Coastal Plain and Piedmont aquifer systems; and $500,000 for water resources monitoring, investigations and research in Hawaii. The Survey is encouraged to consider maintaining its activities at the San Pedro River Basin, AZ, as authorized by section 321 of Public Law 108–136.

Biological Research.—The conference agreement includes the following increases to the request: $220,000 for the Conte Anadromous Fish Research Lab, MA; $1,000,000 for San Francisco Bay Salt Ponds restoration monitoring/research; $750,000 for general genetics and genomic research; $600,000 for tropical ecosystems and watershed health research; $2,000,000 within biological information management and delivery to support the coordinators of the national network of State conservation data agencies; $750,000 for National Biological Information Infrastructure activities; and $350,000 for the design and testing of monitoring protocols on invasive species, including zebra mussels, in the Columbia River Basin in collaboration with Washington State University and its partners. The Survey is encouraged to conduct further research and analyses regarding the alarming interaction of endocrine disrupters on water quality and fish development.

Enterprise Information.—The conference agreement includes the $2,000,000 requested for USGS participation in the Department of the Interior's 21st Century Youth Conservation Corps initiative.

Global Climate Change Research Program.—The conference agreement includes $58,177,000 as requested and proposed by both the House and the Senate for the global climate change research program. Additional funds for climate change related research are also in other budget activities. The agreement includes $15,000,000 as requested for the National Climate Change and Wildlife Science Center (NCCWSC), including support for a national office, regional hubs, and intra- and extra-mural research. The NCCWSC should oversee and coordinate research on the potential effects of climate change on wildlife, fish, and flora including both terrestrial and aquatic habitats. Locations for the regional centers are to be selected through a collaborative process that engages other Federal, State and Tribal agencies, universities, and other partners. Additional direction concerning the adoption of an integrated approach to climate change science and management is in the front of this statement.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

The conference agreement includes $175,217,000 for Royalty and Offshore Minerals Management, as proposed by the Senate instead of $174,317,000 as proposed by the House. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

In addition, the use of $166,730,000 in receipts and cost recovery fees is included, as proposed by both the House and the Senate. The conference agreement includes $900,000 to continue the Center for Marine Resources and Environmental Technology project in Mississippi.

The conferees support the Administration's efforts to secure a balanced energy portfolio that carefully weighs what is in the best interest of our energy-dependent nation with what is in the best interest of our natural environment. Future coordinated efforts to pursue additional oil and gas resources in the Outer Continental Shelf (OCS) must include the opportunity to apply advanced technologies, be based on the best available science, and take into account the potential environmental impacts of such potential development. Therefore, the conferees direct the Minerals Management Service, pursuant to the National Environmental Policy Act, to conduct a Programmatic Environmental Impact Statement (PEIS) to evaluate potential significant environmental effects of multiple geological and geophysical activities in the Atlantic OCS and provide a detailed timeline for completion of the PEIS no later than 90 days after enactment of this Act. The conferees believe this request is consistent with the Department's stated desire to fill in information gaps relating to resource potential in the OCS.

The conferees note that over the last several years there have been expanded areas available for oil and gas leasing in the Beaufort and Chukchi Seas and approved exploration plans involving seismic testing and exploratory drilling in these waters. These waters currently host a rich diversity of wildlife and fish resources and are critical to the survival of the subsistence culture of the Inupiat people of Arctic Alaska. To ensure sound science-based planning with regard to these important resources, a continuing comprehensive assessment of the health, biodiversity, and functioning of Arctic marine and coastal ecosystems, including the impacts of industrial activities and of climate change is needed. To inform this continuing assessment, the conferees believe that there should be scientific analysis conducted by an independent entity to assess existing scientific information and identify any relevant additional information to ensure adequate environmental review of proposed industrial activities in the region. This assessment should also include recommendations for obtaining the identified relevant scientific information.

OIL SPILL RESEARCH

The conference agreement includes $6,303,000 for Oil Spill Research as proposed by both the House and Senate.

ADMINISTRATIVE PROVISION

The conference agreement continues language from the fiscal year 2009 enacted bill on a legislative matter which deducts two percent of State royalties to help cover Federal administrative costs, resulting in a $45,000,000 scoring credit for the bill.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement includes $127,180,000 for Regulation and Technology as proposed by both the House and the Senate. In addition, there is also an indefinite appropriation estimated to be $100,000 for civil penalties for a total program level of $127,280,000. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

ABANDONED MINE RECLAMATION FUND

The conference agreement includes $35,588,000 for the Abandoned Mine Reclamation Fund instead of $32,088,000 as proposed by the House and $39,588,000 as proposed by the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $2,335,965,000 for the Operation of Indian Programs instead of $2,300,099,000 as proposed by the House and $2,309,322,000 as proposed by the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. In addition to the directions included in the House and Senate Committee reports, the conference agreement includes the following directions:

Tribal Government.—The conference agreement includes $429,778,000 instead of $422,862,000 as proposed by the House and $418,572,000 as proposed by the Senate. Within the funds for Tribal government, there is $166,000,000 for contract support costs, an increase of $18,706,000 over the fiscal year 2009 enacted level.

Human Services.—The conference agreement includes $136,996,000 as proposed by the House instead of $138,059,000 as proposed by the Senate.

Trust—Natural Resource Management.—The conference agreement includes $175,618,000 instead of $174,768,000 as proposed by the House and $161,618,000 as proposed by the Senate. Within the funds for trust resource management, there is an increase of $12,000,000 for rights protection programs, $350,000 for the Upper Columbia United Tribes, $500,000 for the Cheyenne River Sioux Tribe's prairie management program, and a general increase of $2,000,000 for fish hatchery operations within the fish, wildlife and parks program.

The conferees direct the Bureau to distribute the increase provided for rights protection using a merit-based process for programs with existing memoranda of understanding, legal settlements, treaty rights, or past merit-based funding history, in accordance with language included in the administration's budget justification.

Trust—Real Estate Services.—The conference agreement includes $152,493,000 as proposed by both the House and the Senate.

Education.—The conference agreement includes $799,400,000 instead of $796,300,000 as proposed by the House and $797,900,000 as proposed by the Senate. Within the funds provided there are increases of $500,000 for Haskell and SIPI colleges, and $600,000 for United Tribes Technical College and Navajo Technical College. The increases provided should be divided proportionally between the respective schools. There is also a general increase of $2,000,000 for Tribal colleges and universities and $2,000,000 for student transportation.

Public Safety and Justice.—The conference agreement includes $328,855,000 as proposed by the Senate instead of $303,855,000 as proposed by the House. Within the funds provided for public safety and justice, law enforcement there are increases of $10,000,000 for criminal investigation, $5,000,000 for detention and corrections, $1,000,000 for special initiatives, $1,000,000 for Indian police academy, $3,000,000 for program management, and $5,000,000 for Tribal courts.

The conferees commend the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation for their initiative in addressing their law enforcement needs by constructing a justice center to house their adult and juvenile detention and rehabilitation center, Tribal courts, and police department. The conferees encourage the Bureau of Indian Affairs to work with the Shoshone-Bannock Tribes to ensure that the Center and the programs it will provide will operate effectively. Additionally, the conferees encourage the Bureau to consider establishing regional detention centers at new or existing facilities as it works to combat the crime problem in Indian Country.

Community and Economic Development.—The conference agreement includes $44,910,000 as proposed by the House instead of $43,910,000 as proposed by the Senate. Within the funds for community and economic development, there is an increase of $1,000,000 for community development programs for training and apprenticeship opportunities.

Executive Direction and Administrative Services.—The conference agreement includes $267,915,000 as proposed by both the House and the Senate.

The conferees intend that the Department will utilize funds available in the Operation of Indian Programs account or the Indian Land Consolidation account for estate planning assistance as provided for under Section 207(f) of the Indian Land Consolidation Act (25 U.S.C. 2206(f)).

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $225,000,000 for Construction as proposed by the Senate instead of $200,000,000 as proposed by the House. The detailed allocation of funding by program area and activity is included in the table at the end of the statement. In addition to the directions included in the House and Senate Committee reports, the conference agreement includes the following directions:

Public Safety and Justice.—The conference agreement includes $64,407,000 as proposed by the Senate instead of $39,407,000 as proposed by the House. Within the funds provided there are increases of $20,000,000 for detention center replacement and $5,000,000 for employee housing for new and existing housing needs in remote areas to promote recruitment and retention of law enforcement officers.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The conference agreement includes $47,380,000 for Indian Land and Water Claims Settlements and miscellaneous payments to Indians as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The conference agreement provides $8,215,000 for the Indian Guaranteed Loan Program Account as proposed by both the House and the Senate.

INDIAN LAND CONSOLIDATION

The conference agreement provides $3,000,000 for Indian Land Consolidation as proposed by both the House and the Senate.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

The conference agreement provides $118,836,000 for the Office of the Secretary as requested and as proposed by both the House and the Senate. The detailed allocation of funding by program and activity is included in the table at the end of the statement. The conference agreement also includes the following directions:

Bill Language.—The conference agreement includes language that within the appropriated amount, $12,136,000 is to be derived from the Land and Water Conservation Fund for consolidated appraisal services and remain available until expended, as requested and as proposed by the House. In addition, of the funds provided $25,000 may be used for official reception and representation activities, as proposed by the Senate instead of $15,000 as proposed by the House. Language also is included permitting the Secretary for fiscal years 2008–2012 to correct prior year overpayments and underpayments to counties under the Payments In Lieu of Taxes program as proposed by the Senate.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The conference agreement provides $85,195,000 for Assistance to Territories instead of $83,995,000 as proposed by the House and $81,095,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. The conference agreement follows the House proposed bill and report language, including $900,000 above the request for critical wastewater system repairs and improvements in the U.S. Virgin Islands. The conference agreement also includes $1,200,000 within the technical assistance activity to be used by the Secretary to assist American Samoa with recovery from the catastrophic tsunami which hit the islands on September 29, 2009.

COMPACT OF FREE ASSOCIATION

The conference agreement provides $5,318,000 for the Compact of Free Association as requested and proposed by the House and the Senate. The detailed allocation of funding by program is included in the table at the end of the statement. As proposed by the House, the bill language regarding the authority to use a USDA loan program in Guam is included under the Administrative Provision heading for Insular Affairs.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes the Administrative Provision proposed by the House. Similar language was under both the Assistance to Territories and the Compact of Free Association headings in the budget request and the Senate proposal. This language will allow the Interior Department to transfer certain funds designated for Guam to the U.S. Department of Agriculture, when requested by the Governor of Guam, as a subsidy for direct or guaranteed rural development loans to Guam for construction and repair projects. This language, which does not supplant any existing USDA authority, will help the government of Guam respond to extensive change as the military relocates major facilities and personnel to Guam.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The conference agreement provides $65,076,000 for the Office of the Solicitor as requested and as proposed by both the House and the Senate. The detailed allocation of funding by program and activity is included in the table at the end of the statement.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides $48,590,000 for the Office of the Inspector General as requested and as proposed by both the House and the Senate. The detailed allocation of funding by program and activity is included in the table at the end of the statement.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $185,984,000 for the Office of the Special Trustee for American Indians, Federal Trust Programs as proposed by both the House and the Senate. The conference agreement does not include bill language added by the Senate that directs funding to estate planning. The detailed allocation of funding by program area and activity is included in the table at the end of the statement.

Bill Language.—The conference agreement includes bill language, as in previous years, limiting the amount of funding that can be used for historical accounting.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $919,897,000 for Department of the Interior Wildland Fire Management instead of $932,780,000 as proposed by the House and $904,637,000 as proposed by the Senate. The conference agreement also includes an additional $61,000,000 for the new Department of the Interior FLAME Wildfire Suppression Reserve Fund as described below. The Senate had included $75,000,000 for a contingency reserve fund within this account, whereas the House had included $75,000,000 in a separate Wildland Fire Suppression Contingency Reserve account as was in the budget request. The detailed allocation of funding by activity for these accounts is included in the table at the end of the statement. The conferees note that the funding provided includes the use of $125,000,000 in prior year non-emergency funds because the suppression activity had very large carry-over balances from fiscal year 2009. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Wildfire Preparedness.—The conference agreement provides $290,452,000 as proposed by the House instead of $289,192,000 as proposed by the Senate.

Wildfire Suppression Operations.—The conference agreement includes $383,797,000 for

wildland fire suppression instead of $369,797,000 as proposed by the House and $294,797,000 as proposed by the Senate. The Senate recommendation included an allocation of $75,000,000 within the suppression amount for a wildfire suppression contingency reserve. The conferees note the use of $125,000,000 in prior year funding. An additional $61,000,000 for suppression activities is provided in the new FLAME Wildfire Suppression Reserve Fund. The conferees note that the Forest Service wildland fire suppression accounts are provided an additional $1,410,505,000, including $413,000,000 in the new Forest Service FLAME Wildfire Suppression Reserve Fund. Thus, the sum for wildfire suppression for both Departments, including both the suppression and the FLAME Wildfire Suppression Reserve Fund accounts, is $1,855,302,000. This sum is equal to the request and $526,164,000 above the fiscal year 2009 funding level. This is the largest funding increase ever provided for non-emergency wildfire suppression activities.

The conferees reiterate that both the Interior Department and the Forest Service should ensure that cost containment is an important priority when suppressing wildland fires. Both Departments must examine and report promptly to the Congress and on agency websites, using independent panels, on each and every individual wildfire incident which results in suppression expenses greater than $10,000,000.

The conferees intend that amounts provided through the FLAME Fund, together with amounts provided through the Wildland Fire Management appropriations account, should fully fund anticipated wildland fire suppression requirements in advance of the fire season and prevent future borrowing from non-fire programs. To satisfy this requirement, the conferees direct the Secretaries to develop new methods for formulating fire suppression funding estimates for the Wildland Fire Management and FLAME Fund appropriations accounts as part of their fiscal year 2011 budget request. In formulating these estimates, the conferees expect the Secretaries to consider data regarding actual prior-year fire suppression expenditures, predictive modeling, and any other criteria that they deem appropriate, consistent with the direction provided in this Act. It is the intent of conferees to provide sufficient funds for FLAME Wildfire Suppression Reserve accounts to preclude the necessity for transferring funds from other non-fire programs and activities except in unusual circumstances.

Other Wildland Fire Management Operations.—The conference agreement provides $206,206,000 for hazardous fuels reduction activities at the Department of the Interior as requested and proposed by the Senate instead of $233,089,000 as proposed by the House. The conference agreement provides the requested funding for the other subactivities as was proposed by both the House and the Senate.

Bill Language.—The conference agreement includes the House proposed language allowing up to $50,000,000 to be transferred between the Interior Department and the Forest Service when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects. Bill language is included that directs the Department to make no less than $125,000,000 in prior year non-emergency suppression funds available for wildfire suppression purposes in addition to amounts otherwise provided. The agreement also includes the Senate proposed language stating that wildfire suppression funds may be used for support of Federal emergency response actions.

The conference does not include the Wildland Fire Contingency Reserve Fund which was in the request and the House recommendation. Instead, funds are provided for the FLAME Wildland Fire Suppression Reserve Fund, as described below.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $61,000,000 for the new Department of the Interior FLAME Wildfire Suppression Reserve Fund established in the FLAME Act of 2009 (Title V of this Act). The Senate had included $75,000,000 within the Wildland Fire Management account for a suppression reserve, whereas the House had included, as requested, $75,000,000 for a separate Wildland Fire Suppression Contingency Reserve Fund. Further direction on the use of this new account is provided in Title V.

A similar account in the Forest Service is also provided an additional $413,000,000. The conferees note that this is the first year for this new account, so adjustments will be required by the Federal wildfire community. The funding provided this year as a beginning allocation is equal to the actual expenditures during fiscal year 2009 by the Department of the Interior on large wildfire suppression events, as defined by the FLAME Act of 2009. The conferees have established these funding levels to give the Department of the Interior and the Forest Service some degree of funding flexibility as they develop appropriate procedures and infrastructure for the FLAME Funds. However, these levels are not intended to represent a final method for calculating FLAME Fund budget requests. Instead, as provided in Title V, the conferees expect the agencies to develop new methods for formulating fire suppression funding estimates for the Wildland Fire Management and FLAME Fund appropriations accounts as part of their fiscal year 2011 budget request.

CENTRAL HAZARDOUS MATERIALS FUND

The conference agreement provides the requested amount, $10,175,000, for the Central Hazardous Materials Fund as proposed by both the House and the Senate.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The conference agreement provides $6,462,000 for the Natural Resource Damage Assessment Fund as requested and as proposed by both the House and the Senate. The detailed allocation of funding by activity is included in the table at the end of the statement.

WORKING CAPITAL FUND

The conference agreement provides $85,823,000 for the Working Capital Fund as proposed by the Senate, instead of $75,823,000 as proposed by the House.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

Sec. 101. Retains a provision included by both the House and the Senate providing Secretarial authority to transfer program funds for expenditures in cases of emergency.

Sec. 102. Retains a provision included by both the House and the Senate providing for expenditure or transfer of funds by the Secretary in the event of actual or potential emergencies including forest fires, range fires, earthquakes, floods, volcanic eruptions, storms, oil spills, grasshopper and Mormon cricket outbreaks, and surface mine reclamation emergencies.

Sec. 103. Retains a provision included by both the House and the Senate providing for use of appropriated funds for purchase and replacement of motor vehicles, contracts, rental cars and aircraft, certain library memberships, and certain telephone expenses.

Sec. 104. Retains a provision included by both the House and the Senate permitting the transfer of funds between the Bureau of Indian Affairs and the Office of the Special Trustee for American Indians.

Sec. 105. Retains a provision included by both the House and the Senate permitting the redistribution of Tribal priority allocation and Tribal base funds to alleviate funding inequities.

Sec. 106. Retains a provision included by both the House and the Senate permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Sec. 107. Retains a provision included by both the House and the Senate allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with Cobell v. Salazar.

Sec. 108. Retains a provision included by the House requiring the U.S. Fish and Wildlife Service to mark hatchery salmon.

Sec. 109. Continues a provision included by both the House and the Senate authorizing the Secretary of the Interior to acquire lands for the operation and maintenance of facilities in support of transportation of visitors to Ellis, Governors, and Liberty Islands.

Sec. 110. Retains a provision included by the Senate, directing the Secretary of the Interior to make certain certifications with respect to existing rights-of-way.

Sec. 111. Retains a provision included by the House allowing the Minerals Management Service to accept contributions to complete environmental documents prior to energy exploration and production through 2013.

Sec. 112. Retains a provision included by the Senate extending permanently the authority of the Secretary to enter into cooperative agreements where such agreements are in the interest of the Department of the Interior.

Sec. 113. Retains a provision included by the House authorizing funds provided for land acquisition at the Ice Age National Scenic Trail to be granted to a State, a local government, or any other land management entity.

Sec. 114. Retains a provision included by the House providing the Secretary with civil and criminal penalty authority for revenue collection of solid minerals, geothermal, and offshore alternative energy activities. This authority would correct existing deficiencies in sections 109 and 110 of the Federal Oil and Gas Royalty Management Act (FOGRMA). The Senate bill contained a similar provision.

Sec. 115. Retains a provision included by the House allowing the Minerals Management Service to charge outer continental shelf oil and gas operators a fee for the required MMS inspections.

Sec. 116. Retains a provision included by the Senate prohibiting the use of funds to reduce the number of Axis and Fallow deer at Point Reyes National Seashore.

Sec. 117. Retains language included by the Senate extending the authorization for certain school payments at Yosemite National Park until 2013.

Sec. 118. Retains language included by the House amending authority for land purchase at San Juan Island National Historic Park.

Sec. 119. Modifies a provision included by the House amending the boundary of Heart Mountain. The agreement does not include language amending the boundary of Minidoka National Historic Site authorization.

Sec. 120. Retains language included by the Senate amending the Northern Plains National Heritage Area Act by including a private property opt-in provision to clarify that private landowners will not have to include their land in the Northern Plains National Heritage Area unless they provide written consent for inclusion.

Sec. 121. Retains language included by the Senate authorizing the Secretary of the Interior to enter into a joint ticketing agreement at the U.S.S. Arizona Memorial in Hawaii with certain nonprofit entities for the convenience of visitors.

Sec. 122. Retains language included by the Senate extending the authorization of certain payments to the Republic of Palau for fiscal year 2010.

Sec. 123. Retains language included by the Senate amending Golden Gate Recreation Area to allow for concurrent jurisdiction. This change will allow the National Park Service to enhance its law enforcement and fire protection services.

Sec. 124. Modifies language included by the Senate providing the Secretary discretion to issue a special use permit to Drake's Bay Oyster Company within Drake's Estero at Point Reyes National Seashore.

Sec. 125. Retains language included by the Senate directing the Secretary of the Interior to conduct a special resource study of the Honouliuli Gulch and associated sites in Hawaii.

Sec. 126. Modifies language included by the Senate regarding the security along the southwest border.

Sec. 127. Retains language included by the Senate allowing property owners to opt-out of a National Heritage Area plan, project or activity.

Sec. 128. The agreement includes a new provision proposed by the Senate which directs the Secretary of the Interior to commemorate the leadership of Senator Robert J. Dole in bringing about the World War II Memorial on the National Mall.

Sec. 129. The agreement includes a new provision proposed by the Senate to extend the Martin Luther King, Jr. Memorial authority until September 30, 2010.

Sec. 130. The agreement includes a new provision proposed by the Senate to extend the John Adams Memorial authority until September 30, 2010.

The conference agreement does not include language regarding elk management in Theodore Roosevelt National Park as proposed by the Senate.

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

The conference agreement provides $846,049,000 for Science and Technology programs instead of $849,649,000 as proposed by the House and $842,799,000 as proposed by the Senate. The conference agreement also transfers $26,834,000 from the Hazardous Substance Superfund account to this account. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Homeland Security.—From within the amount provided, the conference agreement fully funds the remaining two Water Security Initiative pilot projects.

Research/National Priorities.—The conference agreement provides $5,700,000 for this program and allocates the funds as proposed by the House instead of a competitive grant program proposed by the Senate. The conferees have agreed to the following allocation of funds: $2,000,000 for the Water Environment Research Foundation; $1,700,000 for the Water Research Foundation; $1,000,000 for the Southwest Consortium for Environmental Research and Policy; and $1,000,000 for the Consortium for Plant Biotechnology Research.

Research: Human Health and Ecosystems.—The conference agreement includes no less than $11,442,000 for endocrine disruptor research. In addition, the conferees direct a portion of the increase provided for the Integrated Risk Information System Health Assessments to expedite the risk assessment for trichloroethylene (TCE). The conference agreement includes an additional $3,000,000 for children's environmental health research instead of $5,000,000 as proposed by the House. Of this amount $2,000,000 is directed to increase the base program for centers of excellence on children's environmental health and is to be divided equally among the four centers. The conferees urge that at least one of these centers focus on child care settings. The remaining $1,000,000 is directed to accelerate research on the effects of environmental chemicals and toxins on children.

Air Quality Research.—The conferees encourage the Agency to establish a competitively awarded, national research facility to help address many of the issues relating to air quality, as noted in the House report. The conferees note the need for additional air quality research such as that conducted by the University of California, Riverside.

Hydraulic Fracturing Study.—The conferees urge the Agency to carry out a study on the relationship between hydraulic fracturing and drinking water, using a credible approach that relies on the best available science, as well as independent sources of information. The conferees expect the study to be conducted through a transparent, peer-reviewed process that will ensure the validity and accuracy of the data. The Agency shall consult with other Federal agencies as well as appropriate State and interstate regulatory agencies in carrying out the study, which should be prepared in accordance with the Agency's quality assurance principles.

Health Effects of Fuel Efficiency and Emission Reduction Efforts.—The conferees are aware that efforts to improve fuel efficiency and to reduce greenhouse gas emissions will require careful evaluation for potential consequences for human health and the environment. To ensure that the Agency can meet the need for this critical information in a timely and credible manner, the conferees encourage the Agency to work with experienced and independent extramural research partners to strengthen ongoing human health research and assessment efforts on alternative fuels, engines, and emission reduction technologies.

Black Carbon.—The conferees have included a modified version of language originally proposed by the Senate in the Administrative Provisions section requiring the Administrator to complete and transmit a study on black carbon to the House and Senate Committees on Appropriations, the House Energy and Commerce Committee and Senate Environment and Public Works Committee no later than 18 months after the date of enactment of this Act. The conferees agree that the Administrator shall carry out the study in consultation with other relevant Federal partners. The conferees further direct the Agency to fund this study from within amounts provided to the Office of Air and Radiation in either the Science and Technology account or the Environmental Programs and Management account or a combination of funds from each account. Bill language has been included in the Administrative Provisions section mandating this report.

Great Lakes Emission Control Areas.—Language has been included in the General Provisions section concerning the rule to control emissions from new marine compression-ignition engines. EPA is conducting a rulemaking (74 Fed. Reg. 44442) regarding fuel sulfur standards that will apply to vessels including those that are powered by large marine diesel engines, called Category 3 engines. While these standards can achieve significant health and welfare benefits, they can also impose significant costs on the industry and on a region whose economy is already reeling. EPA has received comments detailing significant negative economic impacts for carriers that operate Category 3 engines vessels exclusively within the Great Lakes and their connecting and tributary waters and therefore for the economy of the region. Because of these economic impacts, EPA should include waiver provisions similar to those in other EPA rules in the final rule—one to waive the 10,000 ppm sulfur standard for Great Lakes Category 3 diesel engine vessels that burn residual fuel if EPA determines that 10,000 ppm residual fuel is not available; and one to waive fuel requirements for an owner/operator of a Great Lakes Category 3 diesel engine vessel based upon a showing of serious economic hardship. It is important that EPA structure such a waiver provision similar to the other fuels rules, where parties can apply for and receive a waiver in sufficient time prior to the implementation of the requirements. Finally, EPA should perform a study and issue a report within six months that evaluates the economic impact of the final rule on Great Lakes carriers.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The conference agreement provides $2,993,779,000 for Environmental Programs and Management activities instead of $3,022,054,000 as proposed by the House and $2,878,780,000 as proposed by the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Brownfields.—The conference agreement provides the request of $1,246,000 for the Smart Growth Program. As proposed by the Senate, the agreement does not provide the requested funds for additional personnel. The House had proposed to fund one-half of the increase.

Compliance.—From within the amount provided, the conferees direct $25,070,000 for compliance assistance and centers and $9,702,000 for compliance incentives.

Environmental Protection/National Priorities.—The conference agreement provides $16,950,000 for this program and allocates the funds as proposed by the House instead of a competitive grant program as proposed by the Senate. The conferees have agreed to the following allocation of funds: $13,000,000 for the National Rural Water Association; $2,500,000 for the Rural Community Assistance Partnership; $700,000 for the Water Systems Council/WellCare program; and $750,000 for the National Biosolids Partnership.

Geographic Programs.—The conference agreement provides $608,441,000 for this program area instead of $628,941,000 as proposed by the House and $478,696,000 as proposed by the Senate. The detailed allocation of funding by specific geographic program area is included in the table at the end of the statement. In addition to these specific amounts, the conference agreement includes the following directives for certain programs.

Great Lakes Restoration Initiative.—The conference agreement provides $475,000,000 for this new initiative. The conferees support the Administration's efforts to restore the Great Lakes and have agreed to the request to fund an interagency restoration effort, led

by the Environmental Protection Agency. In addition, the conferees have agreed to consolidate and expand funding for the Agency's Great Lakes National Program Office and Great Lakes Legacy Act programs within this new program-project.

Bill language has been included to allow the Agency to transfer funding to or establish interagency agreements with other Federal agencies, and to make grants to relevant entities as appropriate. The conferees direct the Agency to work with the other Federal agencies to ensure these funds supplement and expand, not supplant, base Great Lakes programs when compared to fiscal year 2009 levels. The Agency is directed to provide, starting on March 1, 2010, annual reports that provide funding allocations by Agency and that identify any adjustments from the request. Beginning in 2011 and each year thereafter, the Agency is directed to provide detailed yearly program accomplishments and compare specific funding levels allocated for participating Federal agencies from fiscal year to fiscal year. This includes programs funded at or below $500,000 that may not otherwise be identified in cross-cut budgets. The Agency and its Federal partners are expected to limit overhead.

The Agency is directed to use the Great Lakes Regional Collaboration Strategy as a guide to maximize funding for actual restoration activities that achieve measurable results. A substantial portion of the funds shall be provided for restoration activities conducted by non-Federal partners to accomplish restoration objectives where appropriate and cost-effective. The conferees direct the Agency and the other Federal agencies to exercise maximum flexibility to minimize non-Federal match requirements in recognition of the exceptional economic circumstances of the region and the significant ongoing investments made by non-Federal partners.

To guide the activities of the Great Lakes Restoration Initiative through fiscal year 2014, including funding decisions in fiscal year 2011 and future years, the conferees direct the Agency to develop a comprehensive, multi-year restoration action plan that will lead to the restoration of the Great Lakes. The action plan should build upon the foundation of the Great Lakes Regional Collaboration Strategy, utilize input from Great Lakes stakeholders, outline Federal agency actions to help protect and restore the chemical, physical, and biological integrity of the Great Lakes Basin ecosystem, and include targets and measurable objectives expected for fiscal years 2010 through 2014. The Agency should ensure that the goals, objectives, and targets of the Action Plan are aligned with those of the Great Lakes State, local and Tribal governments. The plan should also include a description of the process used to track and measure progress, target restoration priorities and adapt and modify those priorities in the outyears. In addition, the conferees expect the Agency to establish a process that:

(1) Allows the Great Lakes area governors, mayors, Tribal leaders, regional organizations and other stakeholders to provide advice, guidance, and recommendations that will assist the Agency in making annual decisions on restoration priorities, activities, projects, and funding levels that reflect the highest priority needs;

(2) Coordinates restoration activities in the U.S. with those of the Canadian and provincial governments;

(3) Engages an independent, scientific panel to review the scientific credibility of the plan to optimize the likelihood of successful restoration at appropriate scales; and,

(4) Ensures monitoring and reporting on the progress of the Great Lakes Restoration Initiative, using scientific research to revise restoration priorities as needed, and adapt and modify activities beginning in fiscal year 2011.

In considering the appropriate science for the process, the Agency shall consider that independent scientific reviews are the preferred method for some elements and activities to ensure that the best available science guides efforts to restore the Great Lakes. However, the Agency may selectively use and scale these scientific reviews so that the rate of progress is optimized at the same time scientific validation is ensured. The Agency shall determine those elements for which additional scientific validation is needed to expedite restoration while providing the Agency with the basis for optimizing successful restoration programs and projects to advance the goals, objectives, and restoration priorities of the action plan.

The conferees support funding Habitat and Wildlife Protection and Restoration through the National Oceanic and Atmospheric Administration at the Department of Commerce, as proposed by the Administration, and expect that funds will be expended on land conservation priorities that meaningfully contribute to the goals of the Initiative through the Coastal and Estuarine Land Conservation Program (CELCP). As with the other funds provided for the Great Lakes Restoration Initiative, the conferees further expect that these funds would supplement, rather than replace, CELCP funds provided in any other appropriations bill for priority projects in the Great Lakes region.

Chesapeake Bay.—The conference agreement includes $50,000,000 for this program. In light of the new Executive Order on the Bay, which places additional demands on and expectations of the Agency and States, the conferees have included an increase above the request. The conferees direct the Agency to report within 30 days of enactment a proposed allocation of the additional funds. The conferees expect this allocation to recognize that the funds are intended to support additional regulatory and accountability programs to control urban, suburban and agricultural runoff in the watershed. The allocation should emphasize increases to State grant programs to support and expand the States' regulatory and enforcement capabilities.

Puget Sound.—The conference agreement includes $50,000,000 for this program. From within the funds provided, $4,000,000 is included for the Puget Sound Ecosystem Research Initiative at the University of Washington's College of the Environment. These funds are to conduct, coordinate, and disseminate scientific research to inform policy decisions necessary to carry out the Puget Sound Action Agenda. The remaining funds are for the Agency's intramural costs, cooperative agreements, interagency agreements, contracts and competitive grants, including a competitive grant to manage implementation of the Action Agenda. Prior to announcing any requests for proposals for competitive grants, the conferees expect the Agency to coordinate with the State on priorities for the proposals.

San Francisco Bay.—The conference agreement includes $7,000,000 to continue its competitive grant program to restore the San Francisco Bay watershed and improve water quality. The Agency shall use no more than five percent of the funds provided for the costs of administering the program.

Long Island Sound.—The conferees direct the Agency to work with the appropriate stakeholders to determine the proper allocation of funds between the Long Island Sound Restoration Act and the Long Island Sound Stewardship Act. The Agency is directed to report to the Committees on the final distribution of the funds.

Other Geographic Activities.—The conference agreement includes $2,000,000 for a competitive grant program to protect the Potomac Highlands. The conferees recognize the Agency's commitment to protecting the Potomac Highlands through conservation and ecological restoration initiatives. The Agency shall use no more than 10 percent of the funds for intramural costs, with the remaining funds awarded on a competitive basis for projects identified in the Highlands Action Plan.

Information Exchange/Outreach.—The conference agreement provides $129,972,000 for this program area. Within this amount, the conferees direct the following levels: $6,515,000 for children and other sensitive populations; $50,480,000 for Congressional, intergovernmental, external relations; $9,038,000 for environmental education; and, $16,860,000 for the exchange network. The conference agreement does not include additional funding for the Office of Children's Health Protection as proposed by the House.

IT/Data Management/Security.—The conference agreement provides $104,320,000 for this program. The conferees direct that funding for the Agency's library system be exempted from this reduction.

Legal/Science/Regulatory/Economic Review.—The conference agreement provides $123,788,000 for this program. The conferees have not provided funds for the Performance Track program. The conferees direct the Agency to provide, at a minimum, the requested level for the Smart Growth Program. The conference agreement reflects the reduction to the Regulatory/Economic-Management and Analysis program as proposed by the House.

Operations and Administration.—The conference agreement provides $501,895,000 for this program, which includes a $5,000,000 reduction to the request for the Financial System Modernization Project. The Agency may take the remaining $5,000,000 reduction from rent, utilities and/or security savings.

Water: Ecosystems.—From within the amount provided, the conference agreement includes $22,400,000 for the National Estuary Grant Program instead of $28,000,000 proposed by the House and $16,800,000 proposed by the Senate. This increase will provide $800,000 to each National Estuary Program funded under section 320 of the Clean Water Act.

Water Quality Protection.—From within the amount provided, the conference agreement includes $208,437,000 for the Surface Water Protection program.

Bill Language.—Language is included which mandates the amount allocated to the Geographic Programs.

National Vehicle Mercury Switch Recovery Program.—The conferees are aware that the National Vehicle Mercury Switch Recovery Program is an effective way to reduce mercury emissions from end-of-life vehicles. The conferees have not included bill language as proposed by the Senate; however, the conferees remain concerned that the program's operating fund and bounty fund have both been depleted since August, 2009. The conferees urge the Agency to assist program stakeholders in exploring all options to ensure the program's continued operation.

OCS Air Permits.—The conferees are concerned about the ability of the Agency to effectively carry out its responsibilities to process oil and gas permits in the Outer Continental Shelf (OCS) in Alaska and the Eastern Gulf of Mexico. The Agency is directed to allocate sufficient funds and personnel to process OCS air permits in a timely manner consistent with all environmental laws. Within 90 days of enactment of this Act, the Agency is directed to report to the House and Senate Appropriations Committees on its progress to comply with this directive,

provide a detailed timeline for issuance of the pending permits, and submit its plan to address this issue consistently among all affected regional offices. Lastly, the conferees expect the Agency to set clear, reasonable national guidelines for issuing OCS air permits.

Gulf of Maine.—The conferees urge the Agency to undertake a study of pollution and water quality issues in the Gulf of Maine with the assistance of regional stakeholders to determine whether a comprehensive restoration plan should be developed for this region.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $44,791,000 for the Office of Inspector General as requested and as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes $9,975,000 to be transferred from the Hazardous Substance Superfund account to this account.

The conference agreement again includes bill language which authorizes the Agency's Inspector General (IG) to serve as the IG for the Chemical Safety and Hazards Investigation Board (the Board). The conferees have not included language in the Board's section of the bill to transfer funds from the Board's account to this account, as proposed by the House. The Office of the Inspector General (OIG) has confirmed that it has sufficient funds in fiscal year 2010 to perform its duties as IG for the Board. The conferees expect the OIG to continue to expand reviews of the Board beyond those mandated in law to include follow up on earlier GAO recommendations.

The conferees also are concerned by the numerous reorganization proposals submitted by the Agency's OIG and the lack of sufficient notice regarding such proposals. The conferees direct the IG to submit a report describing any proposed reorganization within the OIG at least 90 days before any reorganization is to take effect. Any report filed shall describe the purpose and need for the reorganization, the impact to personnel and anticipated costs. The submission also should contain charts of the current and proposed organizational structure.

The conferees have included language in the Administrative Provisions section expressing their displeasure with the inadequate OIG analysis of the Agency's unliquidated balances.

BUILDINGS AND FACILITIES

The conference agreement provides $37,001,000 for Buildings and Facilities activities instead of $33,001,000 as proposed by the House and $35,001,000 as proposed by the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement.

Bill Language.—The conferees have included modified language, as proposed by the Senate, directing the Agency to use up to $500,000 provided under this heading to begin preliminary planning and design work to consolidate the numerous offices and laboratories in the Las Vegas, NV area into a single sustainable building complex. As part of its planning and design process, the conferees expect the Agency to develop precise estimates of total cost savings from improved administrative efficiencies, workspace proximity and reductions in water and energy consumption of such a consolidation. Given recent legislative and executive mandates for Federal agencies to display leadership in adopting sustainable technologies such as the Energy Independence and Security Act of 2007, the EPAct of 2005, Executive Orders 13423 and 13514, and the American Recovery and Reinvestment Act, the conferees expect this project to further the Agency's mission to set an example for energy efficiency and environmental stewardship. Further, the conferees urge the Agency to include full funding for the next phase of this project as part of the Agency's fiscal year 2011 budget request.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,306,541,000 for the Hazardous Substance Superfund program as proposed by the House instead of $1,308,541,000 as proposed by the Senate. The conference agreement includes bill language to transfer $9,975,000 to the Inspector General account and $26,834,000 to the Science and Technology account as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific direction:

Operations and Administration.—The conference agreement provides $6,068,000 for human resources management as proposed by the House instead of $8,068,000 as proposed by the Senate. The conferees have provided only a small increase above the fiscal year 2009 level because the Agency's budget assumes a personnel decrease in this account.

Brookfield Avenue Landfill.—The conferees encourage the agency to reevaluate the inclusion of the Brookfield Avenue Landfill in Staten Island, NY on the Superfund National Priority List as proposed by the House.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

The conference agreement provides $113,101,000 for the Leaking Underground Storage Tank Trust Fund Program, as recommended by the House instead of $114,171,000 as proposed by the Senate. From within this amount, the conference agreement provides the request of $34,430,000 for the Energy Policy Act grants as proposed by the House instead of $35,500,000 as proposed by the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement.

OIL SPILL RESPONSE

For the Oil Spill Response account, the conference agreement provides the request of $18,379,000 as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement.

STATE AND TRIBAL ASSISTANCE GRANTS

The conference agreement provides $4,970,223,000 for the State and Tribal Assistance Grants (STAG) instead of $5,215,446,000 as proposed by the House and $4,954,274,000 as proposed by the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Infrastructure Assistance.—The bill provides $3,853,777,000 for infrastructure assistance instead of $4,100,000,000 as proposed by the House and $3,843,000,000 as proposed by the Senate.

State Revolving Funds.—The conference agreement provides $2,100,000,000 for the Clean Water State Revolving Fund (SRF) and $1,387,000,000 for the Drinking Water State Revolving Fund. Both amounts are at the Senate proposed levels. These funds, combined with the STAG Infrastructure Grants, provide a total of $3,643,777,000 for water and wastewater infrastructure improvements. Bill language provides that not less than 30 percent of the funds for each State drinking water SRF capitalization grant and 30 percent of the funds made available for State clean water SRF capitalization grants above $1,000,000,000 shall be used by the States to provide forgiveness of principal, negative interest loans or grants, or any combination of these. The conferees believe that priority for additional subsidies should be given to projects in communities that could not otherwise afford such projects and directs the Agency and the States to track how these subsidies are used and by what types of communities.

Mexican Border Infrastructure.—The conference agreement provides $17,000,000 for the Mexico Border program instead of $20,000,000 as proposed by the House and $10,000,000 as proposed by the Senate. From within the amount provided, $2,500,000 is directed to the El Paso and Brownsville, TX projects as in prior years. The conferees direct the Agency to reduce unliquidated balances in this program and expedite construction of projects along the border.

Targeted Airshed Grants.—The conference agreement includes $20,000,000 for this program as proposed by the Senate to reduce air pollution in the Nation's most polluted air districts. Of these funds, $10,000,000 shall be divided equally between the San Joaquin Air Pollution Control District and the South Coast Air Quality Management District. These grants shall continue emission reduction activities in the transportation, agriculture and ports sectors and shall be matched at least on a one-to-one basis. The remaining funds are for competitive grants to reduce air pollution in nonattainment areas that the Agency determines are ranked as the top five most polluted areas relative to annual ozone or particulate $matter_{2.5}$ standards. The Agency is expected to follow the program directives included in the Senate report.

Brownfields.—The conference agreement includes $100,000,000 for Brownfields programs as proposed by the House instead of $101,000,000 as proposed by the Senate. From within the amount provided, the conferees direct $1,800,000 for the Technical Assistance to Brownfields Communities program and expect the Agency to expand this program in future years.

STAG Infrastructure Grants.—The conference agreement includes $156,777,000 for infrastructure assistance grants instead of $160,000,000 as proposed by the House and $150,000,000 as proposed by the Senate. Bill language has been included to incorporate these projects into law by reference and to require a local match of 45 percent of the total project costs as proposed by the House and Senate. The conferees note that technical corrections to prior year project designations have been included as part of the table below.

The conferees have agreed to the following distribution of funds:

	State	Project	Amount
1.	AK	City of Buckland for construction of a piped water and sewer system	$500,000
2.	AK	City of Homer for planning and design of a new drinking water system	500,000
3.	AK	City of Kodiak for water and sewer improvements	300,000
4.	AK	City of Soldotna for a water and wastewater improvements project	500,000
5.	AK	Municipality of Skagway for a wastewater treatment facility expansion project	300,000
6.	AL	City of Brewton for a wastewater improvements project	300,000
7.	AL	East Alabama Water Sewer and Fire Protection District for wastewater system planning	275,000
8.	AL	Fayette County for the construction of a drinking water reservoir	6,000,000
9.	AL	The City of Enterprise for the Enterprise Southeast lagoon upgrade project	500,000
10.	AL	The City of Sulligent for a water well and storage tank project	500,000
11.	AL	Washington County Commission for the Washington County sanitary sewer extension	500,000
12.	AR	Cabot Waterworks for wastewater improvements	500,000
13.	AR	City of Dardanelle for water treatment plant expansion	300,000
14.	AR	City of Forrest City for water infrastructure improvements	300,000
15.	AR	City of Warren for water infrastructure improvements	300,000
16.	AR	Fort Chaffee Redevelopment Authority for water system improvements	300,000
17.	AR	The City of Fayetteville for Elkins Outfall Sewer Line sewer replacement	500,000
18.	AZ	City of Safford for water infrastructure improvements	300,000
19.	AZ	The Pascua Yacqui Tribe for the master drainage plan	1,000,000
20.	AZ	The Town of Chino Valley for water and wastewater infrastructure	500,000
21.	AZ	The Town of Miami for sewer collection system upgrades	220,000
22.	CA	Big Bear Department of Water and Power for Big Bear Lake water system infrastructure improvements	750,000
23.	CA	Carlsbad for Vista-Carlsbad joint wastewater project	500,000
24.	CA	City of East Palo Alto for the East Palo Alto water supply and stormwater management improvements	875,000
25.	CA	City of Eureka for the Martin Slough interceptor project	875,000
26.	CA	City of Galt for Wastewater Treatment Plant Upgrades	500,000
27.	CA	City of Rialto for Inland empire groundwater remediation and drinking water system improvements	300,000
28.	CA	City of Santa Monica for the Santa Monica water system reliability project	875,000
29.	CA	City of Westminster for Stormwater System improvements	875,000
30.	CA	Helix Water District for the El Monte Valley groundwater recharge project	500,000
31.	CA	Monterey County Water Resources Agency for the Lower Carmel River and Lagoon Floodplain restoration and enhancement project	500,000
32.	CA	Municipal Water District of Orange County for water supply improvements	875,000
33.	CA	Palmdale Water District for water main replacement	500,000
34.	CA	Shasta County for Elk Trail Water System Improvements	875,000
35.	CA	South Montebello Irrigation District for water system infrastructure improvements	550,000
36.	CA	South Pasadena for Wilson Reservoir replacement	300,000

37.	CA	The City of Arcadia for the Arcadia and Sierra Madre joint water infrastructure project	500,000
38.	CA	The City of Bell for Sewer Infrastructure Modernization	675,000
39.	CA	The City of Calimesa for storm drain improvements	500,000
40.	CA	The City of Cathedral City for South City Improvement District groundwater protection	500,000
41.	CA	The City of Ceres for East Service Road sanitary sewer extension	500,000
42.	CA	The City of Culver City for storm water improvements	500,000
43.	CA	The City of Los Angeles for the Elysian Park water recycling project	500,000
44.	CA	The City of Ridgecrest for wastewater treatment facility infrastructure	400,000
45.	CA	The City of San Jose for the San Jose Redevelopment Area sewer main rehabilitation	300,000
46.	CA	The City of San Juan Capistrano for ground water recovery plant expansion and regional distribution facility	625,000
47.	CA	The City of Temple City for storm drain installation	200,000
48.	CA	The City of Vallejo for Mare Island sanitary sewer and storm drain improvements	750,000
49.	CA	Western Municipal Water District for Arlington Desalter Biodenitrification	625,000
50.	CO	City of Monte Vista for wastewater facility consolidation	300,000
51.	CO	City of Rifle for drinking water infrastructure improvements	300,000
52.	CT	City of Norwich for wastewater treatment facility improvements	300,000
53.	CT	The Mattabasset District for wastewater treatment facility upgrades	500,000
54.	CT	The Town of Prospect for drinking water infrastructure	495,000
55.	CT	Town of East Lyme for drinking water system improvements	300,000
56.	DE	New Castle County for Turkey Run interceptor improvements	300,000
57.	DE	Sussex County Council for the Johnson's Corner wastewater improvement project	300,000
58.	FL	City of West Palm Beach for water infrastructure improvements	500,000
59.	FL	Jacksonville Water and Sewer Expansion Authority for septic tank replacement	500,000
60.	FL	Santa Rosa County for Navarre Beach water clarifier	220,000
61.	FL	South Seminole and North Orange County Wastewater Transmission Authority for wastewater infrastructure improvements	500,000
62.	FL	St. Johns River Water Management District for the East-Central Florida Integrated Water Resources Project	300,000
63.	FL	The City of Clearwater for wastewater treatment facility improvements	500,000
64.	FL	The City of Homestead for water utility upgrades	500,000
65.	FL	The City of Opa-Locka Public Works Division for wastewater infrastructure improvements	500,000
66.	FL	The City of Quincy for inflow and infiltration improvements	440,000
67.	FL	The City of Sunrise for a water reclamation system	1,000,000
68.	FL	City of Tampa for reclaimed water expansion project	300,000
69.	GA	City of Rome for construction of a new drinking water transmission main	300,000
70.	GA	Fort Valley Utility Commission for wastewater reclamation facility	500,000
71.	GA	Metropolitan North Georgia Water Planning District for multiple water and wastewater system improvements	500,000
72.	GA	The City of Atlanta for sewer system infrastructure improvements	500,000
73.	GA	The City of Crawfordville for the sewer rehabilitation	500,000

74.	GA	The City of Kingsland for water and sewer infrastructure	500,000
75.	GU	Guam Waterworks Authority for Wastewater Infrastructure Improvements	600,000
76.	HI	County of Kauai for the Waimea Wastewater Treatment Plant expansion project	1,000,000
77.	HI	Hawaii County for the Hawaii Ocean View Estates drinking water source development project	220,000
78.	HI	Hawaii County for the Kapulena drinking water source development project	739,750
79.	HI	Maui County for infrastructure improvements at the Kamole Water Treatment Plant	1,000,000
80.	HI	Maui County for Kaa Force main replacement	1,000,000
81.	IA	City of Boone for wastewater and stormwater infrastructure improvements	300,000
82.	IA	City of Clinton for construction of a new wastewater treatment facility	300,000
83.	IA	City of Keokuk for a stormwater and sewer separation project	300,000
84.	IA	City of Ottumwa for wastewater and stormwater infrastructure improvements	300,000
85.	IA	The City of Garner for wastewater treatment infrastructure improvements	500,000
86.	ID	City of American Falls for construction of a wastewater treatment facility	300,000
87.	ID	Granite Reeder Water and Sewer District for construction of a sewage collection system	300,000
88.	ID	The City of Buhl for wastewater treatment infrastructure	750,000
89.	IL	City of Decatur for water infrastructure improvements	250,000
90.	IL	City of Lexington for water infrastructure improvements	100,000
91.	IL	City of Peoria for sewer and stormwater improvements	300,000
92.	IL	Naperville Heritage Society, Naperville, for stormwater management at Naper Settlement	500,000
93.	IL	Sharpsburg and Neighboring Area Water System for infrastructure	500,000
94.	IL	The Village of Buckner for a water storage tank	352,000
95.	IL	The Village of Carol Stream for Tubeway Drive storm water lift station rehabilitation	192,500
96.	IL	The Village of Hopedale for wastewater treatment facility upgrades	180,000
97.	IL	The Village of Johnsburg for wastewater treatment infrastructure	500,000
98.	IL	The Village of Park Forest for sanitary sewer infrastructure	500,000
99.	IL	Will County for Ridgewood water and wastewater infrastructure improvements	550,000
100.	IL	Macoupin County for water infrastructure improvements	250,000
101.	IN	City of Tipton for drinking water and wastewater infrastructure upgrades project	300,000
102.	IN	Clinton County Government for the Eastside Regional stormwater improvements	500,000
103.	IN	The City of Portage for water infrastructure improvements	800,000
104.	IN	Wadesville-Blairsville Regional Sewer District for the sanitary sewer system project	500,000
105.	KS	City of Buhler for construction of an adsorption media drinking water treatment facility	600,000
106.	KS	City of Iola for drinking water and wastewater pipe improvements project	300,000
107.	KS	City of Junction City for construction of a drinking water project	250,000
108.	KS	City of Marion for construction of a wastewater project	150,000
109.	KS	City of Russell for replacement of cast iron drinking water lines	400,000

110.	KS	Pottawatomie County for construction of a main pump wastewater station	400,000
111.	KS	The City of DeSoto for water treatment infrastructure improvements at the Sunflower Army Ammunition Plant	500,000
112.	KS	The City of Rose Hill for the Berlin Drainage Project	500,000
113.	KY	City of Burgin for upgrades to the drinking water distribution system	340,000
114.	KY	City of Eubank for a water line replacement project	200,000
115.	KY	City of Franklin for a sewer line replacement project	100,000
116.	KY	City of Vine Grove for construction of additional sewer lines	840,000
117.	KY	Fleming County for a sewer collection expansion project	620,000
118.	KY	Franklin County Fiscal Court for the Farmdale Area wastewater treatment plant	900,000
119.	KY	Owensboro-Daviess County Regional Water Resource Agency for the Locust Hills Subdivision sewer installation project	220,000
120.	KY	Perry County Sanitation District No. 1 for wastewater treatment infrastructure	500,000
121.	KY	The City of Paris for combined utilities water plan improvements	500,000
122.	KY	The City of Tompkinsville for a water treatment plant backwash lagoon project	189,750
123.	KY	The City of Wurtland for the Wurtland/Greenup/Lloyd regional sewer project	500,000
124.	LA	City of Baton Rouge for East Baton Rouge Parish wastewater system improvements	300,000
125.	LA	City of Lake Charles for wastewater system improvements	300,000
126.	LA	Lafayette Utilities System for drinking water and wastewater line relocations and upgrades project	300,000
127.	LA	St. Tammany Parish for Bayou Chinchuba Regional water retention	500,000
128.	LA	The City of Monroe for a wastewater treatment system	500,000
129.	LA	City of Grambling for drinking water system improvements	300,000
130.	MA	City of Gloucester for Essex Avenue Wastewater Treatment Facility Upgrade	500,000
131.	MA	City of Marlborough for infrastructure upgrades at the Westerly Wastewater Treatment Facility	300,000
132.	MA	Pioneer Valley Planning Commission for the Connecticut River CSO	871,500
133.	MA	The Cities of Fall River and New Bedford and the Towns of Acushnet, Mansfield, Norton, and Foxboro for Bristol County CSO upgrades	750,000
134.	MA	The City of Malden for citywide lead water service replacement	500,000
135.	MD	City of Frostburg for combined sewer overflow improvements	300,000
136.	MD	Maryland Department of the Environment for Salisbury cast iron distribution pipe	500,000
137.	MD	The City of Rockville for sanitary sewer rehabilitation	750,000
138.	MD	The Town of Chesapeake Beach for WWTP Enhanced Nutrient Removal Upgrade and Expansion	700,000
139.	MD, DC, VA	Washington Suburban Sanitary Commission (MD), Washington Area Sewer Authority (DC), and Fairfax County Public Works Department (VA) for water and wastewater infrastructure improvements at the Blue Plains Wastewater Treatment Plant	1,200,000
140.	ME	City of Portland for a combined sewer overflow and storm water runoff improvements project	1,250,000

141.	ME	Limestone Water and Sewer District for design and construction of new wastewater pipes and pumping stations	550,000
142.	ME	The Town of Machias for sewer system upgrades	500,000
143.	MI	City of Port Huron for combined sewer overflow improvements	300,000
144.	MI	Lansing Board of Water & Light for Lansing energy efficient drinking water system	500,000
145.	MI	Oakland/Macomb County Drain Drainage District for interceptor improvements	500,000
146.	MI	The City of Detroit DEGC for East Riverfront wastewater infrastructure	500,000
147.	MI	The City of Grand Rapids for Eastside CSO separation	500,000
148.	MI	Wayne County for the Rouge River Wet Weather Demonstration Project	500,000
149.	MN	City of Faribault for wastewater infrastructure improvements	150,000
150.	MN	City of St. Cloud for water infrastructure improvements	300,000
151.	MN	Grand Rapids Public Utilities Commission for wastewater facilities improvements	1,000,000
152.	MN	South Bend Township for water and sewer infrastructure	500,000
153.	MN	The City of Maple Plain for water treatment facility infrastructure	500,000
154.	MO	City of Lee's Summit for a wastewater infrastructure improvements project	1,500,000
155.	MO	City of New Haven for consolidation and replacement of wastewater pump stations	300,000
156.	MO	PWSD #1 of McDonald County for wastewater infrastructure	465,000
157.	MO	The City of East Prairie for stormwater and sewer infrastructure	200,000
158.	MO	The City of Saint Joseph for stormwater and wastewater infrastructure	500,000
159.	MS	Black Bayou Water Association for drinking water improvements	250,000
160.	MS	City of Batesville for design and construction of wastewater improvements projects	275,000
161.	MS	City of Carthage for a wastewater improvements and rehabilitation project	275,000
162.	MS	City of Pearl for rehabilitation of wastewater gravity mains	277,000
163.	MS	City of Ridgeland for construction of a new potable water well	200,000
164.	MS	Hinds County Board of Supervisors for planning and design of a centralized wastewater system	300,000
165.	MS	Leflore County Board of Supervisors for a stormwater project	143,000
166.	MS	Mississippi Band of Choctaw Indians for rehabilitation of wastewater pump stations	380,000
167.	MS	Tunica County Utility District for construction of a wastewater treatment facility	400,000
168.	MT	Butte-Silver Bow Consolidated Government for drinking water improvements for the City of Butte	500,000
169.	MT	City of Bozeman for water treatment facility improvements	500,000
170.	MT	City of Missoula for wastewater facility improvements	200,000
171.	MT	Crow Tribe in Crow Agency for wastewater infrastructure improvements	300,000
172.	MT	Em-Kayan County Water and Sewer District for infrastructure improvements	290,600
173.	NC	City of Raleigh Public Utilities Department for the Dempsey E. Benton Water Treatment Plant Backwash Waste Facility	500,000
174.	NC	Greenville Utilities Commission for construction of a wastewater pumping station	300,000
175.	NC	McDowell County for water system improvements	500,000
176.	NC	Town of Ahoskie for wastewater system improvements	300,000

177.	NC	Town of Cary Public Works and Utilities Department for Western Wake regional wastewater management facility	1,000,000
178.	ND	City of Valley City for drinking water system improvements	400,000
179.	ND	City of Washburn for drinking water treatment facility upgrades	400,000
180.	ND	Stutsman Rural Water District, Stutsman County for drinking water system improvements	400,000
181.	NE	City of Plattsmouth for combined sewer overflow improvements	1,200,000
182.	NE	The City of Omaha for CSO controls	500,000
183.	NH	City of Berlin for replacement and upgrades of water lines and mains	450,000
184.	NH	City of Keene for a wastewater treatment facility upgrades project	300,000
185.	NH	City of Manchester for the Phase II combined sewer overflow abatement program	450,000
186.	NH	City of Nashua for combined sewer overflow improvements	300,000
187.	NH	Conway Village Fire District for water and wastewater treatment extension project	300,000
188.	NH	Town of Winchester for a wastewater treatment facility upgrades project	300,000
189.	NJ	City of Hackensack for the Clay Street area combined sewer overflow improvement project	300,000
190.	NJ	City of New Brunswick for water pumping station improvements	300,000
191.	NJ	City of Orange Township for drinking water system improvements	300,000
192.	NJ	City of Perth Amboy for drinking water infrastructure improvements	300,000
193.	NJ	Monmouth County for water and wastewater infrastructure improvements	500,000
194.	NJ	Passaic Valley Sewerage Commission for a Combined Sewage Overflow Project	750,000
195.	NJ	The Borough of Califon for Railroad Ave./Main St. stormwater improvements	500,000
196.	NJ	The Borough of Fort Lee for CSO abatement upgrades	500,000
197.	NJ	The Borough of Hopatcong for drinking water infrastructure improvements	500,000
198.	NM	The Pueblo of San Felipe for wastewater infrastructure	400,000
199.	NM	City of Carlsbad for a water reuse project	300,000
200.	NM	City of Portales for wastewater treatment plant improvements	300,000
201.	NV	City of Boulder City for water infrastructure improvements	290,000
202.	NV	City of Carson City for the Marlette-Hobart water system improvements	350,000
203.	NV	City of Fernley for a wastewater infrastructure project	300,000
204.	NV	Las Vegas Paiute Tribe for water infrastructure improvements	550,000
205.	NV	Lyon County Utilities for wastewater infrastructure improvements at Mound House	500,000
206.	NY	Gowanus Canal Conservancy for Gowanus Canal water quality improvement	300,000
207.	NY	Onondaga County for storm water infrastructure improvements	400,000
208.	NY	Rockland Co. Sewer District No. 1 for Ramapo wastewater treatment	500,000
209.	NY	The City of Glen Cove for water and stormwater infrastructure improvements	500,000
210.	NY	The City of New York, New York City Department of Parks and Recreation for Bronx River stormwater management	550,000
211.	NY	The City of Rochester for the Highland Reservoir	600,000
212.	NY	The City of White Plains for a drinking water transmission line	500,000
213.	NY	The Town of Pendleton for the replacement of grinder pumps	500,000
214.	NY	The Town of Urbana for water and wastewater infrastructure	500,000
215.	NY	The Village of Saugerties for water and wastewater infrastructure improvements	800,000

216.	NY	Westchester Joint Water Works for water main rehabilitation	517,000
217.	NY	Nassau County for Bay Park STP outfall project	300,000
218.	NY	Saratoga Hospital in Saratoga, NY for water supply improvements	300,000
219.	OH	Belmont County Commissioners for construction of sanitary sewer system	400,000
220.	OH	Butler County Commissioners for the Ross Township sewer project	500,000
221.	OH	City of Fostoria for the planning, design and construction of a new sanitary pump station and force main	500,000
222.	OH	City of Fremont for combined sewer overflow improvements	500,000
223.	OH	Knox County for construction of wastewater collection and treatment system	400,000
224.	OH	Muskingum County Commissioners for Maysville sewer improvements	500,000
225.	OH	Ottawa County for the Ottawa County sanitary sewer project	500,000
226.	OH	The City of Ashland for a waterline replacement project	500,000
227.	OH	The City of Stow for sanitary sewer system infrastructure	500,000
228.	OH	The City of Vandalia for airport access road water and sewer extensions	500,000
229.	OH	The City of Worthington for sanitary sewer improvements	500,000
230.	OH	The Village of Dillonvale for water meter replacement	100,000
231.	OH	The Village of Tiro for a water distribution system	500,000
232.	OH	Trumbull County Commissioners for wastewater infrastructure improvements	300,000
233.	OK	City of Enid for planning, design and construction of a wastewater treatment plant	300,000
234.	OK	Lawton Ft. Sill Chamber of Commerce for Lawton Industrial Park Expansion for Water and Sewer Line Extensions	750,000
235.	OR	City of Vernonia wastewater system improvements	300,000
236.	OR	Umatilla County for Milton-Freewater stormwater system improvements	300,000
237.	PA	Allegheny County Sanitary Authority for the Three Rivers Wet Weather Demonstration Program	225,000
238.	PA	Chester County Economic Development Council for the Upper Worthington Infrastructure Improvement Project	225,000
239.	PA	Findlay Township Municipal Authority for water and sewer upgrades	500,000
240.	PA	Haines Aaronsburg Municipal Authority for water line interconnection	250,000
241.	PA	Hegins-Hubley Authority for facility improvements	68,000
242.	PA	Lehigh County Authority for the Vera Cruz wastewater collection system	500,000
243.	PA	Municipal Authority of the City of Lower Burrell for Wildlife Lodge Road sanitary sewer extension	800,000
244.	PA	Northampton, Bucks County Municipal Authority for wastewater infrastructure improvements	500,000
245.	PA	The City of Reading for wastewater infrastructure improvements at Fritz's Island	500,000
246.	PA	Thornbury Township for Cheyney University/Thornbury Township wastewater treatment facility improvements	250,000
247.	PA	Tri-County Joint Municipal Authority for water treatment infrastructure	393,000
248.	PA	Westmoreland County Industrial Development Corporation for wastewater infrastructure replacement	300,000
249.	PA	York City Sewer Authority for wastewater facility infrastructure	225,000
250.	RI	City of Cranston for wastewater infrastructure	400,000
251.	RI	City of East Providence for drinking water infrastructure improvements	400,000
252.	RI	The City of Newport for UV disinfection system improvements	500,000

253.	RI	Town of North Providence for storm water infrastructure improvements	400,000
254.	SC	Laurens Commission of Public Works for construction of a pump station, water lines and water tank	300,000
255.	SC	The City of Rock Hill for the Phase II Hagins-Fewell Neighborhood Infrastructure Improvement Project	600,000
256.	SC	The Town of Coward for drinking water and wastewater improvements	500,000
257.	SD	City of Elk Point for water and wastewater infrastructure improvements	400,000
258.	SD	City of Lead for water and wastewater infrastructure improvements	400,000
259.	SD	City of Rapid City for wastewater infrastructure improvements	300,000
260.	SD	Brant Lake Sanitary District for wastewater infrastructure improvements	400,000
261.	TN	Campbell County Government for Campbell County waterline improvements	500,000
262.	TN	City of Tusculum for planning, design and construction of a wastewater treatment facility and collection system	500,000
263.	TN	Dickson County Water Authority for construction of a drinking water system	250,000
264.	TN	Hancock County for a drinking water extension project	500,000
265.	TN	Springville Utility District of Henry County for drinking water system improvements	500,000
266.	TN	The City of Harrogate for wastewater system improvements	500,000
267.	TX	City of Beaumont for a sewer line rehabilitation project	400,000
268.	TX	City of Lubbock for a treated drinking water pipeline project	200,000
269.	TX	City of Lufkin for design and construction of drinking water infrastructure, storage and treatment capacity	400,000
270.	TX	City of Nacogdoches for construction of two detention ponds	500,000
271.	TX	City of Round Rock for planning, design and construction of a regional water supply system	300,000
272.	TX	The City of Andrews for Andrews arsenic filtration pilot project	400,000
273.	TX	The City of Austin for Austin Sanitary Sewer Overflow Prevention	500,000
274.	TX	The City of Baytown for water and wastewater infrastructure improvements	500,000
275.	TX	The City of Crystal City for water infrastructure improvements	500,000
276.	TX	The City of Gainesville for the water treatment plant expansion project	500,000
277.	TX	The City of Joshua for the Joshua drainage project in Johnson County	1,000,000
278.	TX	The City of La Vernia for drinking water infrastructure	500,000
279.	TX	The City of Petersburg for elevated water tank replacement	439,000
280.	TX	The City of Temple for industrial park wastewater line and interceptor	500,000
281.	UT	City of Lindon for channel improvements in a stormwater detention and management area	500,000
282.	UT	City of Taylorsville for stormwater infrastructure improvements and upgrades	500,000
283.	UT	Clearfield City for a drinking water and wastewater improvements project	300,000
284.	UT	Draper City for construction of a culinary reservoir	500,000
285.	UT	South Salt Lake City for a waterline replacement project	300,000
286.	UT	Weber County for the Weber County storm water master plan	500,000
287.	VA	Caroline County for the Dawn Community Decentralized Wastewater System project	300,000
288.	VA	Halifax County Service Authority for Maple Avenue wastewater plant upgrades	500,000
289.	VA	The City of Alexandria for a water reuse project	500,000
290.	VA	The City of Alexandria, Arlington County for Four Mile Run infrastructure improvements	500,000

291.	VA	The City of Falls Church for storm water infrastructure	500,000
292.	VA	Town of Onancock for wastewater treatment system improvements	300,000
293.	VT	Ferrisburgh Fire District #1 for water infrastructure improvements	300,000
294.	VT	Town of Guilford for drinking water system improvements	375,000
295.	VT	Village of Waterbury for wastewater system improvements	825,000
296.	WA	City of Puyallup for wastewater pump and main force upgrades	500,000
297.	WA	Cowlitz Public Utility District in Cowlitz County for replacement of wastewater infrastructure	400,000
298.	WA	Jefferson County Department of Community Development for the Port Hadlock wastewater system	1,000,000
299.	WA	The City of Buckley for emergency intertie booster station	333,850
300.	WA	The City of Lacey for regional reclaimed water project	500,000
301.	WA	The City of Rock Island for wastewater system infrastructure	500,000
302.	WA	The City of Seattle for the Magnuson Park Wetlands project	500,000
303.	WA	The City of South Bend for the Willapa Regional wastewater facilities project	500,000
304.	WA	The City of Tacoma for the Tacoma downtown sustainable storm drainage system	1,500,000
305.	WA	West Sound Utility District for the Port Orchard reclaimed water distribution system	165,000
306.	WA	Whatcom County for stormwater system improvements	300,000
307.	WI	City of Janesville for wastewater treatment plant improvements	400,000
308.	WI	City of Waukesha Water Utility for drinking water system improvements	400,000
309.	WI	Milwaukee Metropolitan Sewerage District for the replacement of a central sewer system	400,000
310.	WI	The City of Abbotsford for water treatment infrastructure	1,000,000
311.	WI	The City of Park Falls for sewer infrastructure	550,000
312.	WI	The Village of Athens for wastewater treatment facility upgrades	1,000,000
313.	WI	The Village of Stetsonville for a public drinking water system	1,000,000
314.	WV	Marshall County Sewerage District for wastewater infrastructure improvements	800,000
315.	WV	Ohio River Valley Sanitation Commission of organic detection system improvements	1,200,000
316.	WV	The Town of Rowlesburg for drinking water infrastructure improvements	500,000
317.	WV	Town of Moorefield for wastewater treatment facility upgrades	2,500,000
318.	AL	Fayette County for water system upgrades	
319.	AL	The City of Thomasville for a water facility project	
320.	AL	The City of Thomasville for regional water supply distribution	
321.	AL	The City of Thomasville for the Southwest Alabama Rural/Municipal Water System	
322.	AL	The City of Thomasville for water infrastructure improvements	
323.	CA	San Bernardino Municipal Water Department for the Inland Empire alternative water supply project	
324.	IL	The City of Quincy for drinking water system improvements	
325.	KS	City of Manhattan for a water mainline extension project	
326.	KS	The City of Manhattan for the Konza Water Main Extension project	
327.	KS	The City of Prescott for a wastewater treatment plant construction	
328.	KS	The City of Wichita for a storm water technology pilot project	

329.	MO	Johnson County for a drinking water and wastewater infrastructure project
330.	MO	Pemiscot Consolidated Public Water Supply District 1 for a drinking water source protection infrastructure project
331.	MO	PWSD #1 of McDonald County for wastewater infrastructure expansion
332.	MO	The Gravois Arm Sewer District for a wastewater infrastructure project
333.	SD	The City of Lake Norden for drinking water infrastructure improvements

Categorical Grants.—The bill provides $1,116,446,000 for categorical grants instead of $1,115,446,000 as proposed by the House and $1,111,274,000 as proposed by the Senate. Within this program area, the conference agreement includes:

Climate Change Initiative Grants for Local Communities.—The conference agreement includes $10,000,000 to continue this competitive grant program, which provides assistance to local governments to establish and implement climate change initiatives. The Agency is expected to follow the program directives included in the House report.

Section 106 Water Quality Grants.—The conferees are very concerned by recent reports that EPA and the States are not keeping pace with Clean Water Act enforcement requirements and believe that increased oversight and enforcement efforts related to water quality are essential. The conferees recognize that Section 106 grants are the primary tool for funding State water quality and enforcement programs and have agreed to provide the requested funding increase of $10,769,000 above the fiscal year 2009 enacted level. The Agency is directed to ensure that the increased funds are used to strengthen State permitting and enforcement efforts and to ensure that these funds supplement and expand, not supplant, base State enforcement program resources. Consistent with recommendations from both the House and the Senate, the conference agreement does not include language proposed by the President regarding water quality monitoring. The conferees direct the Agency to follow the historic allocation criteria between State capacity-building and national surveys.

Bill Language.—Language is included within the STAG account, instead of in the Administrative Provisions section as proposed by the House, to address green infrastructure projects funded from the State Revolving Funds. The language, including technical modifications, clarifies that the type of projects eligible for the 20 percent green infrastructure set-aside includes environmentally innovative activities as proposed by the Senate. Language is included to provide for additional subsidies from the State Revolving Funds as proposed by the House in the Administrative Provisions section.

Language is included, as proposed by the Senate, to provide direction on the allocation of funds to address drinking water and waste water infrastructure needs of Alaska Native villages, including that not less than 25 percent of those funds be used for projects in regional hub communities.

The conferees have included language as proposed by the House to increase the set-asides for Tribes and territories from the State Revolving Funds instead of language proposed by the Senate.

As noted below, the conferees have modified language, as proposed by the Senate, making technical corrections to prior year infrastructure grants. These project corrections are now incorporated into law by inclusion in the table above.

Technical Corrections to Prior Year STAG Infrastructure Grants.—As proposed by the Senate, technical corrections to prior-year infrastructure grants are as follows:

AL—Item number 9 in House Report 107–272 for the Southeast Alabama Regional Water Authority for a water facility project shall be made available to the City of Thomasville for that project.

AL—Item number 20 in House Report 107–272 for the Alabama Regional Water Authority for the Southwest Alabama Rural/Municipal Water System shall be made available to the City of Thomasville for that project.

AL—Item number 20 in House Report 108–10 for the Southwest Alabama Regional Water Authority for water infrastructure improvements shall be made available to the City of Thomasville for that project.

AL—Item number 31 in House Report 108–401 for the Southwest Alabama Regional Water Supply District for regional water supply distribution shall be made available to the City of Thomasville for that project.

AL—Item number 30 in House Report 108–401 for the Tom Bevill Reservoir Management Area for construction of a drinking water reservoir shall be made available to Fayette County for water system upgrades.

CA—Item number 44 in the joint explanatory statement to accompany P.L. 111–8 for the San Bernardino Municipal Water District for the Inland Empire alternative water supply project shall be made available to the San Bernardino Municipal Water Department for that project.

IL—Item number 95 in the joint explanatory statement to accompany P.L. 111–8 for the Village of Crestwood for water storage improvements shall be made available for the City of Quincy for drinking water system improvements.

KS—Of the funds made available for item number 96 in the joint explanatory statement to accompany P.L. 110–161 for the City of Prescott for a wastewater treatment plant construction, $170,800 shall be made available to the City of Prescott for that wastewater treatment plant construction and $129,200 shall be made available to the City of Wichita for a storm water technology pilot project.

KS—Item number 108 in the joint explanatory statement to accompany P.L. 111–8 for the City of Manhattan for a sewer mainline extension project shall be made available to City of Manhattan for a water mainline extension project.

KS—Item number 111 in the joint explanatory statement to accompany P.L. 111–8 for the Riley County Board of Commissioners for the Konza Sewer Main Extension shall be made available to the City of Manhattan for the Konza Water Main Extension Project.

MO—Item number 154 in the joint explanatory statement to accompany P.L. 111–8 for the City of Warrensburg for a drinking water and wastewater infrastructure project shall be made available to Johnson County for that project.

MO—Item number 151 in the joint explanatory statement to accompany P.L. 111–8 for the City of Gravois Mills for wastewater infrastructure shall be made available to the Gravois Arm Sewer District for that project.

MO—Item number 155 in the joint explanatory statement to accompany P.L. 111–8 for McDonald County for a wastewater infrastructure expansion project shall be made available to PWSD #1 of McDonald County for that project.

MO—Item number 131 in the joint explanatory statement to accompany P.L. 110–161 for the City of Hayti, Pemiscot Consolidated Public Water Supply District 1 for a water storage tank shall be made available to Pemiscot Consolidated Public Water Supply District 1 for a drinking water source protection infrastructure project.

SD—Item number 245 in the joint explanatory statement to accompany P.L. 111–8 for the City of Lake Norden for wastewater infrastructure improvements shall be made available to the City of Lake Norden for drinking water infrastructure improvements.

Hancock, County, MS State Revolving Fund Loans.—The agreement includes a general provision that directs EPA to extend loan repayment periods for the Hancock County, MS Water and Sewer District and the Hancock Utility authority by one year in order to allow the community to explore all possible remedies to avoid defaulting on loans. The conferees see this as an extraordinary action based upon the devastating effect of Hurricane Katrina on Hancock County. Due to the population loss and economic impact caused by Hurricane Katrina, the community has sought, and been granted, this one year extension.

ADMINISTRATIVE PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

The conference agreement includes language proposed by the House to extend until 2015 authority provided in P.L. 109–54 (as amended by Title II of Division E of Public Law 111–8) which provides special hiring authority for the Agency's Office of Research and Development. The conferees believe that it is in the public's best interest to have elite scientists at the EPA addressing human health-related issues, and that they should be compensated at or near market rates. To that end, for the past five years the House and Senate Committees on Appropriations have been supportive of extending to the EPA on a pilot basis the authorities originally granted the Department of Health and Human Services under Title 42 U.S.C. §209. The conference agreement extends this authority for another five years, through FY 2015. The conferees are aware that the National Academy of Sciences is in the process of assessing and evaluating the EPA's use of Title 42 authority, and the conferees look forward to its report. Further, the conferees urge the EPA to work with the appropriate authorizing committees to seek more permanent authorization. The conferees understand that the EPA has made 11 Title 42 appointments to date utilizing Sections 209(g) and 209(h) authorities, but has not utilized Section 209(f) authority. The conferees direct the EPA to notify the Appropriations and Authorizing Committees prior to announcing any position to be filled utilizing Section 209(f) authority.

Modified language is included to authorize the Administrator to transfer up to $475,000,000 of funds appropriated for the Great Lakes Restoration Initiative. Language authorizing a green infrastructure set-aside from the State Revolving Funds has been included in the STAG account as proposed by the Senate instead of in the Administrative Provisions section as proposed by the House. Language proposed by the House authorizing subsidized assistance from the State Revolving Funds has been included in the STAG account. The conference agreement modifies language proposed by the House to provide specific wage rate requirements for the Clean Water and Drinking Water State Revolving Funds.

Rescission.—The conference agreement modifies rescission language proposed by the House and the Senate and rescinds $40,000,000 from the STAG and Superfund accounts. Based on information provided by the Agency, the conferees have expanded the scope of the rescission to include the Superfund account. For the STAG component of the rescission, the conferees direct the Agency to use unobligated balances from prior year categorical and other grant programs. Unlike in previous years, the Agency is not to include as part of the rescission unobligated balances from prior year special project infrastructure grants. The conferees are concerned about the method by which the Agency has selected infrastructure grants as eligible for rescission and therefore will not allow the use of these types of funds for this specific rescission. The conferees further direct the Agency to report within 90 days of enactment of this Act the status of unobligated balances from the Title II Construction Grants program and a proposed plan to resolve legal and administrative impasses to

either the use of these funds or their rescission.

In light of the significant amount of unliquidated obligations remaining on prior year grants, the conferees direct the Agency to improve procedures to ensure that grant funds are expended in a timely manner. In addition, the conferees are very concerned about the quality of information and analysis provided by the Office of the Inspector General (OIG) concerning the Agency's unliquidated obligation balances. Any future submissions from the OIG on this topic should, at a minimum, identify the appropriation account for each program with unliquidated obligations. In addition, the OIG should not submit any estimates unless and until it has met with the Agency to review each obligation and determine together whether or not it is actually available for rescission. Only after consultation with and agreement from the Agency, should the OIG report to Congress as available for rescission any funds attached to grants with active performance periods.

Black Carbon Study.—The conferees have included a modified version of the language proposed by the Senate requiring the Agency to conduct a study on black carbon emissions and have provided additional direction under the Science and Technology account.

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The conference agreement provides a total of $5,297,256,000 for all Forest Service accounts instead of $5,420,138,000 as proposed by the House and $5,368,758,000 as proposed by the Senate (including the entire $834,000,000 proposed by the Senate in their section 431 version of the FLAME Act). The detailed allocation of funding by appropriation account and budget activity is included in the table at the end of the statement.

The conference agreement concurs with the House proposed language encouraging the Forest Service to accelerate the longleaf pine restoration effort using funds provided within the National Forest System, State and Private Forestry, and Forest and Rangeland Research accounts.

FOREST AND RANGELAND RESEARCH

The conference agreement provides $312,012,000 for Forest and Rangeland Research instead of $308,612,000 as proposed by the House and $307,012,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Research and Development Programs.—The conference agreement includes the $5,000,000 funding increase and the directions proposed by the House concerning the global climate change program increase and the Senate proposed increase above the request of $400,000 to increase the budget request for the Center for Bottomlands Hardwood Research, MS, for a total of $800,000. The House proposed fixed cost increase is not included. The conferees reiterate their support for the amount requested for the Northeastern States Research Cooperative and expect the Service to allocate funds among participating entities.

Forest Inventory and Analysis.—The conference agreement includes an increase of $5,000,000 above the request as recommended by the Senate. The Senate directions concerning this program should be followed.

STATE AND PRIVATE FORESTRY

The conference agreement provides $308,061,000 for State and Private Forestry instead of $307,486,000 as proposed by the House and $276,946,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Forest Health Management.—The conference agreement provides an increase of $2,000,000 above the request for high priority work in the Federal program as described by the House. The cooperative program includes the $2,000,000 increase for emerald ash borer urban restoration as recommended by the House as well as the Senate proposed $750,000 increase for gypsy moth activities. The conferees encourage the Service to pursue additional emerald ash borer response activities such as those discussed by the Senate to help the State of Wisconsin, within the normal program.

As detailed below, the conference agreement also allows up to $2,000,000 within the cooperative forest health management program to be made available for the Pest and Disease Revolving Loan Fund established by Public Law 110–246.

Cooperative Fire Protection.—The conference agreement includes an increase of $4,000,000 for State Fire Assistance as recommended by the House, which should be targeted for activities related to implementing State-wide Assessment and Resource Strategy plans.

Forest Stewardship.—The conference agreement includes the House proposed increase of $1,000,000 for the Chesapeake Bay program but the agreement does not include the other increases proposed by the House.

Forest Legacy.—The Forest Legacy program is funded at a total level of $79,460,000, of which $3,000,000 is derived from prior-year unobligated funds. This includes $6,200,000 for program administration, $500,000 to initiate the community forest program, and $72,760,000 for forest legacy projects. The Service should fund projects in priority order according to their competitively-selected national priority list for fiscal year 2010.

Urban and Community Forestry.—The conference agreement includes the following projects proposed by the House: $150,000 for the Baltimore Urban Forestry Watershed Demonstration Cooperative Project; $300,000 to support the Menomonee Valley Partners Inc., Urban Forestry Project in Milwaukee, WI; and $1,000,000 to continue the Seattle-Tacoma regional urban forestry restoration effort, WA.

Economic Action Program.—The conference agreement includes the following projects proposed by the Senate: $300,000 to the Missouri Forest Foundation for a biomass demonstration project; $200,000 to the Utah Department of Agriculture for a fuels-for-schools biomass utilization project; $2,500,000 to the Service's Region 5, for small forest products infrastructure assistance grants in California; $500,000 to the State of Vermont for the Vermont Wood Products Collaborative; and $500,000 to the Blue Mountain Community Renewable Council for the Calaveras Healthy Impact Product Solutions biomass utilization project (CHIPS) in Calaveras, California. An additional $1,000,000 above the request is also provided to increase the budget request for the Wood Education and Resource Center in Princeton, WV, for technical assistance and business development activities, for a total of $1,900,000.

International Program.—The conference agreement provides $9,818,000 for the International program, an increase of $750,000 above the request.

Bill Language.—The conference agreement includes language proposed by the Senate within the National Forest System account, which allows up to $2,000,000 to be made available to the Pest and Disease Revolving Loan Fund as established by section 10205(b) of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 2104 a(b)).

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,551,339,000 for the National Forest System instead of $1,564,801,000 as proposed by the House and $1,552,429,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. The House proposed increases within several budget activities for climate change adaptation are not included. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Land management planning.—The conference agreement includes $399,000 above the request to partially offset fixed cost increases.

Inventory and Monitoring.—The conference agreement includes $1,807,000 above the request to partially offset fixed cost increases.

Recreation, Heritage, and Wilderness.—The conference agreement does not include the House proposed increases for fixed costs or the youth and conservation initiative. The agreement does include an increase of $5,000,000 above the request to assist priority recreation operations.

Wildlife and Fisheries Habitat Management.—The conference agreement includes $1,543,000 above the request to partially offset fixed cost increases.

Forest Products.—The conference agreement does not include the Senate proposed increase for regions with recently closed and at-risk mills but does include an increase above the request of $6,513,000 to offset fixed costs. The conferees expect the Service to consider regional needs to maintain at-risk forest products infrastructure as it allocates the fixed cost increase. The Senate proposed increase of $1,250,000 to increase the budget request for the Tongass National Forest timber pipeline program, AK, is included.

Vegetation and Watershed Management.—The conference agreement includes $3,500,000 above the request to expand efforts to fund cleanup activities associated with marijuana eradication on national forest lands and $2,174,000 above the request to partially offset fixed cost increases.

Minerals and Geology Management.—The conference agreement includes $590,000 above the request to partially offset fixed cost increases.

Land Ownership Management.—The conference agreement includes $1,234,000 above the request to partially offset fixed cost increases.

Law Enforcement Operations.—The conference agreement includes an increase of $10,000,000 above the request to expand the Service's marijuana eradication activities on national forest system lands as proposed by the Senate and discussed during House floor action. The conferees have retained Senate direction regarding the allocation of this increase.

Bill Language.—The conference agreement provides three-year authority for the Forest Service to transfer up to $10,000,000 to the Department of the Interior, Bureau of Land Management, for certain wild horse and cadastral survey work they perform on behalf of the Service.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $556,053,000 for Capital Improvement and Maintenance instead of $560,673,000 as proposed by the House and $513,418,000 as proposed by the Senate. The conferees note that

they have agreed to offset these funds with a $18,000,000 scoring credit, as proposed by the House and Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Facilities Capital Improvement.—The conference agreement provides for the following projects: $595,000 increase for facilities improvements on the Monongahela National Forest, WV; an increase of $800,000 above the budget request to continue construction of research stations in Hawaii, for a total of $1,460,000; $500,000 to complete construction of a Cherokee National Forest work center, TN; $1,900,000 for relocation of the Northern Great Plains Interagency Dispatch Center on the Black Hills National Forest, SD; and $475,000 to redesign the Ratcliff Lake Recreation Area and campground, TX.

Road Capital Improvement.—The conference agreement includes an increase of $1,521,000 for road improvements for the Monongahela National Forest, WV.

Trail Maintenance and Capital Improvement.—The conference agreement includes the House proposed $2,000,000 increase for fixed costs and the $1,200,000 designated for Sawtooth National Recreation Area, ID trail construction and maintenance. The agreement also includes the Senate-proposed increase of $100,000 to the Lake Tahoe Basin Management Unit for improvements to the Tahoe Rim Trail, NV, to be conducted by the Tahoe Rim Trail Association.

Legacy Road and Trail Remediation.—The conference agreement provides $90,000,000 for the legacy road and trail remediation program. The Service should follow the direction as described by the House.

Bill Language.—The conference agreement includes the House proposed language concerning the availability of funds for decommissioning of roads. The conference agreement includes the Senate proposed language limiting funds to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project.

LAND ACQUISITION

The conference agreement includes $63,522,000 for Land Acquisition instead of $36,782,000 as proposed by the House and $67,784,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
CA	Angeles National Forest, Bighorn Mine	$1,750,000
CA	Angeles National Forest, Shoemaker Canyon	500,000
CA	Humboldt-Toiyabe National Forest	2,400,000
CA	Los Padres National Forest, Big Sur Ecosystem.	1,500,000
CA	San Bernardino National Forest, Garner Home Ranch.	500,000
CA	Tahoe and El Dorado National Forests, Sierra Nevada Checkerboard.	1,000,000
CO	Uncompahgre National Forest	1,000,000
FL	Florida National Scenic Trail	500,000
FL	Osceola National Forest, Pinhook Swamp Wildlife Corridor.	500,000
GA	Chattahoochee-Oconee National Forest	1,200,000
ID	Sawtooth National Recreation Area, Piva Parcel.	400,000
IN	Hoosier National Forest	825,000
KY	Daniel Boone National Forest	900,000
MI	Ottawa National Forest, Great Lakes/Great Lands.	1,500,000
MN	Chippewa/Superior National Forest, Minnesota Wilderness.	900,000
MO	Mark Twain National Forest, Missouri Ozark	500,000
MT	Gallatin and Custer National Forests, Greater Yellowstone Area.	2,000,000
MT	Helena National Forest, Blackfoot Challenge	1,000,000
MT	Lewis and Clark National Forest	1,500,000
NC	Pisgah National Forest, Catawba Falls Access & Trail Acquisition.	713,000
NC	Uwharrie National Forest, Uwharrie Trail	500,000
NH	White Mountain National Forest	434,000
NM	Gila National Forest, Bear Creek Ranch	3,000,000
PA	Allegheny National Forest	500,000
SD	Black Hills National Forest, Lady C Ranch	1,640,000
TN	Cherokee National Forest, Rocky Fork	6,000,000
UT	Bonneville Shoreline Trail	1,500,000
UT	Dixie National Forest	2,500,000
UT	Uinta & Wasatch-Cache National Forests, High Uintas.	1,500,000
VT	Green Mountain National Forest	2,250,000
WA	Mt. Baker-Snoqualmie / Wenatchee National Forests, Cascades Ecosystem.	1,000,000
WA	Mt. Baker-Snoqualmie National Forest, Wild Sky Wilderness.	1,700,000
WA, OR	Wallowa-Whitman National Forest, Hells Canyon National Recreation Area.	1,500,000
WI	Chequamegon-Nicolet National Forest, Wisconsin Wild Waterways.	2,125,000
WV	Monongahela National Forest, Cummings Tract.	985,000
WV	Monongahela National Forest, Dolly Sods Conservation Area.	2,800,000
	Subtotal, Line Item Projects	51,022,000
	Acquisition Management	8,000,000
	Equalization	1,000,000
	Inholdings	3,500,000
	Total, Forest Service Land Acquisition	63,522,000

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The conference agreement includes $1,050,000 as requested and as proposed by both the House and the Senate for Acquisition of Lands for National Forests Special Acts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The conference agreement includes $250,000 as requested and as proposed by both the House and the Senate for Acquisition of Lands to Complete Land Exchanges.

RANGE BETTERMENT FUND

The conference agreement includes $3,600,000 as requested and as proposed by both the House and the Senate for the Range Betterment Fund.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The conference agreement includes $50,000 as requested and as proposed by both the House and the Senate for Gifts, Donations and Bequests for Forest and Rangeland Research.

MANAGEMENT OF NATIONAL FOREST LAND FOR SUBSISTENCE USES

The conference agreement includes $2,582,000 as requested and as proposed by both the House and the Senate for Management of National Forest Lands for Subsistence Uses.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $2,178,737,000 for Forest Service Wildland Fire Management instead of $2,370,288,000 as proposed by the House and $1,817,637,000 as proposed by the Senate. The conference agreement also includes an additional $413,000,000 for the new Forest Service FLAME Wildfire Suppression Reserve Fund established in the FLAME Act of 2009 (Title V of this Act). The Senate had included $282,000,000 for a contingency reserve fund within Wildland Fire Management, whereas the House had included $282,000,000 in a separate Wildland Fire Suppression Contingency Reserve account, as requested. The Senate recommendation also included in section 431 an additional $834,000,000 for the inter-departmental FLAME Fund and an additional $10,000,000 in a separate Collaborative Forest Landscape Restoration Fund.

The detailed allocation of funding by activity for the wildfire accounts is included in the table at the end of the statement. The conferees note that the funding provided includes the use of $75,000,000 in prior year funds because the suppression activity had large, non-emergency carry-over balances from fiscal year 2009. In addition to the directions provided in the House and Senate committee reports, the conference agreement also provides the following directions:

Wildfire Preparedness.—The conference agreement provides $675,000,000 as requested for preparedness but not the funds recommended by the House and the Senate for fixed costs or firefighter retention. The conferees have retained direction directing the Secretary of Agriculture, after notifying the House and Senate Appropriations Committees, to adjust allocations between preparedness and suppression funds to ensure that readiness needs are fully funded for this fiscal year. However, the conferees are concerned that these shifts of aviation, personnel and overhead costs to the suppression appropriation have continued to grow exponentially and cloaked the true cost of the agency's readiness needs. The conferees believe an analysis of base preparedness requirements must be an essential element of the firefighting budget reforms proposed in Title V and has provided additional direction to that effect within the description of that title. Further, the conferees note that firefighter retention initiatives for fiscal year 2010 will be fully funded by prior-year appropriations as appropriate to maintain experienced and qualified staffing.

The conferees reiterate the House and Senate direction concerning readiness required for public safety and the requirement that the Forest Service provide a copy of its report on Federal air tanker needs, including an estimate of replacement costs, within 30 days of enactment of this Act.

Wildfire Suppression Operations.—The conference agreement includes $997,505,000 for wildland fire suppression instead of $1,128,505,000 as proposed by the House and $369,505,000 as proposed by the Senate. As noted above, the Senate had also included $834,000,000 in section 431 for an inter-departmental FLAME fund. The conferees note the use of $75,000,000 in prior year funding. An additional $413,000,000 for suppression activities is provided in the new Forest Service FLAME Wildfire Suppression Reserve Fund. The conferees note that the Department of the Interior wildland fire suppression accounts are provided $444,797,000, including $61,000,000 in the new Department of the Interior FLAME Wildfire Suppression Reserve Fund. Thus, the sum for wildfire suppression for both Departments, including both the suppression and the FLAME Wildfire Suppression Reserve Fund accounts is $1,855,302,000. This total is equal to the request for all wildfire suppression accounts and is $526,164,000 above the fiscal year 2009 funding level. This is the largest non-emergency funding increase ever provided for wildfire suppression.

The conferees note that additional direction concerning the use of the new Forest Service and Interior Department FLAME Wildfire Suppression Reserve Funds is included in Title V accompanying the FLAME Act of 2009. In particular, the conferees note that direction has been provided to the Service in Title V relating to the formulation of future fire suppression budget estimates for Wildland Fire Management and FLAME Fund appropriations. The use of the FLAME funds is entirely consistent with the risk-informed wildfire suppression reforms discussed in the budget request, including expanded use of the Wildland Fire Decision Support System, which will result in strengthened oversight and accountability of suppression spending.

The conferees reiterate that both the Interior Department and the Forest Service should ensure that cost containment is an important priority when suppressing wildland fires. Both Departments must examine and report promptly to the Congress and on agency websites, using independent

panels on each and every individual wildfire incident which results in suppression expenses greater than $10,000,000.

The conferees note that bill language included in the Administrative Provisions provides authority for the Forest Service to transfer non-wildfire funds for emergency wildfire suppression once all the funds in this account and the new FLAME Wildfire Suppression Reserve Fund will be exhausted within 30 days.

Hazardous Fuels Reduction.—The conference agreement provides $350,285,000 for hazardous fuels reduction activities at the Forest Service instead of $378,086,000 as proposed by the House and $340,285,000 as proposed by the Senate. The agreement provides a $25,000,000 increase for this program; the Service is directed to allocate this increase to areas that face the highest risk of catastrophic wildfire based on fuel loads and values at risk. The conference agreement also includes $10,000,000 for fuels reduction and restoration activities authorized by the Collaborative Forest Landscape Restoration Act (P.L. 111–11) within this account instead of within a separate appropriations account as proposed by the Senate. The conferees expect the Service to follow direction included in the Senate report regarding the submission of forest landscape projects funded through this new program no later than March 1, 2010. The agreement does not include the general program increase recommended by the House. The agreement includes the House recommendation of $5,000,000 for certain biomass grants as was requested.

Rehabilitation.—The conference agreement includes the $100,000 increase proposed by the House for the San Bernardino, CA, urban youth conservation corps. The conferees note that there have been extreme wildfires in recent years, which will require extensive rehabilitation and restoration activities. The Service is urged to provide a detailed assessment of future needs and accomplishments in the next budget request.

Forest Health Management.—The conference agreement includes general program increases above the fiscal year 2009 level of $3,500,000 for Federal lands forest health management and $1,500,000 for cooperative lands forest health management.

State Fire Assistance.—The conference agreement includes a general program increase of $15,000,000. This will help the States accomplish national fire plan activities including hazardous fuels reduction and implementation of community wildfire protection plans. The agreement also includes the following increases above the request as proposed by the Senate: $4,000,000 for the South Lake Tahoe Public Utility District to increase the budget request for the Lake Tahoe Community Fire Protection Project to fund water system improvements by local utility districts to enhance firefighting capability, for a total of $5,000,000; $2,000,000 for fire risk reduction activities by California Fire Safe Council chapters, including activities in the Lake Tahoe Basin, for a total of $5,000,000; and $250,000 for the City of Reno, NV to fund firefighting equipment for the wildland-urban interface. The conferees have agreed that a 25 percent local match shall be required for Fire Safe Council grants.

Bill Language.—The conference agreement modifies the language in the budget request and House recommendation concerning procurements and cooperative agreements for hazardous fuels and associated monitoring activities so it is limited to $15,000,000. The conference agreement includes Senate-proposed language: (1) allowing up to $15,000,000 in hazardous fuels funding to be transferred to the National Forest System account at the sole discretion of the Forest Service Chief 30 days after notifying the Committees on Appropriations; and (2) concerning the use of funds on adjacent non-Federal lands and the availability of funds to implement the Community Forest Restoration Act. As previously noted, modified language is also included that allows $10,000,000 of funds made available for hazardous fuels reduction to be deposited in the Collaborative Forest Restoration Fund. Bill language is included that directs the Forest Service to make no less than $75,000,000 in prior year non-emergency wildfire suppression funds available for wildfire suppression purposes in addition to amounts otherwise provided. The agreement includes the House proposed language allowing up to $50,000,000 to be transferred between the Interior Department and the Forest Service when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects.

The conference agreement does not include the Wildland Fire Contingency Reserve Fund, which was in the request and the House recommendation. Instead, funds are provided for the FLAME Wildland Fire Suppression Reserve Fund, as described below.

FLAME WILDLAND FIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $413,000,000 for the new Forest Service FLAME Wildland Fire Suppression Reserve Fund established in the FLAME Act of 2009 (Title V of this Act). The Senate had included $282,000,000 within the Wildland Fire Management account for a suppression reserve, whereas the House had included, as requested, $282,000,000 for a separate Wildland Fire Suppression Contingency Reserve Fund. Further direction on the use of this new account is provided in Title V. The conferees note that funding provided this year as a beginning allocation is equal to the actual expenditures during fiscal year 2009 by the Forest Service on large wildfire suppression events, as defined by the FLAME Act of 2009 (Title V of this Act). A similar account in the Department of the Interior is also provided an additional $61,000,000. The conferees have established these funding levels to give the Department of the Interior and the Forest Service some degree of funding flexibility as they develop appropriate procedures and infrastructure for the FLAME Funds. However, these levels are not intended to represent a final method for calculating FLAME Fund budget requests. Instead, as provided in Title V, the conferees expect the agencies to develop new methods for formulating fire suppression funding estimates for the Wildland Fire Management and FLAME Fund appropriations accounts as part of their fiscal year 2011 budget request.

The conferees appreciate the Administration's recognition that budgeting for wildfire suppression using the 10–year rolling average has failed to keep pace with actual funding requirements and has led to significant disruption as agencies borrow from non-fire program accounts when funds are exhausted. The conferees intend that, for fiscal year 2010 and beyond, amounts provided through the FLAME Fund, together with amounts provided through the Wildland Fire Management account, should fully fund anticipated wildland fire suppression requirements and prevent future borrowing from non-fire programs.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes administrative provisions similar to previous years. This includes limiting transfers to the USDA for reimbursable charges to the requested amount and allowing up to $55,000,000 to be assessed for fire, administrative and other facilities maintenance. The House recommended language continuing a provision concerning the use of funds for certain Puerto Rico school expenses is included. The conference agreement provides $3,000,000 for the National Forest Foundation and $3,000,000 for the National Fish and Wildlife Foundation; it is acceptable for these foundations to make grants to Federal recipients, including Forest Service offices. As recommended by the House, the Government Accountability Office should conduct an independent analysis of centralized business services of the Forest Service, including a comprehensive review of the purchase card program.

The bill language concerning transfers of funds for certain emergency wildfire suppression needs has been modified from the versions recommended by either the House or the Senate to be consistent with the FLAME Act of 2009. Non-wildfire suppression funds may not be transferred unless all other funds, including both those in the Wildland Fire Management account and the FLAME Wildfire Suppression Reserve Fund, will be fully exhausted within 30 days. The Service should take its first fire suppression transfers from unobligated balances, if available, from the Knutson-Vandenberg Trust Fund and other permanent and trust fund accounts, and use those balances, as appropriate, before transferring funds from discretionary accounts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The conference agreement provides $3,657,618,000 for Indian Health Services as proposed by the House, instead of $3,639,868,000 as proposed by the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following directions:

Domestic Violence Prevention.—The conference agreement provides a total of $10,000,000 as proposed by the House for domestic violence and sexual assault prevention and treatment, instead of $7,500,000 as proposed by the Senate. From within those funds, the Indian Health Service (IHS) is directed to implement a nationally coordinated Sexual Assault Forensic Examiner/Sexual Assault Response Team (SAFE/SART) program to be used to fund IHS and Tribally managed hospitals, clinics and/or other facilities that provide 24/7 emergency care through competitive grants, 638 contracts and/or program awards to build local SAFE and SART capacity. In addition, the Service is directed to expand its national domestic violence grant program through competitive grants, 638 contracts and/or program awards to address the growing need for these services.

As the need for domestic violence programs increases, so do the number of cases that need to be prosecuted. However, there have been reports that the Department of Health and Human Services policy on witness subpoenas impedes the ability of IHS personnel to present evidence or testimony in these cases. This can cause the cases to be dropped and the perpetrators to potentially walk free. This scenario is simply unacceptable. Therefore, the Department and the Service are directed to reevaluate and revise this policy to ensure that IHS personnel are able to testify and present evidence in these cases and to report to the House and Senate Committees on Appropriations on their revised policy within 90 days of enactment of this Act.

Dental Health.—The conference agreement provides $152,634,000 for dental health programs as proposed by the House, instead of

$151,384,000 as proposed by the Senate. Of those funds, $1,000,000 is for the Headquarters Division of Oral Health to expand the dental residency program and $250,000 is to expand the summer extern program. In addition, the Service is directed to further its dental health efforts by utilizing a portion of the health information technology funds to refine and expedite the deployment schedule of the electronic dental record system.

Urban Indian Health Program.—The conference agreement provides $43,139,000 as proposed by the House for urban health programs, instead of $38,139,000 as proposed by the Senate. The increase is provided to assist the Service in addressing shortfalls within this program that have accumulated over the last several years. Bill language from previous years has not been included because the conferees are satisfied that the Administration does not intend to eliminate this program.

INDIAN HEALTH FACILITIES

The conference agreement provides $394,757,000 for Indian Health Facilities as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following directions:

The conferees remain concerned about the systemic weaknesses in the IHS inventory management system, as identified by the Government Accountability Office (GAO). A recently released follow-up investigation by the GAO suggests these weaknesses persist. The conferees expect the Service to ensure that the provision of health care services is not adversely affected by these problems and demonstrate that it is working aggressively to strengthen administration and accountability. The Service is directed to evaluate its inventory management system, identify and correct any deficiencies, and provide a detailed report to the House and Senate Committees on Appropriations on its efforts within 60 days of enactment of this Act.

The conferees are concerned about the persistent backlog of Indian Health Service health facilities construction projects serving American Indians and Alaska Natives. The conferees believe that the joint venture program provides a cost-effective means to address this backlog and to increase access to health care services for American Indians and Alaska Natives. The conferees are aware that IHS is currently reviewing competitive applications from Tribes and Tribal organizations to participate in the 2010 joint venture program and encourage the Service to move forward with the process in an expeditious manner.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement provides $79,212,000 for the National Institute of Environmental Health Sciences as requested and as proposed by both the House and the Senate.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The conference agreement provides $76,792,000 for the Agency for Toxic Substances and Disease Registry as requested and as proposed by both the House and the Senate. The conferees continue to be concerned with the CDC's administrative costs. The conferees are aware that the CDC plans to commission a study on administrative costs. The conferees direct the ATSDR to submit the results of that study, as soon as it becomes available. If necessary, the House and Senate Committees on Appropriations may consider a cap on administration expenses.

Bill Language.—The conference agreement includes language that provides up to $1,000 per eligible employee of the ATSDR for Individual Learning Accounts as proposed by the House.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

The conference agreement provides $3,159,000 for the Council on Environmental Quality and Office of Environmental Quality as requested and as proposed by both the House and the Senate. The conference agreement also includes the following directions:

Appalachian Surface Coal Mining Interagency Plan.—The conferees expect the Council on Environmental Quality to abide by the language in Senate Report 111–38 referencing the Administration's Interagency Action Plan to ''diversify and strengthen the Appalachian regional economy.'' The conferees direct the Council, in coordination with the Appalachian Regional Commission, to provide a detailed report no later than March 31, 2010, on how the Administration intends to achieve its goals.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

The conference agreement provides $11,147,000 for the Chemical Safety and Hazard Investigation Board instead of $10,547,000 as proposed by the House and $11,195,000 as proposed by the Senate. The conference agreement includes language that: limits the Board to not more than three career SES positions; directs that EPA's Inspector General serve as the Board's Inspector General; and instructs the Board to utilize the personnel in EPA's Office of Inspector General. The conferees have not included language to transfer funds from the Board's account to the EPA OIG account, as proposed by the House. The Inspector General has confirmed that he has sufficient funds in fiscal year 2010 to perform this function. The conference agreement also includes the following specific funding levels and directions:

Methyl isocyanate report.—The conference agreement includes bill language that designates $600,000 for a National Academy of Sciences report on the use and storage of methyl isocyanate and alternatives at the Bayer CropScience facility in Institute, WV.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The conference agreement provides $8,000,000 for the Office of Navajo and Hopi Indian Relocation, Salaries and Expenses as requested and proposed by both the House and the Senate.

INSITITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The conference agreement provides $8,300,000 for the Institute of American Indian and Alaska Native Culture and Arts Development as requested and proposed by both the House and the Senate.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The conference agreement includes $636,161,000 for the Salaries and Expenses account of the Smithsonian Institution, instead of $634,161,000 as requested and as proposed by both the House and the Senate. The detailed allocation of funding by program area and activity is included in the table at the end of this section of the statement. The increase above the request is designated for the museum-wide collections care initiative to assist the Institution in strengthening its efforts to preserve priceless historical collections. The conference agreement includes bill language proposed by the House concerning two-year funding availability. Language is also included in the bill as proposed by the Senate stipulating that from within the funds provided, $250,000 will be used to carry out activities under the Civil Rights History Project Act of 2009.

The conferees note that some Smithsonian Institution collections, such as the priceless military uniform collection at the National Museum of American History, may be stored in unsatisfactory conditions. The conferees urge the Smithsonian to take the necessary steps to preserve these irreplaceable historical collections and ensure that preservation of its collections is made a high priority.

FACILITIES CAPITAL

The conference agreement includes $125,000,000 as requested and as proposed by the Senate instead of $140,000,000 as proposed by the House for the Facilities Capital account.

LEGACY FUND

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes a net increase of $234,000 as proposed by the Senate for the Legacy Fund instead of no appropriation as proposed by the House. The conference agreement includes the Senate proposal to rescind $29,766,000 in prior year balances in this account and appropriate $30,000,000 for revitalization of the Arts and Industries building on the National Mall, provided the funds are matched on a 1:1 basis with private contributions.

The conference agreement does not include the House recommended administrative provision, which allowed the fiscal year 2008 Legacy Fund appropriation to be transferred into the Facilities Capital account, to be used under the terms and conditions of that account.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides $110,746,000 for the Salaries and Expenses account of the National Gallery of Art as proposed by both the House and the Senate. Bill language is included which allows up to $3,386,000 for the Special Exhibition Program, as proposed by both the House and the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of this section of the statement.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides $56,259,000 for the Repair, Restoration and Renovation account as proposed by the House instead of $54,499,000 as proposed by the Senate. Bill language is included which provides $40,000,000 for the repair of the East Building exterior marble facade, as proposed by the House. The conferees have provided this significant increase in light of the considerable public safety hazard posed by the deterioration of the façade. In addition, the agreement includes bill language as proposed by the Senate to allow for a single contract for the full scope of this project.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides $23,000,000 for the Operations and Maintenance account instead of $25,000,000 proposed by the House and $22,500,000 proposed by the Senate. Bill language has been included as

proposed by the House directing $500,000 toward the Center's efforts to assist arts organizations nationwide with tools to manage the challenges posed by the economy. Such assistance should address issues including board governance, budgeting, marketing, and technology. The Kennedy Center is directed to submit a spending plan for these funds no later than 30 days after enactment of this Act.

CAPITAL REPAIR AND RESTORATION

The conference agreement provides $17,447,000 for the Capital Repair and Restoration account as proposed by both the House and the Senate.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides $12,225,000 for the Woodrow Wilson International Center for Scholars as proposed by the House instead of $10,225,000 as proposed in the request and by the Senate. Within the overall increase, $650,000 is provided for the Kissinger Institute on China and the United States, which was established by the Center last year, and other related Asia programs. While the conferees understand that the Institute was originally to be supported solely with private contributions, the downturn in the economy has slowed the response to the Center's initial fundraising efforts. This program support will allow the Institute to move forward with its first initiatives at a critical stage in its development. An additional amount of $600,000 is provided for necessary administrative costs that were not covered in the request. Language has been included in the bill, as proposed by the House, to make the Center's appropriation available for two years in order to accommodate any issues that may arise because of discrepancies between the obligation of grant monies and the fiscal year calendar.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides $167,500,000 for the National Endowment for the Arts (NEA) instead of $170,000,000 as proposed by the House and $161,315,000 as requested and proposed by the Senate. The detailed allocation of funding by program area for this account is included in the table at the end of the statement.

The conferees commend the National Endowment for the Arts for promoting literacy and reading in the United States through the highly acclaimed Big Read program. The Big Read engages communities of all sizes and Americans of all ages by celebrating the literary works of American writers. Since 2005, the NEA has awarded grants—leveraged with millions of private sector dollars—in every State and virtually every Congressional district in the United States. The NEA study, *Reading on the Rise*, released last year, documents a definitive increase in the number of American adults who read with the biggest increase in young adults aged 18–24. This new growth reverses two decades of downward trends cited in previous NEA reports. The conferees remain committed to the Big Read program and direct the NEA to report to the House and Senate Committees on Appropriations, no later than 60 days after enactment of this Act, with a detailed funding plan for the continuation of this popular and successful program.

Bill Language.—The conference agreement includes three provisions in Title IV, General Provisions, which relate to the NEA. The first, Section 417, concurs with the administration's request to reinstate four positions on the National Council on the Arts that were eliminated in 1996. This expansion will enable the National Endowment to receive counsel and advice from a more diverse body that represents a broader array of arts disciplines and fields.

Sections 438 and 439 include the full text of language regarding program priorities and grant guidelines, which in recent years has been incorporated by reference to sections 309 and 311 of P.L. 108–447. These provisions are in addition to the instructions provided under the agency's most recent authorization regarding the awarding of grants. The conferees have taken this step in light of recent controversies in order to restate for the Endowment and the general public the guidelines within which the agency is expected to conduct its work and distribute taxpayer dollars in support of the arts.

Finally, the conferees note that section 402 of Title IV, General Provisions, prohibits any agency, including the NEA, from any activity, publication or distribution of literature that ''in any way (emphasis added) tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress. . . .'' The conferees urge the NEA to take immediate steps to ensure that all employees are aware of these provisions when conducting any activities funded by this appropriation.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides $167,500,000 for the National Endowment for the Humanities (NEH) instead of $170,000,000 as proposed by the House and $161,315,000 as requested and proposed by the Senate. The conferees do not agree with the proposal to fund the National Capital Arts and Cultural Affairs grant program through the NEH. Instead, the conferees agree to continue administering the National Capital Arts and Cultural Affairs grant program through the Commission of Fine Arts as proposed by both the House and Senate. The detailed allocation of funding by program area for this account is included in the table at the end of this section of the statement.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides $2,294,000 for the Commission of Fine Arts, as requested and proposed by both the House and the Senate.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides $9,500,000 for the National Capital Arts and Cultural Affairs grant program as proposed by the Senate instead of $10,000,000 as proposed by the House. Language is included in the bill in title IV, General Provisions, to adjust the authorized funding level for this program to $10,000,000 and increase the maximum allowable grant level to $650,000 per recipient per year in agreement with the House proposal. The Senate bill did not contain this provision.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides $5,908,000 for the Advisory Council on Historic Preservation as requested and as proposed by both the House and the Senate.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $8,507,000 for the National Capital Planning Commission, as requested and proposed by both the House and the Senate.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

The conference agreement provides $49,122,000 for the United States Holocaust Memorial Museum as proposed by the Senate, instead of $48,551,000 as requested and as proposed by the House. The increase above the request is provided to sustain the additional security measures that were implemented by the Museum earlier this year immediately following the tragic shooting of an employee there. The conferees understand that further steps may be taken upon completion of a security review by the Department of Homeland Security based on the findings contained therein.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The conference agreement provides $23,200,000 for the Presidio Trust Fund as proposed by the House, instead of $17,230,000 as proposed by the Senate.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $3,000,000 for the Dwight D. Eisenhower Memorial Commission for salaries and expenses as proposed by the Senate, instead of $2,000,000 as proposed by the House.

CAPITAL CONSTRUCTION

The conference agreement provides $16,000,000 for the Dwight D. Eisenhower Memorial Commission for capital construction as proposed by the Senate, instead of $10,000,000 as proposed by the House.

TITLE IV—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Sec. 401. Retains a provision included by both the House and the Senate on consulting services.

Sec. 402. Retains a provision included by both the House and the Senate limiting certain activities related to support or opposition to legislative proposals.

Sec. 403. Retains a provision included by the House which provides that appropriations in the bill are available only for the current fiscal year, unless otherwise stated.

Sec. 404. Retains a provision included by both the House and the Senate prohibiting funds for certain personal services.

Sec. 405. Retains a provision included by both the House and the Senate which limits overhead charges, deductions, reserves or holdbacks for certain functions.

Sec. 406. Retains a provision included by the Senate prohibiting the sale of giant sequoia trees.

Sec. 407. Retains a provision included by the House limiting transfer of funds except as provided in this or other Acts.

Sec. 408. Retains, with minor technical changes, a provision included by both the House and the Senate limiting funds for patents for mining or mill site claims.

Sec. 409. Modifies a provision included by both the House and the Senate limiting payments for BIA and IHS contract support costs in past years to the funds available in law.

Sec. 410. Retains a provision included by both the House and the Senate regarding Forest Service land management planning.

Sec. 411. Retains a provision included by the House and the Senate limiting certain mineral, oil and gas leasing activities within the boundaries of certain National Monuments.

Sec. 412. Retains, with minor technical changes, a provision included by both the House and the Senate concerning wildfire suppression assistance with foreign countries.

Sec. 413. Retains a provision included by both the House and the Senate pertaining to the awarding of Federal contracts by the Secretaries of Agriculture and Interior in certain disadvantaged communities.

Sec. 414. Modifies a provision which restricts funding for acquisition of land from being used for declarations of taking or complaints in condemnation.

Sec. 415. Retains a provision included by the Senate regarding the clean-up activities at the Treasure Island Naval Station—Hunters Point Annex.

Sec. 416. Retains, with minor technical changes, a provision included by both the House and the Senate continuing for one year certain authorities to renew grazing permits or leases administered by the Forest Service or Department of the Interior.

Sec. 417. Retains a provision included by both the House and the Senate that amends the authorization for the National Council on the Arts.

Sec. 418. Retains a provision included by the House that amends the authorization for the National Capital Arts and Cultural Affairs program.

Sec. 419. Retains a provision included by the Senate that places a two-year prohibition on the ability of Alaska Native villages to assume the administration of health services contracts under certain circumstances, and clarifying that the Eastern Aleutian Tribes, Inc., the Council of Athabascan Tribal Governments, and the Native Village of Eyak be considered regional health entities for purposes of disbursement of funds.

Sec. 420. Retains a provision included by the House extending the pilot program for the sale of forest botanical products by the Forest Service through fiscal year 2014.

Sec. 421. Modifies a provision included by the Senate making Alaska red cedar timber available to domestic mills.

Sec. 422. Retains a provision included by both the House and the Senate extending the authority for the Colorado Cooperative Conservation Authority until 2013.

Sec. 423. Retains a provision included by the House reverting the formula for geothermal receipts to the distribution used before 2005.

Sec. 424. Retains a provision included by the Senate regarding greenhouse gas reporting requirements associated with livestock production. The House version contained minor technical differences.

Sec. 425. Retains a provision included by the Senate regarding greenhouse gas reporting requirements for animal waste.

Sec. 426. Modifies a provision included by the House regarding reporting of climate change expenditures.

Sec. 427. Retains a provision included by the Senate prohibiting the distribution of funds to ACORN or its subsidiaries.

Sec.428. Modifies a provision included by the House that prohibits detainees from Guantanamo Bay from being transferred or released into the United State or its territories except under certain circumstances.

Sec. 429. Retains a provision included by the Senate authorizing an aquifer study of the Jungo disposal site in the Humboldt National Forest.

Sec. 430. Retains a provision included by the Senate encouraging the EPA Administrator to reassess the cost effectiveness of the buyout and relocation of residents in Treece, KS due to certain environmental risks.

Sec. 431. Modifies a provision included by the Senate changing the authority for Forest Service research on biobased products.

Sec. 432. Retains a provision included by the Senate modifying the composition of the board of the National Forest Foundation.

Sec. 433. Modifies a provision included by the Senate limiting the ability of the Secretary of Agriculture to increase recreational residence user fees.

Sec. 434. Modifies language included by the Senate prohibiting no-bid contracts and grants.

Sec. 435. Modifies language included by the Senate requiring public disclosure of certain reports.

Sec. 436. Retains language included by the Senate modifying the ''Beaver Dam Wash National Conservation Area'' map.

Sec. 437. Retains language included by the Senate to expedite the cleanup of Federal and Indian land at the Tar Creek Superfund site.

Sec. 438. Restates the full text of bill language delineating the grant guidelines for the National Endowment for the Arts.

Sec. 439. Restates the full text of bill language delineating the priorities for the programs managed by the National Endowment for the Arts.

Sec. 440. Contains new language making a technical correction to the Energy and Water Development and Related Agencies Appropriations Act, 2010.

Sec. 441. Contains new language restricting awards to for-profit entities with funds from this Act.

Sec. 442. Contains new language limiting the Environmental Protection Agency from implementing fuel standards for certain vessels in the Great Lakes.

Sec. 443. Contains new language concerning State revolving loans made to the Hancock Water and Sewer District and the Hancock Utility Authority in Mississippi.

Sec. 444. Modifies language included by both the House and the Senate regarding the incorporation of Congressionally requested priorities.

The conference agreement does not include a provision included by the Senate prohibiting the use of funds in this or any other Act for competitive sourcing studies and associated activities involving the Forest Service.

The conference agreement does not retain language included by the Senate expressing the sense of the Senate that the National Vehicle Mercury Switch Recovery Program effectively addresses mercury pollution and should continue. Instead, the conferees have included language on this issue as part of the joint explanatory statement for the Environmental Programs and Management account.

The conference agreement does not include a provision included by the House that required bonus bids for lease sales of coal to be paid at the time of sale rather than over a five-year period.

The conference agreement does not include a provision included by the House that prevented the Secretary of the Interior from transferring funding to the Secretary of Energy for certain energy research purposes.

The conference agreement does not include a provision included by the House that allowed funding under the Secure Rural Schools Act to be used for certain purposes.

The conferees have not agreed to statutory language proposed by the Senate in its section 424 regarding limitations on the use of certain funds made available through the American Recovery and Reinvestment Act (P.L. 111–5) to the Forest Service. The conferees note that the Service was given legal authority under the Recovery Act to fund $250,000,000 of hazardous fuels reduction, forest health and ecosystem restoration projects, including urban forestry projects, using all authorities available to the Service through the State and Private Forestry appropriation. However, the conferees believe that greater priority should have been given to projects that both create jobs and reduce fire risk. The conferees note that there appears to be an inadequate relationship between the geographical allocation of project funding by the Forest Service and the need for jobs to reduce unemployment. Further, the conferees remain troubled by the lack of transparency and the lack of communication from the Service and the Department of Agriculture related to the project selection process. The Service is directed to provide to the House and Senate Appropriations Committees, within 30 days of enactment of this Act, a comprehensive list of all projects selected for Recovery Act funding; a detailed description, including proposed accomplishments, for each project; and a detailed description of criteria used to select each project. Finally, the conferees direct that no additional funds from the Recovery Act be expended on urban and community forestry projects unless previously announced by the Secretary, and that in the future, any additional projects will be devoted to activities that directly reduce fire hazards on public and private lands.

TITLE V—FEDERAL LAND ASSISTANCE, MANAGEMENT AND ENHANCEMENT ACT OF 2009 (FLAME ACT OF 2009)

Title V of the conference agreement includes the FLAME Act of 2009. This Act is very similar to the FLAME Act included in sections 431 and 432 in the Senate recommended bill and H.R. 1404, which passed the House of Representatives on March 26, 2009. The conference agreement has strengthened the workability and usefulness of the previous FLAME Acts while retaining most major provisions. The main change is the creation of FLAME Wildfire Suppression Reserve Funds in both the Forest Service and the Department of the Interior, and the appropriation of funds for these funds under normal appropriation accounts within title I and title III. These changes also make the FLAME Act consistent with other wildfire suppression reforms recommended in the Administration budget request. This includes risk-informed wildfire suppression reforms discussed in the budget request, and expanded use of the Wildland Fire Decision Support System, which will result in strengthened oversight and accountability of suppression spending.

The conferees expect the budget reforms provided through this title, together with changes to the agencies' appropriations accounts in titles I and III, will lead to improved transparency regarding the true costs of fire preparedness and suppression activities. The conferees expect these budget reforms to be accompanied by a commitment from the Administration that fire readiness and suppression activities will not be funded at the expense of other programs, and that any non-fire program transfers will be accounted for and reported to the appropriate Congressional committees in a transparent manner and will be promptly repaid.

Section 501. Short Title.—Section 501 consists of the short title of the Act, the Federal Land Assistance, Management and Enhancement Act of 2009 or, for short, the FLAME Act of 2009.

Section 502. FLAME Wildfire Suppression Reserve Funds.—Section 502 includes the major portions of the FLAME Act of 2009.

The FLAME Act of 2009 includes a clear purpose statement: the FLAME Funds shall be available to cover the costs of large or complex wildfire events and as a reserve when amounts provided for wildfire suppression and Federal emergency response in the Wildland Fire Management appropriation accounts are exhausted (section 502 (c)).

The Department of the Interior and the Forest Service each are authorized to have their own account, but there are the same requirements for the two accounts (section 502 (b)). The FLAME reserve accounts are

transfer accounts, from which each Secretary may transfer funds into their respective Wildland Fire Management account for wildfire suppression activities, if certain conditions are met. These conditions require a Secretarial declaration and are nearly the same as required in the previous Senate and House FLAME acts: either the wildfire event is large or complex, or the respective wildland fire suppression account will be exhausted within 30 days (section 502 (e)).

The conferees intend that amounts provided through the FLAME Fund, together with amounts provided through the Wildland Fire Management appropriations account, should fully fund anticipated wildland fire suppression requirements in advance of fire season and prevent future borrowing from non-fire programs. To satisfy this requirement, the conferees direct the Secretaries to develop new methods for formulating fire suppression funding estimates for the Wildland Fire Management and FLAME Fund appropriations accounts as part of their fiscal year 2011 budget request. In formulating these estimates, the conferees expect the Secretaries to consider data regarding actual prior-year fire suppression expenditures, predictive modeling, and any other criteria that they deem appropriate, consistent with the direction provided in this title. Further, as noted previously, the conferees expect the Service to analyze current readiness requirements and to submit a realigned preparedness budget in fiscal year 2011 that accurately reflects anticipated readiness costs instead of relying on large-scale shifts to the suppression appropriation.

In addition, each Secretary is given authority to transfer up to $100,000,000 per fiscal year to the other department's FLAME Wildland Fire Suppression Reserve Fund if one department has much greater expenses than the other (section 502 (d)(5)). A Congressional intent statement indicates that the President should request funding for the FLAME funds so that large or complex wildfire event activities are funded adequately. The Act includes Sense of Congress statements that: (1) future FLAME appropriations in excess of funds needed for large or complex fires should be designated as amounts necessary to meet emergency needs (section 502 (d)(2)(C)(i)); and (2) each Secretary should make a supplemental budget request for wildfire suppression if their FLAME fund will be exhausted in 30 days (section 502 (d)(2)(C)(ii)).

The FLAME Act of 2009 retains many provisions of the Senate recommendation and H.R. 1404. This includes the definitions (section 502 (a)) and the authorization of such amounts as are necessary to carry out the section (section 502 (d)(2)(A)). The Act retains the provision that funds are available until expended (section 502 (d)(3)) and the requirement that the Secretary notify the Congressional Committees if the Secretary estimates that only 60 days of funds remain in the respective FLAME fund (section 502 (d)(4)).

As in the previous versions of the FLAME Act, the FLAME funds cannot be used until the Secretary makes a declaration that the wildfire event is large or complex, or that the cumulative costs of suppression and Federal emergency activities will exceed within 30 days all available funds (section 502 (e)). The conferees expect the Agencies to develop a streamlined declaration process that minimizes the administrative burden and ensures that funding is made available for eligible wildfire events in an expedited manner.

As in previous versions of the FLAME Act, the FLAME funds may be used for State, private and Tribal land wildfire suppression activities consistent with any existing agreements (section 502 (e)(3)). The Act retains the prohibition on transfers of non-fire funds for wildland fire suppression unless amounts in the FLAME funds and all other funds previously provided for wildland fire suppression will be exhausted within 30 days (section 502 (g)). The Act retains accounting and reporting requirements (section 502 (h)) and retains the requirement that estimates of wildfire suppression costs be provided to the Congress in an orderly fashion (section 502 (h)(3)).

As in the Senate recommended version, the FLAME Act of 2009 includes a termination clause if no appropriations to, or withdrawals from, each FLAME fund have been made for three consecutive fiscal years (section 502 (i)). The conference agreement includes an additional provision that if such termination occurs, remaining funds in each FLAME fund shall be transferred to and made a part of the Wildland Fire Management appropriation account of that Secretary (section 502 (i)).

Section 503. Cohesive Wildfire Management Strategy.—Section 503 consists of the requirement for the Secretaries of Agriculture and the Interior to submit a joint report to Congress within one year that contains a cohesive wildfire management strategy consistent with recommendations described in recent reports of the Government Accountability Office. Nearly identical language was in the Senate recommended section 432 and similar language was in section 3 of H.R. 1404.

INTERIOR AND ENVIRONMENT

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
Bureau of Land Management	Management of Lands and Resources	NV	Redband Trout and Salmon habitat assessment and restoration	$300,000
Bureau of Land Management	Management of Lands and Resources	UT	Utah Rural Cadastral Data Program	$300,000
Bureau of Land Management	Construction	NV	California National Historic Trail Interpretive Center	$2,000,000
Bureau of Land Management	Land Acquisition	CA	California Wilderness	$1,500,000
Bureau of Land Management	Land Acquisition	CA	Johnson Canyon Area of Critical Environmental Concern	$1,500,000
Bureau of Land Management	Land Acquisition	CA	Santa Rosa and San Jacinto Mountains National Monument	$500,000
Fish and Wildlife Service	Resource Management	AK	Sea Otter and Steller Sea Lion Education and Conservation	$200,000
Fish and Wildlife Service	Resource Management	AK	Stellers and Spectacled Sea Eider Research	$350,000
Fish and Wildlife Service	Resource Management	CA	National Academy of Sciences California Delta Study	$750,000
Fish and Wildlife Service	Resource Management	CA	Review of the Klamath, North Coast, and Central Valley Hatchery Operations in California	$2,150,000
Fish and Wildlife Service	Resource Management	GA	Georgia Streambank Restoration	$500,000
Fish and Wildlife Service	Resource Management	HI	Hawaii invasive species management	$1,000,000
Fish and Wildlife Service	Resource Management	HI	Palmyra Atoll NWR rat eradication	$1,200,000
Fish and Wildlife Service	Resource Management	ID	Idaho Sage-Grouse Management Plan	$1,000,000
Fish and Wildlife Service	Resource Management	LA	Endangered Whooping Crane Propogation Facility	$500,000
Fish and Wildlife Service	Resource Management	ME	Maine lakes invasive species/habitat restoration	$500,000
Fish and Wildlife Service	Resource Management	MI	Mass Marking of Hatchery Fish in the Great Lakes	$1,000,000
Fish and Wildlife Service	Resource Management	MS	Mississippi State Natural Resources Economic Enterprise Program	$350,000
Fish and Wildlife Service	Resource Management	NV	Lahontan Cutthroat Trout	$350,000
Fish and Wildlife Service	Resource Management	TX	Caddo Lake Institute of Texas	$150,000

INTERIOR AND ENVIRONMENT—Continued

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
Fish and Wildlife Service	Resource Management	WV	National Conservation Training Center	$750,000
Fish and Wildlife Service	Resource Management	WV	West Virginia Fisheries Resource Office	$1,300,000
Fish and Wildlife Service	Construction	CA	Don Edwards San Francisco Bay National Wildlife Refuge, Salt Ponds Restoration	$4,000,000
Fish and Wildlife Service	Construction	HI	Kilauea Point National Wildlife Refuge, Lighthouse Repair	$1,000,000
Fish and Wildlife Service	Construction	MS	Theodore Roosevelt National Wildlife Refuge, Visitor Center/Office	$2,000,000
Fish and Wildlife Service	Construction	NV	Nevada Water Catchments	$150,000
Fish and Wildlife Service	Construction	WV	Canaan Valley National Wildlife Refuge, Trails	$850,000
Fish and Wildlife Service	Construction	WV	Ohio River Islands National Wildlife Refuge, Erosion Control	$800,000
Fish and Wildlife Service	Construction	WV	White Sulphur Springs National Fish Hatchery, Water Supply System	$1,500,000
Fish and Wildlife Service	Land Acquisition	CT	Stewart McKinney National Wildlife Refuge	$2,000,000
Fish and Wildlife Service	Land Acquisition	FL	Crystal River National Wildlife Refuge	$1,500,000
Fish and Wildlife Service	Land Acquisition	HI	James Campbell National Wildlife Refuge	$7,400,000
Fish and Wildlife Service	Land Acquisition	IA	Driftless Area National Wildlife Refuge	$450,000
Fish and Wildlife Service	Land Acquisition	KY	Clarks River National Wildlife Refuge	$750,000
Fish and Wildlife Service	Land Acquisition	LA	Red River National Wildlife Refuge	$1,000,000
Fish and Wildlife Service	Land Acquisition	MA, CT, VT, NH	Silvio O. Conte National Wildlife Refuge	$2,500,000
Fish and Wildlife Service	Land Acquisition	ME	Maine Coastal Islands National Wildlife Refuge	$1,000,000
Fish and Wildlife Service	Land Acquisition	NE	Rainwater Basin Wetlands Management District	$500,000
Fish and Wildlife Service	Land Acquisition	NH	Lake Umbagog National Wildlife Refuge	$1,000,000
Fish and Wildlife Service	Land Acquisition	NJ	Great Swamp National Wildlife Refuge	$1,000,000
Fish and Wildlife Service	Land Acquisition	NJ	Wallkill National Wildlife Refuge	$1,400,000
Fish and Wildlife Service	Land Acquisition	PA	Cherry Valley National Wildlife Refuge	$750,000
Fish and Wildlife Service	Land Acquisition	RI	John H. Chafee National Wildlife Refuge	$900,000
Fish and Wildlife Service	Land Acquisition	UT	Bear River Migratory Bird Refuge	$1,300,000
Fish and Wildlife Service	Land Acquisition	VA	Great Dismal Swamp National Wildlife Refuge	$500,000
Fish and Wildlife Service	Land Acquisition	VA	Rappahannock River National Wildlife Refuge, Bowers property	$500,000
Fish and Wildlife Service	Land Acquisition	WA	Turnbull National Wildlife Refuge	$1,500,000
National Park Service	Statutory or Contractual Aid	CA	Angel Island Immigration Station	$1,000,000
National Park Service	Statutory or Contractual Aid	CA	Yosemite National Park schools, PL 109–131	$400,000
National Park Service	Statutory or Contractual Aid	DC	Sewall Belmont House	$1,000,000
National Park Service	Statutory or Contractual Aid	HI	National Tropical Botanical Garden, PL 111–11	$500,000
National Park Service	Statutory or Contractual Aid	HI	Native Hawaiian Culture & Arts Program, PL 99–498	$500,000
National Park Service	Statutory or Contractual Aid	MD	Star Spangled Banner National Historic Trail	$500,000
National Park Service	Statutory or Contractual Aid	MD, VA, DC	Chesapeake Bay Gateways	$1,000,000
National Park Service	Statutory or Contractual Aid	NH	Lamprey Wild & Scenic River, PL 90–542	$200,000
National Park Service	Statutory or Contractual Aid	VT, NY	Hudson-Fulton-Champlain Quadricentennial, PL 110–229	$750,000
National Park Service	Construction	AZ	Saguaro National Park Trail Improvements	$398,000
National Park Service	Construction	CA	Golden Gate National Recreation Area (Alcatraz)	$1,400,000
National Park Service	Construction	CA	Joshua Tree National Park Visitor Center	$300,000
National Park Service	Construction	CA	Manzanar National Historical Site	$900,000

INTERIOR AND ENVIRONMENT—Continued

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
National Park Service	Construction	DC	African American Civil War Memorial, security enhancements	$220,000
National Park Service	Construction	FL	Castillo de San Marcos National Monument	$500,000
National Park Service	Construction	IN	Restore Good Fellow Lodge, Indiana Dunes National Lakeshore	$1,000,000
National Park Service	Construction	MA	New Bedford Whaling National Historical Park (Bourne bldg)	$1,500,000
National Park Service	Construction	MI	Keweenaw National Historical Park (Quincy Smelting Works)	$1,000,000
National Park Service	Construction	MI	Keweenaw National Historical Park Union Building	$1,380,000
National Park Service	Construction	NJ	Gateway NRA, Sandy Hook Repair of Historic Gun Batteries	$800,000
National Park Service	Construction	NJ	Paterson Great Falls National Historic Park	$500,000
National Park Service	Construction	NY	Fire Island Land Trust Historic Restoration	$250,000
National Park Service	Construction	OH	Cuyahoga Valley National Park Site and Structure Rehabilitation Program	$500,000
National Park Service	Construction	OK	Chickasaw National Recreation Area Visitor Center	$500,000
National Park Service	Construction	OR	Crater Lake Visitor Education Center	$350,000
National Park Service	Construction	PA	Flight 93 National Memorial	$725,000
National Park Service	Construction	PA	Valley Forge National Park Visitor Center	$325,000
National Park Service	Construction	TN	Great Smoky Mountains National Park (curatorial facility)	$1,500,000
National Park Service	Construction	TN	Great Smoky Mountains National Park (Tremont/Cosby water)	$1,940,000
National Park Service	Construction	TN	Moccasin Bend National Archeological District	$500,000
National Park Service	Construction	UT	Timpanogos Cave National Monument Interagency Visitors Center	$1,600,000
National Park Service	Construction	UT	Utah Public Lands Artifact Preservation Act, PL 107–329	$1,000,000
National Park Service	Construction	VA	Fort Hunt NCO Quarters Restoration	$250,000
National Park Service	Construction	WI	Apostle Islands Lighthouse Restoration	$2,000,000
National Park Service	Construction	WI	Ice Age National Scenic Trail	$265,000
National Park Service	Construction	WV	Harpers Ferry National Historical Park	$275,000
National Park Service	Construction	WV	New River Gorge National River	$1,025,000
National Park Service	Land Acquisition	AL	Little River Canyon National Preserve	$1,500,000
National Park Service	Land Acquisition	CA	Mojave National Preserve, Joshua Tree National Park, Death Valley National Park	$1,000,000
National Park Service	Land Acquisition	CA	Santa Monica Mountains National Recreation Area	$1,000,000
National Park Service	Land Acquisition	KY	Cumberland Gap National Historical Park, Fern Lake	$1,150,000
National Park Service	Land Acquisition	MI	Sleeping Bear Dunes National Lakeshore	$1,000,000
National Park Service	Land Acquisition	NH	Appalachian National Scenic Trail	$1,375,000
National Park Service	Land Acquisition	NM	Petroglyph National Monument	$1,000,000
National Park Service	Land Acquisition	OH	Cuyahoga Valley National Park	$4,000,000
National Park Service	Land Acquisition	PA	Appalachian National Scenic Trail	$1,820,000
National Park Service	Land Acquisition	TN	Shiloh National Military Park	$250,000
National Park Service	Land Acquisition	TX	Fort Davis National Historic Site	$500,000
National Park Service	Land Acquisition	VA	Fredericksburg and Spotsylvania National Military Park, Binns property	$200,000
National Park Service	Land Acquisition	VT	Appalachian National Scenic Trail	$625,000
National Park Service	Land Acquisition	WI	Ice Age National Scenic Trail	$2,000,000
U.S. Geological Survey	Surveys, Investigations & Research	AR	South Arkansas Sparta Aquifer Recovery Initiative	$300,000
U.S. Geological Survey	Surveys, Investigations & Research	AZ, NM	U.S.—Mexico Transboundary Aquifer Assessment Program	$1,000,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Diego formation mapping	$900,000

INTERIOR AND ENVIRONMENT—Continued

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Francisco Bay Salt Ponds restoration monitoring/research	$1,000,000
U.S. Geological Survey	Surveys, Investigations & Research	HI	Volcano research/monitoring partnership UH-Manoa/HVO	$250,000
U.S. Geological Survey	Surveys, Investigations & Research	HI	Water resources monitoring, investigations and research	$500,000
U.S. Geological Survey	Surveys, Investigations & Research	IL	McHenry County groundwater and stormwater protection	$280,000
U.S. Geological Survey	Surveys, Investigations & Research	LA	Long Term Estuary Assessment Group support	$400,000
U.S. Geological Survey	Surveys, Investigations & Research	MA	Conte Anadromous Fish Research Lab	$220,000
U.S. Geological Survey	Surveys, Investigations & Research	MD	Coastal plain & fractured rock study	$500,000
U.S. Geological Survey	Surveys, Investigations & Research	NV	Nye County minerals assessment project	$650,000
U.S. Geological Survey	Surveys, Investigations & Research	VT	Lake Champlain Basin streamflow monitoring/toxic studies	$346,000
U.S. Geological Survey	Surveys, Investigations & Research	WA	Columbia River Basin, design/test monitoring protocols-invasive species	$350,000
U.S. Geological Survey	Surveys, Investigations & Research	WA	Hood Canal Dissolved Oxygen Study	$200,000
Minerals Management Service	Royalty and Offshore Minerals Management	MS	Center for Marine Resources and Environmental Technology	$900,000
Bureau of Indian Affairs	Operation of Indian Programs	Multi	Upper Columbia United Tribes, resource management program	$350,000
Bureau of Indian Affairs	Operation of Indian Programs	ND	United Tribes Technical College	$400,000
Bureau of Indian Affairs	Operation of Indian Programs	NM	Navajo Technical College	$200,000
Bureau of Indian Affairs	Operation of Indian Programs	SD	Cheyenne River Sioux Tribe, prairie management program	$500,000
Insular Affairs	Assistance to Territories	VI	Critical Wastewater System Repairs and Improvements	$900,000
Environmental Protection Agency	Science & Technology	CO	Water Research Foundation	$1,700,000
Environmental Protection Agency	Science & Technology	GA	Consortium for Plant Biotechnology Research	$1,000,000
Environmental Protection Agency	Science & Technology	TX	Southwest Consortium for Environmental Research and Policy (SCERP)	$1,000,000
Environmental Protection Agency	Science & Technology	VA	Water Environment Research Foundation	$2,000,000
Environmental Protection Agency	Environmental Programs and Management	CA	San Francisco Bay competitive grant program	$7,000,000
Environmental Protection Agency	Environmental Programs and Management	DC	Rural Community Assistance Partnership	$2,500,000
Environmental Protection Agency	Environmental Programs and Management	DC	Water Systems Council Wellcare Program	$700,000
Environmental Protection Agency	Environmental Programs and Management	OK	National Rural Water Association	$13,000,000
Environmental Protection Agency	Environmental Programs and Management	VA	National Biosolids Partnership	$750,000
Environmental Protection Agency	Environmental Programs and Management	VT	Lake Champlain environmental improvement program	$4,000,000
Environmental Protection Agency		WA	Puget Sound Ecosystem Research Initiative at the University of Washington	$4,000,000
Environmental Protection Agency	Buildings and Facilities	NV	Las Vegas Facilities Consolidation Study	$500,000
Environmental Protection Agency	Other	CA	Hunters Point Naval Shipyard environmental cleanup	$8,000,000
Environmental Protection Agency	STAG—Other	AK	Alaska Native Villages water infrastructure program	$13,000,000
Environmental Protection Agency	STAG—Other	CA	Emissions Reduction Grants to the South Coast Air Quality Management District and San Joaquin Air Pollution Control District	$10,000,000
Environmental Protection Agency	STAG—Other	TX	The cities of El Paso and Brownsville for water and wastewater infrastructure	$2,500,000
US Forest Service	Research	MS	Center for Bottomlands Hardwood Research	$800,000
US Forest Service	State & Private Forestry	CA	Blue Mountain Community Renewable Council for the Calaveras Healthy Impact Product Solutions biomass utilization project	$500,000
US Forest Service	State & Private Forestry	CA	Region 5, USFS for small forest products infrastructure assistance grants	$2,500,000
US Forest Service	State & Private Forestry	MD	Baltimore Urban Forestry Watershed Demonstration Cooperative Project	$150,000
US Forest Service	State & Private Forestry	MO	Missouri Forest Foundation for biomass demonstration project	$300,000
US Forest Service	State & Private Forestry	UT	Utah Department of Agriculture for a fuels-for-schools biomass utilization project	$200,000
US Forest Service	State & Private Forestry	VT	State of Vermont for the Vermont Wood Products Collaborative	$500,000

INTERIOR AND ENVIRONMENT—Continued

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
US Forest Service	State & Private Forestry	WA	Seattle-Tacoma Regional Urban Forestry Restoration Project	$1,000,000
US Forest Service	State & Private Forestry	WI	Menomonee Valley Partners Inc; Urban Forestry Project	$300,000
US Forest Service	State & Private Forestry	WV	Wood Education and Resource Center in Princeton	$1,900,000
US Forest Service	National Forest System	AK	Tongass National Forest timber pipeline program	$2,500,000
US Forest Service	Capital Improvement and Maintenance	HI	PSW, Hawaii Research Field Stations	$1,460,000
US Forest Service	Capital Improvement and Maintenance	ID	Sawtooth National Recreation Area trail construction and maintenance	$1,200,000
US Forest Service	Capital Improvement and Maintenance	NV	Lake Tahoe Basin Management Unit for trail improvements by the Tahoe Rim Trail Association	$100,000
US Forest Service	Capital Improvement and Maintenance	SD	Relocation of the Northern Great Plains Interagency Dispatch Center on the Black Hills National Forest	$1,900,000
US Forest Service	Capital Improvement and Maintenance	TN	Complete construction of a Cherokee National Forest work center	$500,000
US Forest Service	Capital Improvement and Maintenance	TX	Redesign Ratcliff Lake Recreation Area and Campground	$475,000
US Forest Service	Capital Improvement and Maintenance	WV	Facilities improvements on the Monongahela National Forest	$595,000
US Forest Service	Capital Improvement and Maintenance	WV	Road improvements for the Monongahela National Forest	$1,521,000
US Forest Service	Land Acquisition	CA	Angeles National Forest, Bighorn Mine	$1,750,000
US Forest Service	Land Acquisition	CA	Angeles National Forest, Shoemaker Canyon	$500,000
US Forest Service	Land Acquisition	CA	Humboldt-Toiyabe National Forest	$2,400,000
US Forest Service	Land Acquisition	CA	Los Padres National Forest—Big Sur Ecosystem	$1,500,000
US Forest Service	Land Acquisition	CO	Uncompahgre National Forest	$1,000,000
US Forest Service	Land Acquisition	FL	Florida National Scenic Trail	$500,000
US Forest Service	Land Acquisition	FL	Osceola National Forest, Pinhook Swamp Wildlife Corridor	$500,000
US Forest Service	Land Acquisition	GA	Chattahoochee-Oconee National Forest	$1,200,000
US Forest Service	Land Acquisition	ID	Sawtooth National Recreation Area, Piva Parcel	$400,000
US Forest Service	Land Acquisition	IN	Hoosier National Forest	$825,000
US Forest Service	Land Acquisition	KY	Daniel Boone National Forest	$900,000
US Forest Service	Land Acquisition	MN	Chippewa/Superior National Forest—Minnesota Wilderness	$900,000
US Forest Service	Land Acquisition	MT	Gallatin and Custer National Forests—Greater Yellowstone Area	$2,000,000
US Forest Service	Land Acquisition	MT	Lewis and Clark National Forest	$1,500,000
US Forest Service	Land Acquisition	NC	Pisgah National Forest, Catawba Falls Access & Trail Acquisition	$713,000
US Forest Service	Land Acquisition	NC	Uwharrie National Forest, Uwharrie Trail	$500,000
US Forest Service	Land Acquisition	NM	Gila National Forest—Bear Creek Ranch	$3,000,000
US Forest Service	Land Acquisition	SD	Black Hills National Forest—Lady C Ranch	$1,640,000
US Forest Service	Land Acquisition	TN	Cherokee National Forest—Rocky Fork	$6,000,000
US Forest Service	Land Acquisition	UT	Bonneville Shoreline Trail	$1,500,000
US Forest Service	Land Acquisition	UT	Dixie National Forest	$2,500,000
US Forest Service	Land Acquisition	VT	Green Mountain National Forest	$2,250,000
US Forest Service	Land Acquisition	WA	Mt. Baker-Snoqualmie National Forest—Wild Sky Wilderness	$1,700,000
US Forest Service	Land Acquisition	WI	Chequamegon-Nicolet National Forest—Wisconsin Wild Waterways	$2,125,000
US Forest Service	Land Acquisition	WV	Monongahela National Forest, Cummings Tract	$985,000
US Forest Service	Land Acquisition	WV	Monongahela National Forest, Dolly Sods Conservation Area	$2,800,000
US Forest Service	Wildland Fire Management	CA	California Fire Safe Councils	$5,000,000
US Forest Service	Wildland Fire Management	CA	Lake Tahoe Community Fire Protection Project	$5,000,000
US Forest Service	Wildland Fire Management	CA	San Bernardino Urban Youth Conservation Corp	$100,000

INTERIOR AND ENVIRONMENT—Continued

[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
US Forest Service	Wildland Fire Management	NV	City of Reno to fund firefighting equipment for the wildland-urban interface	$250,000

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 earmarks, 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.

INTERIOR AND ENVIRONMENT
[Presidentially Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)		
					Administration	House	Senate
Bureau of Land Management	Construction	AK	Anchorage Field Office, Campbell Airstrip Safety Fencing	$190,000	The President		
Bureau of Land Management	Construction	AZ	Gila District, Browning Ranch House Preservation	$124,000	The President		
Bureau of Land Management	Construction	AZ	Lake Havasu, Partners Point Waterline	$110,000	The President		
Bureau of Land Management	Construction	CA	Barstow, Sawtooth Campground	$541,000	The President		
Bureau of Land Management	Construction	CA	California Radio Fencing and Grounding Improvement	$537,000	The President		
Bureau of Land Management	Construction	CA	Hollister Field Office, El Toro Creek Parking Project	$1,209,000	The President		
Bureau of Land Management	Construction	CO	Grand Junction Field Office, Bridgeport Access Trail	$176,000	The President		
Bureau of Land Management	Construction	ID	Salmon Field Office, Lemhi River Road Maintenance	$1,588,000	The President		
Bureau of Land Management	Construction	ID	Salmon Field Office, Sharkey Hot Springs Renovation	$287,000	The President		
Bureau of Land Management	Construction	UT	Pelican Lake Recreation Site Reconstruction	$697,000	The President		
Bureau of Land Management	Construction	UT	Salt Lake District, Five Mile Pass Recreation Site Facility	$362,000	The President		
Bureau of Land Management	Construction	UT	West Desert District, Knolls Facilities	$381,000	The President		
Bureau of Land Management	Land Acquisition	CA	California Wilderness	$1,500,000	The President		Feinstein
Bureau of Land Management	Land Acquisition	CA	King Range National Conservation Area	$2,000,000	The President		
Bureau of Land Management	Land Acquisition	CA	Lacks Creek Area of Critical Environmental Concern	$750,000	The President		
Bureau of Land Management	Land Acquisition	CA	Upper Sacramento River Area of Critical Environmental Concern	$2,800,000	The President		
Bureau of Land Management	Land Acquisition	MT	Blackfoot River Special Recreation Management Area	$4,500,000	The President	Rehberg	Baucus; Tester
Bureau of Land Management	Land Acquisition	MT	Meeteetsee Spires Area of Critical Environmental Concern	$1,500,000	The President	Rehberg	Baucus; Tester
Bureau of Land Management	Land Acquisition	NM	La Cienega Area of Critical Environmental Concern/El Camino Real De Tierra Adento National Historic Trail	$3,000,000	The President	Lujan	Bingaman; Udall, Tom
Bureau of Land Management	Land Acquisition	NM	Lesser Prairie Chicken Habitat Area of Critical Environmental Concern	$1,500,000	The President		Bingaman; Udall, Tom
Bureau of Land Management	Land Acquisition	OR	Cascade-Siskiyou National Monument	$1,000,000	The President	Pelosi	Merkley; Wyden

Bureau of Land Management	Land Acquisition	OR	Sandy River/Oregon National Historic Trail	$2,100,000	The President	Blumenauer	Merkley; Wyden
Bureau of Land Management	Land Acquisition	WY	Craig Thomas Little Mountain Special Management Area	$2,000,000	The President		
Fish and Wildlife Service	Construction	AZ	Willow Beach National Fish Hatchery, Water Treatment	$482,000	The President		
Fish and Wildlife Service	Construction	GU	Guam National Wildlife Refuge, Invasive Species Fence Construction	$866,000	The President		
Fish and Wildlife Service	Construction	IN	Big Oaks National Wildlife Refuge, Old Timbers Dam Rehabilitation	$100,000	The President		
Fish and Wildlife Service	Construction	MN	Fergus Falls Wetland Management District, Stang Lake Dam	$175,000	The President		
Fish and Wildlife Service	Construction	OK	Wichita Mountains Wildlife Refuge, Lake Rush Dam	$4,100,000	The President		
Fish and Wildlife Service	Construction	PA	Allegheny National Fish Hatchery, Fish Production and Electrical Systems	$1,500,000	The President		
Fish and Wildlife Service	Construction	WA	Quinault National Fish Hatchery, Replace Electric Fish Barriers	$1,000,000	The President		
Fish and Wildlife Service	Construction	WA	Turnbull National Wildlife Refuge, Lower Pine Lake Dam	$250,000	The President		
Fish and Wildlife Service	Construction	WY	Jackson National Fish Hatchery, Replace Water Supply Line	$1,650,000	The President		
Fish and Wildlife Service	Land Acquisition	AK	Alaska Maritime National Wildlife Refuge	$300,000	The President		
Fish and Wildlife Service	Land Acquisition	AK	Togiak National Wildlife Refuge	$325,000	The President		
Fish and Wildlife Service	Land Acquisition	AK	Yukon Delta National Wildlife Refuge	$365,000	The President		
Fish and Wildlife Service	Land Acquisition	AL	Bon Secour National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	AZ	Leslie Canyon National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	CA	Grasslands Wetland Management Area	$1,000,000	The President		
Fish and Wildlife Service	Land Acquisition	CA	San Joaquin River National Wildlife Refuge	$2,000,000	The President		
Fish and Wildlife Service	Land Acquisition	DE	Prime Hook National Wildlife Refuge	$1,000,000	The President		Carper; Kaufman
Fish and Wildlife Service	Land Acquisition	FL	St. Marks National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	GA	Bond Swamp National Wildlife Refuge	$1,200,000	The President		
Fish and Wildlife Service	Land Acquisition	HI	James Campbell National Wildlife Refuge	$7,400,000	The President	Abercrombie; Hirono	Akaka; Inouye
Fish and Wildlife Service	Land Acquisition	IA, MN	Northern Tallgrass Prairie National Wildlife Refuge	$500,000	The President		Harkin; Klobuchar
Fish and Wildlife Service	Land Acquisition	IA, MN, WI, IL	Upper Mississippi River National Wildlife & Fish Refuge	$1,200,000	The President		
Fish and Wildlife Service	Land Acquisition	IL	Cypress Creek National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	IN	Patoka River National Wildlife Refuge	$1,150,000	The President		Lugar
Fish and Wildlife Service	Land Acquisition	LA	Red River National Wildlife Refuge	$1,000,000	The President		Landrieu

INTERIOR AND ENVIRONMENT—Continued
[Presidentially Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)		
					Administration	House	Senate
Fish and Wildlife Service	Land Acquisition	LA	Upper Ouachita National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	MA, CT, VT, NH	Silvio O. Conte National Wildlife Refuge	$2,500,000	The President	Hodes; Courtney; Murphy (CT); Olver	Dodd; Gregg; Kennedy; Kerry; Leahy; Lieberman
Fish and Wildlife Service	Land Acquisition	MD	Blackwater National Wildlife Refuge	$2,000,000	The President	Kratovil	Cardin
Fish and Wildlife Service	Land Acquisition	ME	Rachel Carson National Wildlife Refuge	$3,000,000	The President	Pingree (ME)	Collins; Snowe
Fish and Wildlife Service	Land Acquisition	MO	Big Muddy National Wildlife Refuge	$300,000	The President		
Fish and Wildlife Service	Land Acquisition	MS	Panther Swamp National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	MT	Red Rock Lakes National Wildlife Refuge	$1,000,000	The President		
Fish and Wildlife Service	Land Acquisition	MT	Rocky Mountain Front Conservation Area	$3,750,000	The President	Rehberg	Baucus; Tester
Fish and Wildlife Service	Land Acquisition	ND	North Dakota Wetland Management Area	$1,000,000	The President		
Fish and Wildlife Service	Land Acquisition	ND, SD	Dakota Tallgrass Prairie Wetland Management Area	$1,000,000	The President	Herseth Sandlin	Johnson
Fish and Wildlife Service	Land Acquisition	NJ	Cape May National Wildlife Refuge	$2,000,000	The President	LoBiondo; Sires; Rothman (NJ)	Lautenberg; Menendez
Fish and Wildlife Service	Land Acquisition	NJ	Edwin B. Forsythe National Wildlife Refuge	$1,100,000	The President	Adler (NJ); LoBiondo; Sires; Rothman (NJ)	Lautenberg; Menendez
Fish and Wildlife Service	Land Acquisition	NM	Sevilleta National Wildlife Refuge	$500,000	The President		Bingaman
Fish and Wildlife Service	Land Acquisition	OR	Nestucca Bay National Wildlife Refuge	$1,000,000	The President	Schrader	Merkley; Wyden
Fish and Wildlife Service	Land Acquisition	PA	Cherry Valley National Wildlife Refuge	$750,000	The President	Kanjorski	Casey; Specter
Fish and Wildlife Service	Land Acquisition	SC	Ernest F. Hollings ACE Basin National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	SC	Waccamaw National Wildlife Refuge	$600,000	The President		
Fish and Wildlife Service	Land Acquisition	TN	Chickasaw National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	TX	Balcones Canyonlands National Wildlife Refuge	$1,000,000	The President		Hutchison
Fish and Wildlife Service	Land Acquisition	TX	Laguna Atascosa National Wildlife Refuge	$500,000	The President		
Fish and Wildlife Service	Land Acquisition	TX	Lower Rio Grande Valley National Wildlife Refuge	$1,000,000	The President	Ortiz	Hutchison
Fish and Wildlife Service	Land Acquisition	TX	San Bernard National Wildlife Refuge-Austin's Woods Unit	$1,250,000	The President	Paul	
Fish and Wildlife Service	Land Acquisition	UT	Bear River Migratory Bird Refuge	$1,300,000	The President	Bishop (UT)	Bennett; Hatch
Fish and Wildlife Service	Land Acquisition	VA	Back Bay National Wildlife Refuge	$545,000	The President	Nye	Warner; Webb
Fish and Wildlife Service	Land Acquisition	VA	James River National Wildlife Refuge	$1,000,000	The President	Moran (VA); Scott (VA)	Warner; Webb
Fish and Wildlife Service	Land Acquisition	WA	Nisqually National Wildlife Refuge	$500,000	The President		

Fish and Wildlife Service	Land Acquisition	WA	Willapa National Wildlife Refuge	$750,000	The President		
National Park Service	Construction	AK	Katmai, replace failing infrastructure at Brooks Camp	$6,471,000	The President		
National Park Service	Construction	AZ	Chiricahua, Replace Failing Sewer Systems	$2,410,000	The President		
National Park Service	Construction	AZ	Grand Canyon, employee housing	$16,890,000	The President		
National Park Service	Construction	CA	Point Reyes, restore critical dune habitat	$2,803,000	The President		
National Park Service	Construction	CO	Mesa Verde curation center	$11,675,000	The President		
National Park Service	Construction	CO	Mesa Verde Visitor Information Center	$10,500,000	The President	Salazar	
National Park Service	Construction	DC	National Capital Region, GW Memorial Parkway, Theodore Roosevelt rehabilitation site	$1,706,000	The President		
National Park Service	Construction	DC	National Capital Region, preserve and protect Meridian Hill Park	$3,844,000	The President		
National Park Service	Construction	GA	Fort Pulaski, replace Cockspur Lighthouse revetment	$1,577,000	The President		
National Park Service	Construction	IN	George Rogers Clark NHP, restore and rehabilitate historic Wabash River floodwall	$3,600,000	The President		
National Park Service	Construction	MO	Harry S. Truman NHS, rehabilitate interior grounds of Historic Noland House and install interpretive exhibits	$1,018,000	The President		
National Park Service	Construction	MT	Glacier NP, safety improvements at Many Glacier Hotel	$8,507,000	The President		
National Park Service	Construction	NC	Blue Ridge Parkway, repair Craggy Gardens retaining and guardwalls	$2,728,000	The President		
National Park Service	Construction	NJ, PA	Delaware Water Gap NRA, demolish and remove hazardous structures	$2,234,000	The President		
National Park Service	Construction	PA	Delaware Water Gap NRA, rehabilitate Childs Park	$3,048,000	The President		
National Park Service	Construction	WA	Olympic National Park, restore Elwha River ecosystem and fisheries	$20,000,000	The President		
National Park Service	Construction	WY	Grand Teton National Park, construct critical housing	$13,174,000	The President		
National Park Service	Land Acquisition	AR, OK	Ft. Smith National Historic Site	$362,000	The President		
National Park Service	Land Acquisition	AZ	Petrified Forest National Park	$4,575,000	The President		
National Park Service	Land Acquisition	CA	Golden Gate National Recreation Area	$5,000,000	The President		Feinstein
National Park Service	Land Acquisition	GA	Chattahoochee River National Recreation Area	$3,100,000	The President		Chambliss; Isakson
National Park Service	Land Acquisition	ID	Minidoka National Historic Site	$350,000	The President		
National Park Service	Land Acquisition	MO	Harry S. Truman National Historic Site	$1,300,000	The President		
National Park Service	Land Acquisition	MS	Natchez National Historical Park	$264,000	The President		

INTERIOR AND ENVIRONMENT—Continued
[Presidentially Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)		
					Administration	House	Senate
National Park Service	Land Acquisition	NC	Guilford Courthouse National Military Park	$880,000	The President		
National Park Service	Land Acquisition	SC	Congaree National Park	$1,320,000	The President	Clyburn	Graham
National Park Service	Land Acquisition	TX	Big Thicket National Preserve	$5,000,000	The President	Brady (TX)	Cornyn; Hutchison
National Park Service	Land Acquisition	TX	Palo Alto Battlefield National Park	$4,120,000	The President		
National Park Service	Land Acquisition	VA	Prince William Forest Park	$425,000	The President		
National Park Service	Land Acquisition	VA, NC	Blue Ridge Parkway	$1,250,000	The President		
National Park Service	Land Acquisition	VI	Virgin Islands National Park	$3,250,000	The President	Christensen	
National Park Service	Land Acquisition	WA	Mt. Rainier National Park	$2,150,000	The President	Reichert; McDermott	Cantwell; Murray
National Park Service	Land Acquisition	WA	Olympic National Park	$3,000,000	The President		
National Park Service	Land Acquisition	WA	San Juan Island National Historical Park	$6,000,000	The President	Larsen (WA)	Cantwell; Murray
Environmental Protection Agency	Environmental Programs and Management	CA	San Francisco Bay competitive grant program	$7,000,000	The President		Feinstein
Environmental Protection Agency	Environmental Programs and Management	VT	Lake Champlain environmental improvement program	$4,000,000	The President		Leahy
Environmental Protection Agency	STAG—Other	AK	Alaska Native Villages water infrastructure program	$13,000,000	The President		Murkowski
US Forest Service	Research	MS	Center for Bottomlands Hardwood Research	$800,000	The President		Cochran
US Forest Service	State & Private Forestry	WV	Wood Education and Resource Center in Princeton	$1,900,000	The President		Byrd
US Forest Service	National Forest System	AK	Tongass National Forest timber pipeline program	$2,500,000	The President	Young (AK)	Begich; Murkowski
US Forest Service	Capital Improvement and Maintenance	AK	Chugach NF, Porcupine Creek Campground Reconstruction	$1,911,000	The President		
US Forest Service	Capital Improvement and Maintenance	AK	PNW, Juneau Lab Collocation Phase 1	$4,980,000	The President		
US Forest Service	Capital Improvement and Maintenance	AK	Tongass NF, Thorne Bay Quads Phase 2 and 3	$906,000	The President		
US Forest Service	Capital Improvement and Maintenance	AR	Ozark-St. Francis NF, Pleasant Hill Ranger District Office Addition & Renovation	$1,500,000	The President		
US Forest Service	Capital Improvement and Maintenance	AZ	Kaibab NF, Kaibab Lake Campground	$818,000	The President		
US Forest Service	Capital Improvement and Maintenance	AZ	Prescott NF, Lynx Southshore Recreation Area	$450,000	The President		
US Forest Service	Capital Improvement and Maintenance	AZ	Tonto NF, Needle Rock Campground, Phase 1	$668,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	Angeles NF, Pyramid Lake Rehabilitation	$1,069,000	The President		

US Forest Service	Capital Improvement and Maintenance	CA	Inyo NF, Ancient Bristlecone Pine Visitor Center	$2,105,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	Klamath NF, Oak Knoll Work Center	$1,028,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	Lassen NF, Merrill Campground Phase 3	$1,115,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	San Dimas, Energy Conservation and Renewable Generation	$400,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	Six Rivers NF, Smith River National Recreation Area Warehouse	$996,000	The President		
US Forest Service	Capital Improvement and Maintenance	CA	Stanislaus NF, Long Barn Barracks	$1,126,000	The President		
US Forest Service	Capital Improvement and Maintenance	CO	Arapaho/Roosevelt NF, Pawnee Campground/Picnic Area, Phase 1	$1,240,000	The President		
US Forest Service	Capital Improvement and Maintenance	CO	Arapaho/Roosevelt NF, Shadow Mountain Village Exterior Bldg Rehabilitation	$668,000	The President		
US Forest Service	Capital Improvement and Maintenance	CO	Grand Mesa/Uncompahgre/Gunnison NF, Lottis Creek Recreation Area Rehabilitation	$1,312,000	The President		
US Forest Service	Capital Improvement and Maintenance	CO	RMRS, Ft. Collins Prospect Renovation Planning & Design	$370,000	The President		
US Forest Service	Capital Improvement and Maintenance	HI	PSW, Hawaii Research Field Stations	$1,460,000	The President	Abercrombie; Hirono	Akaka; Inouye
US Forest Service	Capital Improvement and Maintenance	ID	ID Panhandle NF, Nursery Roof Replacement	$450,000	The President		
US Forest Service	Capital Improvement and Maintenance	ID	ID Panhandle NF, Outlet Campground Phase 1	$760,000	The President		
US Forest Service	Capital Improvement and Maintenance	ID	Payette NF, Seasonal Housing	$2,130,000	The President		
US Forest Service	Capital Improvement and Maintenance	ID	Salmon-Challis NF, Central Idaho Fire Aviation Center	$2,400,000	The President		
US Forest Service	Capital Improvement and Maintenance	MI	Hiawatha NF, Clear Lake Environmental Education Center	$480,000	The President		
US Forest Service	Capital Improvement and Maintenance	MI	Ottawa NF, Watersmeet Administrative Site Phase 3	$2,000,000	The President		
US Forest Service	Capital Improvement and Maintenance	MN	Chippewa NF, Walker Administrative Site Phase 1	$1,000,000	The President		
US Forest Service	Capital Improvement and Maintenance	MN	NRS, Grand Rapids Lab Renovation	$379,000	The President		
US Forest Service	Capital Improvement and Maintenance	MN	NRS, St. Paul Elevator and Roof Replacement	$475,000	The President		
US Forest Service	Capital Improvement and Maintenance	MS	SRS, Wood Products Insect Laboratory	$1,000,000	The President		
US Forest Service	Capital Improvement and Maintenance	MS	SRS,Oxford HVAC Replacement	$432,000	The President		
US Forest Service	Capital Improvement and Maintenance	MT	Custer NF, Camp Crook Water System	$564,000	The President		
US Forest Service	Capital Improvement and Maintenance	MT	Lewis & Clark NF, Interpretive Center Health and Safety Improvements	$386,000	The President		
US Forest Service	Capital Improvement and Maintenance	MT	Regional Office, Aerial Fire Depot Roofing	$381,000	The President		

INTERIOR AND ENVIRONMENT—Continued
[Presidentially Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)		
					Administration	House	Senate
US Forest Service	Capital Improvement and Maintenance	MT	RMRS, Bozeman Research Complex	$906,000	The President		
US Forest Service	Capital Improvement and Maintenance	MT	RMRS,Tenderfoot Creek, Experimental Forest Administrative Site	$495,000	The President		
US Forest Service	Capital Improvement and Maintenance	NJ	NRS, Silas Little Experimental Forest Remodel	$253,000	The President		
US Forest Service	Capital Improvement and Maintenance	NM	Cibola NF, Magdalena Ranger Station, Phase 1	$1,568,000	The President		
US Forest Service	Capital Improvement and Maintenance	OR	Deschutes NF, Allingham Guard Station Water System Phase 2	$250,000	The President		
US Forest Service	Capital Improvement and Maintenance	OR	Malheur NF, Prairie City Offices & Warehouse	$1,800,000	The President		
US Forest Service	Capital Improvement and Maintenance	OR	Siuslaw/Corvallis Collocation—East Wing Replacement	$4,100,000	The President		
US Forest Service	Capital Improvement and Maintenance	PA	Meadow Ponds Dam Rehabilitation	$400,000	The President		
US Forest Service	Capital Improvement and Maintenance	PR	IITF, Sabana Woodshop Renovation	$519,000	The President		
US Forest Service	Capital Improvement and Maintenance	SC	Francis Marion NF, Burrells Ford Campground Rehabilitation	$355,000	The President		
US Forest Service	Capital Improvement and Maintenance	SC	Francis Marion NF, Ranger District Office Phase 2	$1,080,000	The President		
US Forest Service	Capital Improvement and Maintenance	TN	Cherokee NF, Tellico River Corridor Recreation Rehabilitation, Phase 3	$330,000	The President		
US Forest Service	Capital Improvement and Maintenance	UT	Dixie NF, Pine Valley Recreation Area Reconstruction, Phase 3	$450,000	The President		
US Forest Service	Capital Improvement and Maintenance	VA	George Washington/Jefferson NF, Elizabeth Furnace Water/Sanitation Rehabilitation	$265,000	The President		
US Forest Service	Capital Improvement and Maintenance	WA	Gifford Pinchot NF, Johnston Ridge Observatory Deferred Maintenance	$410,000	The President		
US Forest Service	Capital Improvement and Maintenance	WA	Mt. St. Helens National Volcanic Monument	$1,195,000	The President		
US Forest Service	Capital Improvement and Maintenance	WI	FPL, Freight Elevator Replacement	$785,000	The President		
US Forest Service	Capital Improvement and Maintenance	WV	NRS, Parsons Lab Renovation	$254,000	The President		
US Forest Service	Capital Improvement and Maintenance	WY	Bighorn NF, South Fork Campground Rehabilitation	$490,000	The President		
US Forest Service	Capital Improvement and Maintenance	WY	Medicine Bow/Routt NF,Walden Bunkhouse	$1,080,000	The President		
US Forest Service	Land Acquisition	CA	Angeles National Forest, Bighorn Mine	$1,750,000	The President	Chu	Feinstein
US Forest Service	Land Acquisition	CA	Los Padres National Forest—Big Sur Ecosystem	$1,500,000	The President	Farr	Feinstein

US Forest Service	Land Acquisition	CA	San Bernardino National Forest—Garner Home Ranch	$500,000	The President		
US Forest Service	Land Acquisition	CA	Tahoe and El Dorado National Forests—Sierra Nevada Checkerboard	$1,000,000	The President		Feinstein
US Forest Service	Land Acquisition	GA	Chattahoochee-Oconee National Forest	$1,200,000	The President	Marshall	Chambliss
US Forest Service	Land Acquisition	IN	Hoosier National Forest	$825,000	The President		Lugar
US Forest Service	Land Acquisition	MI	Ottawa National Forest—Great Lakes/Great Lands	$1,500,000	The President	Stupak	Levin; Stabenow
US Forest Service	Land Acquisition	MN	Chippewa/Superior National Forest—Minnesota Wilderness	$900,000	The President	Oberstar	Klobuchar
US Forest Service	Land Acquisition	MO	Mark Twain National Forest—Missouri Ozark	$500,000	The President		
US Forest Service	Land Acquisition	MT	Gallatin and Custer National Forests—Greater Yellowstone Area	$2,000,000	The President	Rehberg	Tester, Baucus
US Forest Service	Land Acquisition	MT	Helena National Forest—Blackfoot Challenge	$1,000,000	The President	Rehberg	Baucus; Tester
US Forest Service	Land Acquisition	NH	White Mountain National Forest	$434,000	The President		
US Forest Service	Land Acquisition	NM	Gila National Forest—Bear Creek Ranch	$3,000,000	The President	Teague	Bingaman; Udall, Tom
US Forest Service	Land Acquisition	OR, WA	Wallowa Whitman National Forests, Hells Canyon National Recreation Area	$1,500,000	The President		Wyden; Merkley
US Forest Service	Land Acquisition	PA	Allegheny National Forest	$500,000	The President		
US Forest Service	Land Acquisition	SD	Black Hills National Forest—Lady C Ranch	$1,640,000	The President	Herseth Sandlin	Johnson
US Forest Service	Land Acquisition	TN	Cherokee National Forest—Rocky Fork	$6,000,000	The President	Price (NC)	Alexander; Burr; Corker
US Forest Service	Land Acquisition	UT	Uinta and Wasatch-Cache National Forests—High Uintas	$1,500,000	The President		Bennett; Hatch
US Forest Service	Land Acquisition	VT	Green Mountain National Forest	$2,250,000	The President		Leahy
US Forest Service	Land Acquisition	WA	Mt. Baker-Snoqualmie/Wenatchee National Forests—Cascades Ecosystem	$1,000,000	The President		Murray
US Forest Service	Land Acquisition	WI	Chequamegon-Nicolet National Forest—Wisconsin Wild Waterways	$2,125,000	The President		Kohl
US Forest Service	Wildland Fire Management	CA	California Fire Safe Councils	$5,000,000	The President		Feinstein
US Forest Service	Wildland Fire Management	CA	Lake Tahoe Community Fire Protection Project	$5,000,000	The President		Boxer; Feinstein

INTERIOR AND ENVIRONMENT

[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Bureau of Land Management	Management of Lands and Resources	NV	Redband Trout and Salmon habitat assessment and restoration	$300,000		Reid

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Bureau of Land Management	Management of Lands and Resources	UT	Utah Rural Cadastral Data Program	$300,000		Bennett
Bureau of Land Management	Construction	NV	California National Historic Trail Interpretive Center	$2,000,000		Reid
Bureau of Land Management	Land Acquisition	CA	Johnson Canyon Area of Critical Environmental Concern	$1,500,000		Feinstein
Bureau of Land Management	Land Acquisition	CA	Santa Rosa and San Jacinto Mountains National Monument	$500,000	Bono Mack	
Fish and Wildlife Service	Resource Management	AK	Sea Otter and Steller Sea Lion Education and Conservation	$200,000	Young (AK)	
Fish and Wildlife Service	Resource Management	AK	Stellers and Spectacled Sea Eider Research	$350,000	Young (AK)	
Fish and Wildlife Service	Resource Management	CA	National Academy of Sciences California Delta Study	$750,000		Feinstein
Fish and Wildlife Service	Resource Management	CA	Review of the Klamath, North Coast, and Central Valley Hatchery Operations in California	$2,150,000	Thompson (CA)	
Fish and Wildlife Service	Resource Management	GA	Georgia Streambank Restoration	$500,000	Johnson (GA); Scott (GA); Marshall	Chambliss
Fish and Wildlife Service	Resource Management	HI	Hawaii invasive species management	$1,000,000	Abercrombie; Hirono	Akaka; Inouye
Fish and Wildlife Service	Resource Management	HI	Palmyra Atoll NWR rat eradication	$1,200,000		Inouye
Fish and Wildlife Service	Resource Management	ID	Idaho Sage-Grouse Management Plan	$1,000,000	Simpson	Crapo; Risch
Fish and Wildlife Service	Resource Management	LA	Endangered Whooping Crane Propogation Facility	$500,000	Cao	Landrieu
Fish and Wildlife Service	Resource Management	ME	Maine lakes invasive species/habitat restoration	$500,000		Collins; Snowe
Fish and Wildlife Service	Resource Management	MI	Mass Marking of Hatchery Fish in the Great Lakes	$1,000,000	Dingell	Levin; Stabenow
Fish and Wildlife Service	Resource Management	MS	Mississippi State Natural Resources Economic Enterprise Program	$350,000	Harper	Cochran; Wicker
Fish and Wildlife Service	Resource Management	NV	Lahontan Cutthroat Trout	$350,000		Reid
Fish and Wildlife Service	Resource Management	TX	Caddo Lake Institute of Texas	$150,000		Hutchison
Fish and Wildlife Service	Resource Management	WV	National Conservation Training Center	$750,000		Byrd
Fish and Wildlife Service	Resource Management	WV	West Virginia Fisheries Resource Office	$1,300,000	Mollohan	
Fish and Wildlife Service	Construction	CA	Don Edwards San Francisco Bay National Wildlife Refuge, Salt Ponds Restoration	$4,000,000		Feinstein
Fish and Wildlife Service	Construction	HI	Kilauea Point National Wildlife Refuge, Lighthouse Repair	$1,000,000		Inouye

Fish and Wildlife Service	Construction	MS	Theodore Roosevelt National Wildlife Refuge, Visitor Center/Office	$2,000,000		Cochran; Wicker
Fish and Wildlife Service	Construction	NV	Nevada Water Catchments	$150,000		Reid
Fish and Wildlife Service	Construction	WV	Canaan Valley National Wildlife Refuge, Trails	$850,000		Byrd
Fish and Wildlife Service	Construction	WV	Ohio River Islands National Wildlife Refuge, Erosion Control	$800,000		Byrd
Fish and Wildlife Service	Construction	WV	White Sulphur Springs National Fish Hatchery, Water Supply System	$1,500,000		Byrd
Fish and Wildlife Service	Land Acquisition	CT	Stewart McKinney National Wildlife Refuge	$2,000,000	DeLauro	Dodd, Lieberman
Fish and Wildlife Service	Land Acquisition	FL	Crystal River National Wildlife Refuge	$1,500,000	Brown-Waite, Ginny	Martinez; Nelson, Bill
Fish and Wildlife Service	Land Acquisition	IA	Driftless Area National Wildlife Refuge	$450,000		Harkin
Fish and Wildlife Service	Land Acquisition	KY	Clarks River National Wildlife Refuge	$750,000		McConnell
Fish and Wildlife Service	Land Acquisition	ME	Maine Coastal Islands National Wildlife Refuge	$1,000,000		Collins; Snowe
Fish and Wildlife Service	Land Acquisition	NE	Rainwater Basin Wetlands Management District	$500,000		Nelson, Ben
Fish and Wildlife Service	Land Acquisition	NH	Lake Umbagog National Wildlife Refuge	$1,000,000	Hodes	Gregg; Shaheen
Fish and Wildlife Service	Land Acquisition	NJ	Great Swamp National Wildlife Refuge	$1,000,000	Frelinghuysen; Sires; Rothman (NJ)	Lautenberg; Menendez
Fish and Wildlife Service	Land Acquisition	NJ	Wallkill National Wildlife Refuge	$1,400,000	Garrett (NJ); Rothman (NJ)	Lautenberg; Menendez
Fish and Wildlife Service	Land Acquisition	RI	John H. Chafee National Wildlife Refuge	$900,000		Reed; Whitehouse
Fish and Wildlife Service	Land Acquisition	VA	Great Dismal Swamp National Wildlife Refuge	$500,000	Forbes	Warner; Webb
Fish and Wildlife Service	Land Acquisition	VA	Rappahannock River National Wildlife Refuge, Bowers property	$500,000	Wittman; Moran (VA)	Warner; Webb
Fish and Wildlife Service	Land Acquisition	WA	Turnbull National Wildlife Refuge	$1,500,000		Murray
National Park Service	Statutory or Contractual Aid	CA	Angel Island Immigration Station	$1,000,000	Pelosi; Woolsey	Boxer; Feinstein
National Park Service	Statutory or Contractual Aid	CA	Yosemite National Park schools, PL 109–131	$400,000		Feinstein
National Park Service	Statutory or Contractual Aid	DC	Sewall Belmont House	$1,000,000		Landrieu
National Park Service	Statutory or Contractual Aid	HI	National Tropical Botanical Garden, PL 111–11	$500,000	Abercrombie	Akaka; Inouye
National Park Service	Statutory or Contractual Aid	HI	Native Hawaiian Culture & Arts Program, PL 99–498	$500,000	Abercrombie; Hirono	Akaka; Inouye
National Park Service	Statutory or Contractual Aid	MD	Star Spangled Banner National Historic Trail	$500,000	Ruppersberger; Sarbanes; Cummings	Cardin
National Park Service	Statutory or Contractual Aid	MD, VA, DC	Chesapeake Bay Gateways	$1,000,000	Sarbanes; Moran (VA); Cummings; Hoyer; Kratovil	Cardin; Mikulski

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
National Park Service	Statutory or Contractual Aid	NH	Lamprey Wild & Scenic River, PL 90–542	$200,000	Shea-Porter	Gregg; Shaheen
National Park Service	Statutory or Contractual Aid	VT, NY	Hudson-Fulton-Champlain Quadricentennial, PL 110–229	$750,000	Hinchey	Leahy
National Park Service	Save America's Treasures	AL	Historic Fort Payne Coal and Iron Building Rehabilitation	$150,000	Aderholt	
National Park Service	Save America's Treasures	AL	Historic Montevallo Main Hall Renovation	$150,000	Bachus; Aderholt	
National Park Service	Save America's Treasures	AL	Swayne Hall, Talladega	$490,000	Rogers (AL)	Sessions
National Park Service	Save America's Treasures	CA	Mission Santa Barbara, Santa Barbara	$650,000		Feinstein
National Park Service	Save America's Treasures	CO	Shenandoah-Dives Mill National Historic Landmark	$150,000	Salazar	
National Park Service	Save America's Treasures	CT	Harriet Beecher Stowe Center Preservation	$150,000	Larson (CT)	Dodd; Lieberman
National Park Service	Save America's Treasures	CT	Sterling Opera House Renovation	$150,000	DeLauro	
National Park Service	Save America's Treasures	FL	Freedom Tower, Miami	$500,000		Martinez
National Park Service	Save America's Treasures	GA	Morehouse College (King papers)	$200,000	Marshall; Lewis (GA)	Isakson
National Park Service	Save America's Treasures	IA	Des Moines Art Center, Des Moines	$200,000		Harkin
National Park Service	Save America's Treasures	ID	Historic Old Pen Site Stabilization Project	$150,000	Simpson	Crapo; Risch
National Park Service	Save America's Treasures	IL	Repairs to Historic Chicago Landmark	$50,000	Davis (IL)	
National Park Service	Save America's Treasures	KS	Colonial Fox Theater, Pittsburg	$500,000		Brownback; Roberts
National Park Service	Save America's Treasures	KY	Judge Joseph Holt House Historic Restoration	$150,000	Guthrie	
National Park Service	Save America's Treasures	MA	Hancock Shaker Village Restoration	$150,000	Olver	Kennedy; Kerry
National Park Service	Save America's Treasures	MA	Stockbridge Mission House Renovation	$117,000	Olver	
National Park Service	Save America's Treasures	MD	Harmony Hall Restoration	$100,000	Hoyer	
National Park Service	Save America's Treasures	MI	Big Sable Lighthouse, Ludington	$100,000		Levin; Stabenow
National Park Service	Save America's Treasures	MN	CSPS Sokol Hall	$150,000	McCollum	
National Park Service	Save America's Treasures	MN	Restoration of Historic Coe Mansion	$150,000	Ellison	
National Park Service	Save America's Treasures	MS	Madison County Courthouse	$500,000		Cochran; Wicker
National Park Service	Save America's Treasures	MS	Medgar Evers site, Jackson	$250,000		Cochran
National Park Service	Save America's Treasures	MT	City of Bozeman Main Street Historic District Restoration	$150,000	Rehberg	
National Park Service	Save America's Treasures	NC	Bellamy Mansion Slave Quarters	$100,000	McIntyre	
National Park Service	Save America's Treasures	NJ	Georgian Court Mansion Restoration	$200,000	Smith (NJ); Rothman (NJ)	Lautenberg; Menendez

National Park Service	Save America's Treasures	NJ	South Orange Village Hall Restoration	$150,000	Payne; Pascrell	
National Park Service	Save America's Treasures	NV	Lincoln County Courthouse, Pioche	$200,000		Reid
National Park Service	Save America's Treasures	NY	Historic Owego Municipal Building Rehabilitation	$150,000	Hinchey	
National Park Service	Save America's Treasures	NY	Hudson River Sloop Clearwater Restoration	$150,000	Hinchey	
National Park Service	Save America's Treasures	NY	Richardson Olmsted Complex, Buffalo	$200,000	Higgins	Gillibrand; Schumer
National Park Service	Save America's Treasures	NY	Strand Theater, Plattsburgh	$200,000		Gillibrand; Schumer
National Park Service	Save America's Treasures	NY	Tarrytown Music Hall Restoration	$150,000	Lowey	
National Park Service	Save America's Treasures	NY	Village Park Historic Preservation	$150,000	McHugh	
National Park Service	Save America's Treasures	OR	Wallowa County Courthouse, Enterprise	$200,000		Merkley; Wyden
National Park Service	Save America's Treasures	PA	Hatborough Union Library Restoration	$38,000	Schwartz	
National Park Service	Save America's Treasures	PA	Saylor Cement Kilns Historic Preservation	$200,000	Dent	
National Park Service	Save America's Treasures	PR	San Juan North Portal Restoration	$150,000	Pierluisi	
National Park Service	Save America's Treasures	RI	Warwick City Hall, Warwick	$350,000	Langevin	Reed; Whitehouse
National Park Service	Save America's Treasures	SC	Chesterfield Courthouse Restoration	$150,000	Spratt	
National Park Service	Save America's Treasures	SC	Cypress Historic Meeting Compound	$200,000	Brown (SC)	
National Park Service	Save America's Treasures	SC	Modjeska Simkins Home Restoration	$150,000	Clyburn	
National Park Service	Save America's Treasures	SD	State Theater, Sioux Falls	$200,000		Johnson
National Park Service	Save America's Treasures	TN	Blount Mansion, Knoxville	$250,000	Duncan	Alexander
National Park Service	Save America's Treasures	UT	Historic Fisher Mansion Restoration Project	$150,000	Bishop (UT)	Bennett; Hatch
National Park Service	Save America's Treasures	VA	Belgian Building Preservation	$150,000	Scott (VA)	
National Park Service	Save America's Treasures	VA	Chesterfield County Historic Preservation	$150,000	Forbes	
National Park Service	Save America's Treasures	VA	Fort Ward Park Preservation	$75,000	Moran (VA)	
National Park Service	Save America's Treasures	WA	Schooner Adventuress Restoration	$180,000	Dicks	
National Park Service	Save America's Treasures	WI	Bayfield Historic Courthouse Restoration	$150,000	Obey	
National Park Service	Save America's Treasures	WV	Capitol Theater, Wheeling	$200,000		Byrd
National Park Service	Save America's Treasures	WV	Claymont Court Historic Site Restoration	$150,000	Capito	
National Park Service	Save America's Treasures	WV	Cottrill's Opera House Restoration	$150,000	Mollohan	
National Park Service	Construction	AZ	Saguaro National Park Trail Improvements	$398,000	Giffords	
National Park Service	Construction	CA	Golden Gate National Recreation Area (Alcatraz)	$1,400,000		Feinstein
National Park Service	Construction	CA	Joshua Tree National Park Visitor Center	$300,000	Lewis (CA)	
National Park Service	Construction	CA	Manzanar National Historical Site	$900,000		Feinstein
National Park Service	Construction	DC	African American Civil War Memorial, security enhancements	$220,000	Norton	

INTERIOR AND ENVIRONMENT—Continued
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Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
National Park Service	Construction	FL	Castillo de San Marcos National Monument	$500,000	Mica	
National Park Service	Construction	IN	Restore Good Fellow Lodge, Indiana Dunes National Lakeshore	$1,000,000	Visclosky	
National Park Service	Construction	MA	New Bedford Whaling National Historical Park (Bourne bldg)	$1,500,000		Kennedy; Kerry
National Park Service	Construction	MI	Keweenaw National Historical Park (Quincy Smelting Works)	$1,000,000		Levin
National Park Service	Construction	MI	Keweenaw National Historical Park Union Building	$1,380,000	Stupak	Levin; Stabenow
National Park Service	Construction	NJ	Gateway NRA, Sandy Hook Repair of Historic Gun Batteries	$800,000	Pallone	
National Park Service	Construction	NJ	Paterson Great Falls National Historic Park	$500,000	Pascrell	
National Park Service	Construction	NY	Fire Island Land Trust Historic Restoration	$250,000	Israel; Bishop (NY)	
National Park Service	Construction	OH	Cuyahoga Valley National Park Site and Structure Rehabilitation Program	$500,000	LaTourette; Sutton	
National Park Service	Construction	OK	Chickasaw National Recreation Area Visitor Center	$500,000	Cole	
National Park Service	Construction	OR	Crater Lake Visitor Education Center	$350,000	Walden; Blumenauer	Merkley; Wyden
National Park Service	Construction	PA	Flight 93 National Memorial	$725,000	Shuster	Specter
National Park Service	Construction	PA	Valley Forge National Park Visitor Center	$325,000	Sestak	
National Park Service	Construction	TN	Great Smoky Mountains National Park (curatorial facility)	$1,500,000		Alexander
National Park Service	Construction	TN	Great Smoky Mountains National Park (Tremont/Cosby water)	$1,940,000		Alexander; Corker
National Park Service	Construction	TN	Moccasin Bend National Archeological District	$500,000	Wamp	
National Park Service	Construction	UT	Timpanogos Cave National Monument Interagency Visitors Center	$1,600,000	Matheson	Bennett
National Park Service	Construction	UT	Utah Public Lands Artifact Preservation Act, PL 107–329	$1,000,000		Bennett; Hatch
National Park Service	Construction	VA	Fort Hunt NCO Quarters Restoration	$250,000	Moran (VA)	
National Park Service	Construction	WI	Apostle Islands Lighthouse Restoration	$2,000,000	Obey	
National Park Service	Construction	WI	Ice Age National Scenic Trail	$265,000	Obey	
National Park Service	Construction	WV	Harpers Ferry National Historical Park	$275,000		Byrd
National Park Service	Construction	WV	New River Gorge National River	$1,025,000		Byrd

National Park Service	Land Acquisition	AL	Little River Canyon National Preserve	$1,500,000	Rogers (AL)	Sessions
National Park Service	Land Acquisition	CA	Mojave National Preserve, Joshua Tree National Park, Death Valley National Park	$1,000,000		Feinstein
National Park Service	Land Acquisition	CA	Santa Monica Mountains National Recreation Area	$1,000,000	Berman; Sherman	Feinstein
National Park Service	Land Acquisition	KY	Cumberland Gap National Historical Park, Fern Lake	$1,150,000	Rogers (KY)	McConnell
National Park Service	Land Acquisition	MI	Sleeping Bear Dunes National Lakeshore	$1,000,000		Levin; Stabenow
National Park Service	Land Acquisition	NH	Appalachian National Scenic Trail	$1,375,000	Hodes	Gregg; Shaheen
National Park Service	Land Acquisition	NM	Petroglyph National Monument	$1,000,000	Heinrich	Bingaman
National Park Service	Land Acquisition	OH	Cuyahoga Valley National Park	$4,000,000	Sutton; LaTourette; Ryan (OH)	Brown; Voinovich
National Park Service	Land Acquisition	PA	Appalachian National Scenic Trail	$1,820,000		Specter
National Park Service	Land Acquisition	TN	Shiloh National Military Park	$250,000		Alexander; Corker
National Park Service	Land Acquisition	TX	Fort Davis National Historic Site	$500,000	Rodriguez	Hutchison
National Park Service	Land Acquisition	VA	Fredericksburg and Spotsylvania National Military Park, Binns property	$200,000	Wittman	
National Park Service	Land Acquisition	VT	Appalachian National Scenic Trail	$625,000		Leahy
National Park Service	Land Acquisition	WI	Ice Age National Scenic Trail	$2,000,000	Baldwin; Obey	
U.S. Geological Survey	Surveys, Investigations & Research	AR	South Arkansas Sparta Aquifer Recovery Initiative	$300,000	Ross	
U.S. Geological Survey	Surveys, Investigations & Research	AZ, NM	U.S.—Mexico Transboundary Aquifer Assessment Program	$1,000,000	Grijalva; Pastor (AZ)	Bingaman
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Diego formation mapping	$900,000		Feinstein
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Francisco Bay Salt Ponds restoration monitoring/research	$1,000,000	Stark; Lofgren, Zoe; Honda; Pelosi	Feinstein
U.S. Geological Survey	Surveys, Investigations & Research	HI	Volcano research/monitoring partnership UH-Manoa/HVO	$250,000		Inouye
U.S. Geological Survey	Surveys, Investigations & Research	HI	Water resources monitoring, investigations and research	$500,000		Inouye; Akaka
U.S. Geological Survey	Surveys, Investigations & Research	IL	McHenry County groundwater and stormwater protection	$280,000	Manzullo	
U.S. Geological Survey	Surveys, Investigations & Research	LA	Long Term Estuary Assessment Group support	$400,000		Landrieu
U.S. Geological Survey	Surveys, Investigations & Research	MA	Conte Anadromous Fish Research Lab	$220,000	Olver	
U.S. Geological Survey	Surveys, Investigations & Research	MD	Coastal plain & fractured rock study	$500,000	Cummings	Cardin; Mukulski
U.S. Geological Survey	Surveys, Investigations & Research	NV	Nye County minerals assessment project	$650,000		Reid
U.S. Geological Survey	Surveys, Investigations & Research	VT	Lake Champlain Basin streamflow monitoring/toxic studies	$346,000		Leahy

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
U.S. Geological Survey	Surveys, Investigations & Research	WA	Columbia River Basin, design/test monitoring protocols-invasive species	$350,000		Murray
U.S. Geological Survey	Surveys, Investigations & Research	WA	Hood Canal Dissolved Oxygen Study	$200,000	Dicks	
Minerals Management Service	Royalty and Offshore Minerals Management	MS	Center for Marine Resources and Environmental Technology	$900,000	Childers	Cochran; Wicker
Bureau of Indian Affairs	Operation of Indian Programs	Multi	Upper Columbia United Tribes, resource management program	$350,000	McMorris Rodgers	Cantwell; Crapo; Murray; Risch
Bureau of Indian Affairs	Operation of Indian Programs	ND	United Tribes Technical College	$400,000	Pomeroy	Conrad; Dorgan
Bureau of Indian Affairs	Operation of Indian Programs	NM	Navajo Technical College	$200,000		Bingaman; Udall, Tom
Bureau of Indian Affairs	Operation of Indian Programs	SD	Cheyenne River Sioux Tribe, prairie management program	$500,000	Herseth Sandlin	Johnson
Insular Affairs	Assistance to Territories	VI	Critical Wastewater System Repairs and Improvements	$900,000	Christensen	
Environmental Protection Agency	Science & Technology	CO	Water Research Foundation	$1,700,000	Kissell; Rehberg; Moran (VA)	Kennedy; Kerry; Reid
Environmental Protection Agency	Science & Technology	GA	Consortium for Plant Biotechnology Research	$1,000,000	Towns; Rogers (MI); Rehberg; Stupak; Conyers; Price (NC); Abercrombie; Lewis (GA); Rogers (KY)	Hagan; Levin; McConnell; Murray; Stabenow
Environmental Protection Agency	Science & Technology	TX	Southwest Consortium for Environmental Research and Policy (SCERP)	$1,000,000	Reyes; Pastor (AZ)	Bingaman; Udall, Tom
Environmental Protection Agency	Science & Technology	VA	Water Environment Research Foundation	$2,000,000	Price (NC); Moran (VA)	Begich; Bond; Brown; Burris; Cardin; Collins; Kennedy; Kohl; Lautenberg; Schumer; Snowe
Environmental Protection Agency	Environmental Programs and Management	DC	Rural Community Assistance Partnership	$2,500,000	Olver; Rogers (KY)	Baucus; Begich; Bingaman; Brown; Collins; Crapo; Johanns; Johnson; Klobuchar; Leahy; Lincoln; Merkley; Risch; Rockefeller; Shaheen; Tester; Udall, Mark; Udall, Tom; Wyden
Environmental Protection Agency	Environmental Programs and Management	DC	Water Systems Council Wellcare Program	$700,000	Langevin; Latham; Arcuri; Boswell	Baucus; Bingaman; Grassley; Harkin; Reed; Whitehouse
Environmental Protection Agency	Environmental Programs and Management	OK	National Rural Water Association	$13,000,000	Etheridge; Jones; Kennedy	Barrasso; Bingaman; Bond; Burr, Cantwell; Casey; Chambliss; Collins; Conrad; Corker, Crapo; Dorgan; Durbin; Enzi, Gillibrand; Graham; Grassley; Hagan; Hatch; Inhofe; Isakson; Johanns; Johnson; Kennedy; Kerry; Leahy; Levin; Lieberman; Lincoln; Menendez; Pryor; Reed; Risch; Roberts; Sanders; Schumer; Shaheen; Snowe; Specter; Stabenow; Thune; Udall, Mark; Udall, Tom; Vitter; Webb; Whitehouse; Wicker; Wyden
Environmental Protection Agency	Environmental Programs and Management	VA	National Biosolids Partnership	$750,000	Moran (VA)	
Environmental Protection Agency	Environmental Programs and Management	WA	Puget Sound Ecosystem Research Initiative at the University of Washington	$4,000,000	Smith (WA); McDermott; Dicks; Baird	
Environmental Protection Agency	Buildings and Facilities	NV	Las Vegas Facilities Consolidation Study	$500,000		Reid

Environmental Protection Agency	Other	CA	Hunters Point Naval Shipyard environmental cleanup	$8,000,000		Feinstein
Environmental Protection Agency	STAG—Other	CA	Emissions Reduction Grants to the South Coast Air Quality Management District and San Joaquin Air Pollution Control District	$10,000,000	Cardoza; McNerney; Costa	Boxer; Feinstein
Environmental Protection Agency	STAG—Other	TX	The cities of El Paso and Brownsville for water and wastewater infrastructure	$2,500,000	Reyes; Ortiz	Cornyn; Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AK	City of Buckland for construction of a piped water and sewer system	$500,000		Begich; Murkowski
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AK	City of Homer for planning and design of a new drinking water system	$500,000		Murkowski
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AK	City of Kodiak for water and sewer improvements	$300,000	Young (AK)	Begich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AK	City of Soldotna for a water and wastewater improvements project	$500,000		Begich; Murkowski
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AK	Municipality of Skagway for a wastewater treatment facility expansion project	$300,000		Begich; Murkowski
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	City of Brewton for a wastewater improvements project	$300,000		Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	East Alabama Water Sewer and Fire Protection District for wastewater system planning	$275,000	Rogers (AL)	Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	Fayette County for the construction of a drinking water reservoir	$6,000,000	Aderholt	Shelby
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Enterprise for the Enterprise Southeast lagoon upgrade project	$500,000	Bright	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Sulligent for a water well and storage tank project	$500,000	Aderholt	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	Washington County Commission for the Washington County sanitary sewer extension	$500,000	Bonner	Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	Cabot Waterworks for wastewater improvements	$500,000	Berry	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	City of Dardanelle for water treatment plant expansion	$300,000		Lincoln; Pryor
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	City of Forrest City for water infrastructure improvements	$300,000		Lincoln; Pryor
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	City of Warren for water infrastructure improvements	$300,000		Lincoln; Pryor
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	Fort Chaffee Redevelopment Authority for water system improvements	$300,000		Lincoln; Pryor
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AR	The City of Fayetteville for Elkins Outfall Sewer Line sewer replacement	$500,000	Boozman	

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AZ	City of Safford for water infrastructure improvements	$300,000		Kyl
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AZ	The Pascua Yacqui Tribe for the master drainage plan	$1,000,000	Pastor (AZ); Grijalva	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AZ	The Town of Chino Valley for water and wastewater infrastructure	$500,000	Kirkpatrick (AZ)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AZ	The Town of Miami for sewer collection system upgrades	$220,000	Pastor (AZ)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Big Bear Department of Water and Power for Big Bear Lake water system infrastructure improvements	$750,000	Lewis (CA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Carlsbad for Vista-Carlsbad joint wastewater project	$500,000	Bilbray	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of East Palo Alto for the East Palo Alto water supply and stormwater management improvements	$875,000	Eshoo	Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of Eureka for the Martin Slough interceptor project	$875,000	Thompson (CA)	Boxer; Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of Galt for Wastewater Treatment Plant Upgrades	$500,000	Lungren, Dan	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of Rialto for Inland empire groundwater remediation and drinking water system improvements	$300,000	Baca	Boxer
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of Santa Monica for the Santa Monica water system reliability project	$875,000		Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	City of Westminster for Stormwater System improvements	$875,000		Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Helix Water District for the El Monte Valley groundwater recharge project	$500,000	Hunter	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Monterey County Water Resources Agency for the Lower Carmel River and Lagoon Floodplain restoration and enhancement project	$500,000	Farr	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Municipal Water District of Orange County for water supply improvements	$875,000		Boxer; Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Palmdale Water District for water main replacement	$500,000	McKeon	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Shasta County for Elk Trail Water System Improvements	$875,000		Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	South Montebello Irrigation District for water system infrastructure improvements	$550,000	Napolitano	

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	South Pasadena for Wilson Reservoir replacement	$300,000	Schiff	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Arcadia for the Arcadia and Sierra Madre joint water infrastructure project	$500,000	Dreier	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Bell for Sewer Infrastructure Modernization	$675,000	Roybal-Allard	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Calimesa for storm drain improvements	$500,000	Lewis (CA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Cathedral City for South City Improvement District groundwater protection	$500,000	Bono Mack	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Ceres for East Service Road sanitary sewer extension	$500,000	Cardoza	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Culver City for storm water improvements	$500,000	Watson	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Los Angeles for the Elysian Park water recycling project	$500,000	Becerra	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Ridgecrest for wastewater treatment facility infrastructure	$400,000	McCarthy (CA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of San Jose for the San Jose Redevelopment Area sewer main rehabilitation	$300,000	Honda; Lofgren, Zoe	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of San Juan Capistrano for ground water recovery plant expansion and regional distribution facility	$625,000	Calvert	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Temple City for storm drain installation	$200,000	Schiff	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	The City of Vallejo for Mare Island sanitary sewer and storm drain improvements	$750,000	Miller, George	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	Western Municipal Water District for Arlington Desalter Biodenitrification	$625,000	Calvert	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CO	City of Monte Vista for wastewater facility consolidation	$300,000		Bennet
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CO	City of Rifle for drinking water infrastructure improvements	$300,000	Salazar	Udall, Mark
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CT	City of Norwich for wastewater treatment facility improvements	$300,000	Courtney	Dodd; Lieberman
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CT	The Mattabasset District for wastewater treatment facility upgrades	$500,000	Larson (CT)	Lieberman
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CT	The Town of Prospect for drinking water infrastructure	$495,000	DeLauro	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CT	Town of East Lyme for drinking water system improvements	$300,000	Courtney	Dodd
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	DE	New Castle County for Turkey Run interceptor improvements	$300,000	Castle	Carper; Kaufman

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	DE	Sussex County Council for the Johnson's Corner wastewater improvement project	$300,000	Castle	Carper; Kaufman
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	City of West Palm Beach for water infrastructure improvements	$500,000	Klein (FL); Wexler	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	Jacksonville Water and Sewer Expansion Authority for septic tank replacement	$500,000	Crenshaw	Martinez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	Santa Rosa County for Navarre Beach water clarifier	$220,000	Miller (FL)	Nelson, Bill
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	South Seminole and North Orange County Wastewater Transmission Authority for wastewater infrastructure improvements	$500,000	Kosmas; Mica	Martinez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	St. Johns River Water Management District for the East-Central Florida Integrated Water Resources Project	$300,000	Posey	Martinez; Nelson, Bill
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	The City of Clearwater for wastewater treatment facility improvements	$500,000	Young (FL); Bilirakis	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	The City of Homestead for water utility upgrades	$500,000	Diaz-Balart, Mario	Nelson, Bill
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	The City of Opa-Locka Public Works Division for wastewater infrastructure improvements	$500,000	Meek (FL)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	The City of Quincy for inflow and infiltration improvements	$440,000	Boyd	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	The City of Sunrise for a water reclamation system	$1,000,000	Wasserman Schultz; Hastings (FL)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	FL	City of Tampa for reclaimed water expansion project	$300,000		Martinez; Nelson, Bill
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	City of Rome for construction of a new drinking water transmission main	$300,000		Isakson
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	Fort Valley Utility Commission for wastewater reclamation facility	$500,000	Bishop (GA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	Metropolitan North Georgia Water Planning District for multiple water and wastewater system improvements	$500,000	Scott (GA); Kingston; Deal; Johnson (GA); Gingrey (GA); Lewis (GA)	Chambliss
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	The City of Atlanta for sewer system infrastructure improvements	$500,000	Lewis (GA); Johnson (GA); Bishop (GA); Barrow; Scott (GA)	Chambliss,Isakson
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	The City of Crawfordville for the sewer rehabilitation	$500,000	Barrow	

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GA	The City of Kingsland for water and sewer infrastructure	$500,000	Kingston	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	GU	Guam Waterworks Authority for Wastewater Infrastructure Improvements	$600,000	Bordallo	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	HI	County of Kauai for the Waimea Wastewater Treatment Plant expansion project	$1,000,000	Abercrombie; Hirono	Inouye
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	HI	Hawaii County for the Hawaii Ocean View Estates drinking water source development project	$220,000		Inouye
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	HI	Hawaii County for the Kapulena drinking water source development project	$739,750		Inouye
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	HI	Maui County for infrastructure improvements at the Kamole Water Treatment Plant	$1,000,000		Inouye
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	HI	Maui County for Kaa Force main replacement	$1,000,000		Inouye
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IA	City of Boone for wastewater and stormwater infrastructure improvements	$300,000		Grassley; Harkin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IA	City of Clinton for construction of a new wastewater treatment facility	$300,000	Braley (IA)	Grassley; Harkin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IA	City of Keokuk for a stormwater and sewer separation project	$300,000		Grassley; Harkin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IA	City of Ottumwa for wastewater and stormwater infrastructure improvements	$300,000	Loebsack	Harkin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IA	The City of Garner for wastewater treatment infrastructure improvements	$500,000	Latham	Grassley
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ID	City of American Falls for construction of a wastewater treatment facility	$300,000	Simpson	Crapo; Risch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ID	Granite Reeder Water and Sewer District for construction of a sewage collection system	$300,000		Crapo; Risch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ID	The City of Buhl for wastewater treatment infrastructure	$750,000	Simpson	Crapo; Risch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	City of Decatur for water infrastructure improvements	$250,000		Durbin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	City of Lexington for water infrastructure improvements	$100,000		Durbin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	City of Peoria for sewer and stormwater improvements	$300,000	Schock	Burris
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	Naperville Heritage Society, Naperville, for stormwater management at Naper Settlement	$500,000	Biggert	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	Sharpsburg and Neighboring Area Water System for infrastructure	$500,000	Shimkus	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The Village of Buckner for a water storage tank	$352,000	Costello	

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The Village of Carol Stream for Tubeway Drive storm water lift station rehabilitation	$192,500	Roskam	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The Village of Hopedale for wastewater treatment facility upgrades	$180,000	Schock	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The Village of Johnsburg for wastewater treatment infrastructure	$500,000	Bean	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The Village of Park Forest for sanitary sewer infrastructure	$500,000	Jackson (IL)	Burris
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	Will County for Ridgewood water and wastewater infrastructure improvements	$550,000	Halvorson	Burris; Durbin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	Macoupin County for water infrastructure improvements	$250,000		Durbin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IN	City of Tipton for drinking water and wastewater infrastructure upgrades project	$300,000		Lugar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IN	Clinton County Government for the Eastside Regional stormwater improvements	$500,000	Buyer	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IN	The City of Portage for water infrastructure improvements	$800,000	Visclosky	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IN	Wadesville-Blairsville Regional Sewer District for the sanitary sewer system project	$500,000	Ellsworth	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Buhler for construction of an adsorption media drinking water treatment facility	$600,000		Brownback
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Iola for drinking water and wastewater pipe improvements project	$300,000		Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Junction City for construction of a drinking water project	$250,000	Moran (KS)	Brownback; Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Marion for construction of a wastewater project	$150,000		Brownback
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Russell for replacement of cast iron drinking water lines	$400,000		Brownback
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	Pottawatomie County for construction of a main pump wastewater station	$400,000		Brownback
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	The City of DeSoto for water treatment infrastructure improvements at the Sunflower Army Ammunition Plant	$500,000	Moore (KS)	Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	The City of Rose Hill for the Berlin Drainage Project	$500,000	Tiahrt	

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	City of Burgin for upgrades to the drinking water distribution system	$340,000		McConnell
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	City of Eubank for a water line replacement project	$200,000		Bunning
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	City of Franklin for a sewer line replacement project	$100,000		Bunning
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	City of Vine Grove for construction of additional sewer lines	$840,000		McConnell
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	Fleming County for a sewer collection expansion project	$620,000		Bunning; McConnell
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	Franklin County Fiscal Court for the Farmdale Area wastewater treatment plant	$900,000	Chandler	Bunning
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	Owensboro-Daviess County Regional Water Resource Agency for the Locust Hills Subdivision sewer installation project	$220,000	Guthrie	Bunning
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	Perry County Sanitation District No. 1 for wastewater treatment infrastructure	$500,000	Rogers (KY)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	The City of Paris for combined utilities water plan improvements	$500,000	Chandler	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	The City of Tompkinsville for a water treatment plant backwash lagoon project	$189,750	Whitfield	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KY	The City of Wurtland for the Wurtland/Greenup/Lloyd regional sewer project	$500,000	Davis (KY)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	City of Baton Rouge for East Baton Rouge Parish wastewater system improvements	$300,000		Landrieu;Vitter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	City of Lake Charles for wastewater system improvements	$300,000		Landrieu
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	Lafayette Utilities System for drinking water and wastewater line relocations and upgrades project	$300,000		Landrieu;Vitter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	St. Tammany Parish for Bayou Chinchuba Regional water retention	$500,000	Scalise	Landrieu
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	The City of Monroe for a wastewater treatment system	$500,000	Alexander	Landrieu; Vitter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	LA	City of Grambling for drinking water system improvements	$300,000		Landrieu
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MA	City of Gloucester for Essex Avenue Wastewater Treatment Facility Upgrade	$500,000	Tierney	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MA	City of Marlborough for infrastucture upgrades at the Westerly Wastewater Treatment Facility	$300,000	McGovern	Kennedy; Kerry
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MA	Pioneer Valley Planning Commission for the Connecticut River CSO	$871,500	Olver; Neal	Kennedy; Kerry

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MA	The Cities of Fall River and New Bedford and the Towns of Acushnet, Mansfield, Norton, and Foxboro for Bristol County CSO upgrades	$750,000	Frank (MA); McGovern	Kennedy; Kerry
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MA	The City of Malden for citywide lead water service replacement	$500,000	Markey (MA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MD	City of Frostburg for combined sewer overflow improvements	$300,000		Mikulski
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MD	Maryland Department of the Environment for Salisbury cast iron distribution pipe	$500,000	Kratovil	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MD	The City of Rockville for sanitary sewer rehabilitation	$750,000	Van Hollen	Cardin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MD	The Town of Chesapeake Beach for WWTP Enhanced Nutrient Removal Upgrade and Expansion	$700,000	Hoyer	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MD, DC, VA	Washington Suburban Sanitary Commission (MD), Washington Area Sewer Authority (DC), and Fairfax County Public Works Department (VA) for water and wastewater infrastructure improvements at the Blue Plains Wastewater Treatment Plant	$1,200,000	Edwards (MD); Ruppersberger	Cardin; Mikulski; Warner
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ME	City of Portland for a combined sewer overflow and storm water runoff improvements project	$1,250,000	Pingree (ME)	Collins
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ME	Limestone Water and Sewer District for design and construction of new wastewater pipes and pumping stations	$550,000	Michaud	Collins; Snowe
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ME	The Town of Machias for sewer system upgrades	$500,000	Michaud	Snowe
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	City of Port Huron for combined sewer overflow improvements	$300,000		Levin; Stabenow
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	Lansing Board of Water & Light for Lansing energy efficient drinking water system	$500,000	Rogers (MI)	Levin; Stabenow
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	Oakland/Macomb County Drain Drainage District for interceptor improvements	$500,000	Miller (MI); Levin	Levin; Stabenow
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	The City of Detroit DEGC for East Riverfront wastewater infrastructure	$500,000	Kilpatrick (MI)	Levin; Stabenow
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	The City of Grand Rapids for Eastside CSO separation	$500,000	Ehlers	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MI	Wayne County for the Rouge River Wet Weather Demonstration Project	$500,000	Dingell; Peters	Levin; Stabenow

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MN	City of Faribault for wastewater infrastructure improvements	$150,000		Klobuchar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MN	City of St. Cloud for water infrastructure improvements	$300,000		Klobuchar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MN	Grand Rapids Public Utilities Commission for wastewater facilities improvements	$1,000,000	Oberstar	Klobuchar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MN	South Bend Township for water and sewer infrastructure	$500,000	Walz	Klobuchar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MN	The City of Maple Plain for water treatment facility infrastructure	$500,000	Paulsen	Klobuchar
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	City of Lee's Summit for a wastewater infrastructure improvements project	$1,500,000		Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	City of New Haven for consolidation and replacement of wastewater pump stations	$300,000		Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	PWSD #1 of McDonald County for wastewater infrastructure	$465,000	Blunt	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	The City of East Prairie for stormwater and sewer infrastructure	$200,000	Emerson	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	The City of Saint Joseph for stormwater and wastewater infrastructure	$500,000	Graves	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	Black Bayou Water Association for drinking water improvements	$250,000	Thompson (MS)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	City of Batesville for design and construction of wastewater improvements projects	$275,000		Cochran
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	City of Carthage for a wastewater improvements and rehabilitation project	$275,000		Cochran; Wicker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	City of Pearl for rehabilitation of wastewater gravity mains	$277,000		Cochran
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	City of Ridgeland for construction of a new potable water well	$200,000		Cochran; Wicker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	Hinds County Board of Supervisors for planning and design of a centralized wastewater system	$300,000		Cochran; Wicker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	Leflore County Board of Supervisors for a stormwater project	$143,000	Thompson (MS)	Cochran
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	Mississippi Band of Choctaw Indians for rehabilitation of wastewater pump stations	$380,000		Cochran; Wicker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MS	Tunica County Utility District for construction of a wastewater treatment facility	$400,000		Cochran; Wicker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MT	Butte-Silver Bow Consolidated Government for drinking water improvements for the City of Butte	$500,000	Rehberg	Baucus; Tester
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MT	City of Bozeman for water treatment facility improvements	$500,000	Rehberg	Baucus; Tester

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MT	City of Missoula for wastewater facility improvements	$200,000	Rehberg	Tester
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MT	Crow Tribe in Crow Agency for wastewater infrastructure improvements	$300,000		Baucus
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MT	Em-Kayan County Water and Sewer District for infrastructure improvements	$290,600	Rehberg	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NC	City of Raleigh Public Utilities Department for the Dempsey E. Benton Water Treatment Plant Backwash Waste Facility	$500,000	Miller (NC); Price (NC)	Hagan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NC	Greenville Utilities Commission for construction of a wastewater pumping station	$300,000		Burr; Hagan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NC	McDowell County for water system improvements	$500,000	Shuler	Burr
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NC	Town of Ahoskie for wastewater system improvements	$300,000	Butterfield	Hagan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NC	Town of Cary Public Works and Utilities Department for Western Wake regional wastewater management facility	$1,000,000	Price (NC); Miller (NC)	Burr; Hagan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ND	City of Valley City for drinking water system improvements	$400,000	Pomeroy	Conrad; Dorgan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ND	City of Washburn for drinking water treatment facility upgrades	$400,000	Pomeroy	Conrad; Dorgan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	ND	Stutsman Rural Water District, Stutsman County for drinking water system improvements	$400,000	Pomeroy	Conrad; Dorgan
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NE	City of Plattsmouth for combined sewer overflow improvements	$1,200,000		Nelson, Ben
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NE	The City of Omaha for CSO controls	$500,000	Terry	Nelson, Ben
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	City of Berlin for replacement and upgrades of water lines and mains	$450,000		Gregg
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	City of Keene for a wastewater treatment facility upgrades project	$300,000		Gregg; Shaheen
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	City of Manchester for the Phase II combined sewer overflow abatement program	$450,000		Gregg
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	City of Nashua for combined sewer overflow improvements	$300,000		Shaheen
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	Conway Village Fire District for water and wastewater treatment extension project	$300,000		Gregg

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NH	Town of Winchester for a wastewater treatment facility upgrades project	$300,000		Gregg
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	City of Hackensack for the Clay Street area combined sewer overflow improvement project	$300,000	Rothman (NJ)	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	City of New Brunswick for water pumping station improvements	$300,000		Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	City of Orange Township for drinking water system improvements	$300,000	Payne	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	City of Perth Amboy for drinking water infrastructure improvements	$300,000	Sires	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	Monmouth County for water and wastewater infrastructure improvements	$500,000	Holt	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	Passaic Valley Sewerage Commission for a Combined Sewage Overflow Project	$750,000	Pascrell; Sires; Payne; Rothman (NJ)	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	The Borough of Califon for Railroad Ave./ Main St. stormwater improvements	$500,000	Lance	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	The Borough of Fort Lee for CSO abatement upgrades	$500,000	Rothman (NJ)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NJ	The Borough of Hopatcong for drinking water infrastructure improvements	$500,000	Frelinghuysen	Lautenberg; Menendez
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NM	The Pueblo of San Felipe for wastewater infrastructure	$400,000	Lujan	Udall, Tom; Bingaman
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NM	City of Carlsbad for a water reuse project	$300,000	Teague	Bingaman; Udall, Tom
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NM	City of Portales for wastewater treatment plant improvements	$300,000		Bingaman; Udall, Tom
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NV	City of Boulder City for water infrastructure improvements	$290,000		Reid
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NV	City of Carson City for the Marlette-Hobart water system improvements	$350,000		Ensign; Reid
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NV	City of Fernley for a wastewater infrastructure project	$300,000	Heller	Ensign, Reid
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NV	Las Vegas Paiute Tribe for water infrastructure improvements	$550,000		Reid
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NV	Lyon County Utilities for wastewater infrastructure improvements at Mound House	$500,000	Heller	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Gowanus Canal Conservancy for Gowanus Canal water quality improvement	$300,000	Velazquez	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Onondaga County for storm water infrastructure improvements	$400,000	Maffei	Schumer
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Rockland Co. Sewer District No. 1 for Ramapo wastewater treatment	$500,000	Engel	Gillibrand

INTERIOR AND ENVIRONMENT—Continued
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Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The City of Glen Cove for water and stormwater infrastructure improvements	$500,000	King (NY)	Gillibrand
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The City of New York, New York City Department of Parks and Recreation for Bronx River stormwater management	$550,000	Serrano	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The City of Rochester for the Highland Reservoir	$600,000	Slaughter	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The City of White Plains for a drinking water transmission line	$500,000	Lowey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The Town of Pendleton for the replacement of grinder pumps	$500,000	Lee (NY)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The Town of Urbana for water and wastewater infrastructure	$500,000	Massa	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	The Village of Saugerties for water and wastewater infrastructure improvements	$800,000	Hinchey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Westchester Joint Water Works for water main rehabilitation	$517,000	Lowey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Nassau County for Bay Park STP outfall project	$300,000	King (NY); McCarthy (NY)	Gillibrand; Schumer
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	NY	Saratoga Hospital in Saratoga, NY for water supply improvements	$300,000		Schumer
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Belmont County Commissioners for construction of sanitary sewer system	$400,000	Wilson (OH)	Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Butler County Commissioners for the Ross Township sewer project	$500,000	Driehaus	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	City of Fostoria for the planning, design and construction of a new sanitary pump station and force main	$500,000	Latta	Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	City of Fremont for combined sewer overflow improvements	$500,000		Brown; Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Knox County for construction of wastewater collection and treatment system	$400,000	Space	Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Muskingum County Commissioners for Maysville sewer improvements	$500,000	Space	Brown
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Ottawa County for the Ottawa County sanitary sewer project	$500,000	Kaptur	Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The City of Ashland for a waterline replacement project	$500,000	Boccieri	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The City of Stow for sanitary sewer system infrastructure	$500,000	LaTourette	

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The City of Vandalia for airport access road water and sewer extensions	$500,000	Turner	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The City of Worthington for sanitary sewer improvements	$500,000	Kilroy	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The Village of Dillonvale for water meter replacement	$100,000	Wilson (OH)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	The Village of Tiro for a water distribution system	$500,000	Latta	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OH	Trumbull County Commissioners for wastewater infrastructure improvements	$300,000	Ryan (OH)	Voinovich
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OK	City of Enid for planning, design and construction of a wastewater treatment plant	$300,000		Inhofe
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OK	Lawton Ft. Sill Chamber of Commerce for Lawton Industrial Park Expansion for Water and Sewer Line Extensions	$750,000	Cole	Inhofe
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OR	City of Vernonia wastewater system improvements	$300,000	Wu	Merkley; Wyden
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	OR	Umatilla County for Milton-Freewater stormwater system improvements	$300,000	Walden	Merkley; Wyden
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Allegheny County Sanitary Authority for the Three Rivers Wet Weather Demonstration Program	$225,000	Doyle	Casey; Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Chester County Economic Development Council for the Upper Worthington Infrastructure Improvement Project	$225,000		Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Findlay Township Municipal Authority for water and sewer upgrades	$500,000	Murphy, Tim	Casey; Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Haines Aaronsburg Municipal Authority for water line interconnection	$250,000	Thompson (PA)	Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Hegins-Hubley Authority for facility improvements	$68,000	Holden	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Lehigh County Authority for the Vera Cruz wastewater collection system	$500,000	Dent	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Municipal Authority of the City of Lower Burrell for Wildlife Lodge Road sanitary sewer extension	$800,000	Murtha	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Northampton, Bucks County Municipal Authority for wastewater infrastructure improvements	$500,000	Murphy, Patrick	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	The City of Reading for wastewater infrastructure improvements at Fritz's Island	$500,000	Gerlach	Casey; Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Thornbury Township for Cheyney University/Thornbury Township wastewater treatment facility improvements	$250,000	Sestak	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Tri-County Joint Municipal Authority for water treatment infrastructure	$393,000	Murtha	

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	Westmoreland County Industrial Development Corporation for wastewater infrastructure replacement	$300,000		Casey; Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	PA	York City Sewer Authority for wastewater facility infrastructure	$225,000	Platts	Casey; Specter
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	RI	City of Cranston for wastewater infrastructure	$400,000		Reed; Whitehouse
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	RI	City of East Providence for drinking water infrastructure improvements	$400,000		Reed; Whitehouse
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	RI	The City of Newport for UV disinfection system improvements	$500,000	Kennedy	Reed; Whitehouse
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	RI	Town of North Providence for storm water infrastructure improvements	$400,000	Kennedy	Reed; Whitehouse
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SC	Laurens Commission of Public Works for construction of a pump station, water lines and water tank	$300,000	Barrett (SC)	Graham
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SC	The City of Rock Hill for the Phase II Hagins-Fewell Neighborhood Infrastructure Improvement Project	$600,000	Spratt	Graham
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SC	The Town of Coward for drinking water and wastewater improvements	$500,000	Clyburn	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SD	City of Elk Point for water and wastewater infrastructure improvements	$400,000		Johnson
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SD	City of Lead for water and wastewater infrastructure improvements	$400,000		Johnson
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SD	City of Rapid City for wastewater infrastructure improvements	$300,000	Herseth Sandlin	Johnson; Thune
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SD	Brant Lake Sanitary District for wastewater infrastructure improvements	$400,000		Johnson
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	Campbell County Government for Campbell County waterline improvements	$500,000	Davis (TN)	Alexander
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	City of Tusculum for planning, design and construction of a wastewater treatment facility and collection system	$500,000		Alexander; Corker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	Dickson County Water Authority for construction of a drinking water system	$250,000	Tanner	Alexander
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	Hancock County for a drinking water extension project	$500,000		Alexander; Corker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	Springville Utility District of Henry County for drinking water system improvements	$500,000	Tanner	Alexander; Corker

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TN	The City of Harrogate for wastewater system improvements	$500,000	Wamp	Corker
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	City of Beaumont for a sewer line rehabilitation project	$400,000		Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	City of Lubbock for a treated drinking water pipeline project	$200,000		Cornyn; Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	City of Lufkin for design and construction of drinking water infrastructure, storage and treatment capacity	$400,000	Gohmert	Cornyn; Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	City of Nacogdoches for construction of two detention ponds	$500,000	Gohmert	Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	City of Round Rock for planning, design and construction of a regional water supply system	$300,000	Carter	Cornyn
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Andrews for Andrews arsenic filtration pilot project	$400,000	Conaway	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Austin for Austin Sanitary Sewer Overflow Prevention	$500,000	Smith (TX)	Cornyn
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Baytown for water and wastewater infrastructure improvements	$500,000	Poe (TX); Paul	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Crystal City for water infrastructure improvements	$500,000	Rodriguez	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Gainesville for the water treatment plant expansion project	$500,000	Burgess	Cornyn
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Joshua for the Joshua drainage project in Johnson County	$1,000,000	Edwards (TX)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of La Vernia for drinking water infrastructure	$500,000	Cuellar	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Petersburg for elevated water tank replacement	$439,000	Neugebauer	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	TX	The City of Temple for industrial park wastewater line and interceptor	$500,000	Carter	Hutchison
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	City of Lindon for channel improvements in a stormwater detention and management area	$500,000		Bennett; Hatch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	City of Taylorsville for stormwater infrastructure improvements and upgrades	$500,000		Bennett; Hatch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	Clearfield City for a drinking water and wastewater improvements project	$300,000		Bennett; Hatch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	Draper City for construction of a culinary reservoir	$500,000		Bennett
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	South Salt Lake City for a waterline replacement project	$300,000	Matheson	Bennett; Hatch
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	UT	Weber County for the Weber County storm water master plan	$500,000	Bishop (UT)	Bennett; Hatch

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	Caroline County for the Dawn Community Decentralized Wastewater System project	$300,000	Wittman	Warner; Webb
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	Halifax County Service Authority for Maple Avenue wastewater plant upgrades	$500,000	Perriello	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	The City of Alexandria for a water reuse project	$500,000	Moran (VA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	The City of Alexandria, Arlington County for Four Mile Run infrastructure improvements	$500,000	Moran (VA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	The City of Falls Church for storm water infrastructure	$500,000	Moran (VA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VA	Town of Onancock for wastewater treatment system improvements	$300,000	Nye	Warner; Webb
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VT	Ferrisburgh Fire District #1 for water infrastructure improvements	$300,000		Sanders
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VT	Town of Guilford for drinking water system improvements	$375,000		Leahy
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	VT	Village of Waterbury for wastewater system improvements	$825,000		Leahy; Sanders
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	City of Puyallup for wastewater pump and main force upgrades	$500,000		Murray
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	Cowlitz Public Utility District in Cowlitz County for replacement of wastewater infrastructure	$400,000		Murray
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	Jefferson County Department of Community Development for the Port Hadlock wastewater system	$1,000,000	Dicks	Murray
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of Buckley for emergency intertie booster station	$333,850	Reichert	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of Lacey for regional reclaimed water project	$500,000	Smith (WA)	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of Rock Island for wastewater system infrastructure	$500,000	Hastings (WA)	Cantwell
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of Seattle for the Magnuson Park Wetlands project	$500,000	McDermott	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of South Bend for the Willapa Regional wastewater facilities project	$500,000	Baird	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	The City of Tacoma for the Tacoma downtown sustainable storm drainage system	$1,500,000	Dicks	Cantwell

Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	West Sound Utility District for the Port Orchard reclaimed water distribution system	$165,000	Dicks	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WA	Whatcom County for stormwater system improvements	$300,000		Cantwell
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	City of Janesville for wastewater treatment plant improvements	$400,000		Kohl
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	City of Waukesha Water Utility for drinking water system improvements	$400,000		Kohl
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	Milwaukee Metropolitan Sewerage District for the replacement of a central sewer system	$400,000		Kohl
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	The City of Abbotsford for water treatment infrastructure	$1,000,000	Obey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	The City of Park Falls for sewer infrastructure	$550,000	Obey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	The Village of Athens for wastewater treatment facility upgrades	$1,000,000	Obey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WI	The Village of Stetsonville for a public drinking water system	$1,000,000	Obey	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WV	Marshall County Sewerage District for wastewater infrastructure improvements	$800,000		Byrd
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WV	Ohio River Valley Sanitation Commission of organic detection system improvements	$1,200,000		Brown; Byrd
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WV	The Town of Rowlesburg for drinking water infrastructure improvements	$500,000	Mollohan	
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	WV	Town of Moorefield for wastewater treatment facility upgrades	$2,500,000	Capito	Byrd
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	Fayette County for water system upgrades			Shelby
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Thomasville for a water facility project			Shelby; Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Thomasville for regional water supply distribution			Shelby; Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Thomasville for the Southwest Alabama Rural/Municipal Water System			Shelby; Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	AL	The City of Thomasville for water infrastructure improvements			Shelby; Sessions
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	CA	San Bernardino Municipal Water Department for the Inland Empire alternative water supply project			Feinstein
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	IL	The City of Quincy for drinking water system improvements			Durbin
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	City of Manhattan for a water mainline extension project			Brownback; Roberts

INTERIOR AND ENVIRONMENT—Continued
[Congressionally Directed Spending Items]

Agency	Account	State	Project	Amount	Requester(s)	
					House	Senate
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	The City of Manhattan for the Konza Water Main Extension project			Brownback; Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	The City of Prescott for a wastewater treatment plant construction			Brownback; Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	KS	The City of Wichita for a storm water technology pilot project			Brownback; Roberts
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	Johnson County for a drinking water and wastewater infrastructure project			Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	Pemiscot Consolidated Public Water Supply District 1 for a drinking water source protection infrastructure project			Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	PWSD #1 of McDonald County for wastewater infrastructure expansion		Blunt	Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	MO	The Gravois Arm Sewer District for a wastewater infrastructure project			Bond
Environmental Protection Agency	STAG Water and Wastewater Infrastructure Project	SD	The City of Lake Norden for drinking water infrastructure improvements			Johnson
US Forest Service	State & Private Forestry	CA	Blue Mountain Community Renewable Council for the Calaveras Healthy Impact Product Solutions biomass utilization project	$500,000		Feinstein
US Forest Service	State & Private Forestry	CA	Region 5, USFS for small forest products infrastructure assistance grants	$2,500,000		Feinstein
US Forest Service	State & Private Forestry	MD	Baltimore Urban Forestry Watershed Demonstration Cooperative Project	$150,000	Cummings	
US Forest Service	State & Private Forestry	MO	Missouri Forest Foundation for biomass demonstration project	$300,000		Bond
US Forest Service	State & Private Forestry	UT	Utah Department of Agriculture for a fuels-for-schools biomass utilization project	$200,000		Bennett
US Forest Service	State & Private Forestry	VT	State of Vermont for the Vermont Wood Products Collaborative	$500,000		Leahy
US Forest Service	State & Private Forestry	WA	Seattle-Tacoma Regional Urban Forestry Restoration Project	$1,000,000	Dicks	
US Forest Service	State & Private Forestry	WI	Menomonee Valley Partners Inc; Urban Forestry Project	$300,000	Moore (WI)	
US Forest Service	Capital Improvement and Maintenance	ID	Sawtooth National Recreation Area trail construction and maintenance	$1,200,000	Simpson	
US Forest Service	Capital Improvement and Maintenance	NV	Lake Tahoe Basin Management Unit for trail improvements by the Tahoe Rim Trail Association	$100,000		Reid

US Forest Service	Capital Improvement and Maintenance	SD	Relocation of the Northern Great Plains Interagency Dispatch Center on the Black Hills National Forest	$1,900,000	Herseth Sandlin	Johnson
US Forest Service	Capital Improvement and Maintenance	TN	Complete construction of a Cherokee National Forest work center	$500,000		Alexander
US Forest Service	Capital Improvement and Maintenance	TX	Redesign Ratcliff Lake Recreation Area and Campground	$475,000	Barton (TX)	
US Forest Service	Capital Improvement and Maintenance	WV	Facilities improvements on the Monongahela National Forest	$595,000		Byrd
US Forest Service	Capital Improvement and Maintenance	WV	Road improvements for the Monongahela National Forest	$1,521,000		Byrd
US Forest Service	Land Acquisition	CA	Angeles National Forest, Shoemaker Canyon	$500,000	McKeon	Feinstein
US Forest Service	Land Acquisition	CA	Humboldt-Toiyabe National Forest	$2,400,000		Feinstein
US Forest Service	Land Acquisition	CO	Uncompahgre National Forest	$1,000,000	Salazar	Bennet; Udall, Mark
US Forest Service	Land Acquisition	FL	Florida National Scenic Trail	$500,000	Young (FL); Kosmas; Wexler; Mica; Meek (FL); Klein (FL); Diaz-Balart, Lincoln	
US Forest Service	Land Acquisition	FL	Osceola National Forest, Pinhook Swamp Wildlife Corridor	$500,000	Crenshaw	Nelson, Bill
US Forest Service	Land Acquisition	ID	Sawtooth National Recreation Area, Piva Parcel	$400,000	Simpson	
US Forest Service	Land Acquisition	KY	Daniel Boone National Forest	$900,000	Rogers (KY)	McConnell
US Forest Service	Land Acquisition	MT	Lewis and Clark National Forest	$1,500,000	Rehberg	Tester, Baucus
US Forest Service	Land Acquisition	NC	Pisgah National Forest, Catawba Falls Access & Trail Acquisition	$713,000	Price (NC); Shuler	Burr
US Forest Service	Land Acquisition	NC	Uwharrie National Forest, Uwharrie Trail	$500,000	Coble	
US Forest Service	Land Acquisition	UT	Bonneville Shoreline Trail	$1,500,000	Bishop (UT)	Bennett; Hatch
US Forest Service	Land Acquisition	UT	Dixie National Forest	$2,500,000	Matheson	Bennett; Hatch
US Forest Service	Land Acquisition	WA	Mt. Baker-Snoqualmie National Forest—Wild Sky Wilderness	$1,700,000	Larsen (WA); McDermott	Murray
US Forest Service	Land Acquisition	WV	Monongahela National Forest, Cummings Tract	$985,000	Rahall	
US Forest Service	Land Acquisition	WV	Monongahela National Forest, Dolly Sods Conservation Area	$2,800,000	Mollohan; Capito	Byrd
US Forest Service	Wildland Fire Management	CA	San Bernardino Urban Youth Conservation Corp	$100,000	Baca	
US Forest Service	Wildland Fire Management	NV	City of Reno to fund firefighting equipment for the wildland-urban interface	$250,000		Reid

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF THE INTERIOR				
BUREAU OF LAND MANAGEMENT				
Management of Lands and Resources				
Land Resources:				
Soil, water and air management	40,568	58,621	58,971	+18,403
Range management	71,881	73,493	74,193	+2,312
Forestry management	10,242	10,443	10,543	+301
Riparian management	22,127	22,518	22,718	+591
Cultural resources management	15,766	15,631	16,131	+365
Wild horse and burro management	40,613	67,486	63,986	+23,373
Subtotal	201,197	248,192	246,542	+45,345
Wildlife and Fisheries:				
Wildlife management	35,074	35,447	36,592	+1,518
Fisheries management	13,415	13,640	13,765	+350
Subtotal	48,489	49,087	50,357	+1,868
Threatened and endangered species	21,713	22,112	22,612	+899
Recreation Management:				
Wilderness management	17,881	18,221	18,421	+540
Recreation resources management	45,857	49,471	49,971	+4,114
Subtotal	63,738	67,692	68,392	+4,654
Energy and Minerals:				
Oil and gas	79,478	90,336	69,336	-10,142
Oil and gas permit processing fund	36,400	45,500	45,500	+9,100
(Pilot offices, Sec. 365, permit processing fund)	(21,000)	---	(21,000)	---
Subtotal, Oil and gas, including permit processing fund	115,878	135,836	114,836	-1,042
Oil and gas offsetting permit processing fees	-36,400	-45,500	-45,500	-9,100
Coal management	9,533	9,739	9,739	+206
Other mineral resources	10,402	10,614	10,614	+212
Subtotal, Energy and minerals	99,413	110,689	89,689	-9,724
Realty and Ownership Management:				
Alaska conveyance	33,382	34,109	34,109	+727
Cadastral survey	12,904	12,463	12,863	-41
Land and realty management	33,779	50,660	50,660	+16,881
Subtotal	80,065	97,232	97,632	+17,567
Resource Protection and Maintenance:				
Resource management planning	48,132	48,961	49,961	+1,829
Resource protection and law enforcement	27,525	27,957	28,457	+932
Hazardous materials management	16,894	17,159	17,159	+265
Subtotal	92,551	94,077	95,577	+3,026
Transportation and Facilities Maintenance:				
Operations	5,984	6,067	6,067	+83
Annual maintenance	31,388	32,003	32,003	+615
Deferred maintenance	36,485	35,085	35,085	-1,400
Subtotal	73,857	73,155	73,155	-702
Land and resources information systems	16,581	16,754	16,754	+173
Mining Law Administration:				
Administration	34,696	36,696	36,696	+2,000
Offsetting fees	-34,696	-36,696	-36,696	-2,000

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Workforce and Organizational Support:				
Information systems operations	15,204	15,406	15,406	+202
Administrative support	50,118	51,377	51,377	+1,259
Bureauwide fixed costs	89,572	91,277	91,277	+1,705
Subtotal	154,894	158,060	158,060	+3,166
Challenge cost share	9,500	9,500	9,500	---
National Monuments and Conservation Areas	26,196	28,801	31,301	+3,105
(National Landscape Conservation System,total program)	(66,705)	(72,135)	(74,635)	(+7,930)
Rescission of Oil Shale Activities	---	---	-1,000	-1,000
Emergency appropriations, ARA (P.L. 111-5)	125,000	---	---	-125,000
Total, Management of lands and resources	1,015,194	975,351	958,571	-56,623
Appropriations	(890,194)	(975,351)	(959,571)	(+69,377)
Rescissions	---	---	(-1,000)	(-1,000)
Emergency appropriations	(125,000)	---	---	(-125,000)
Total discretionary, excluding emergencies	(890,194)	(975,351)	(958,571)	(+68,377)
Construction				
Construction	6,590	6,590	8,626	+2,036
Emergency appropriations, ARA (P.L. 111-5)	180,000	---	---	-180,000
Total, Construction	186,590	6,590	8,626	-177,964
Land Acquisition				
Land Acquisition:				
Acquisitions	11,425	21,650	24,650	+13,225
Emergencies, hardships and inholdings	1,500	1,500	3,000	+1,500
Acquisition management	1,850	1,879	2,000	+150
Total, Land acquisition	14,775	25,029	29,650	+14,875
Oregon and California Grant Lands				
Western Oregon resources management	95,611	97,052	97,052	+1,441
Western Oregon information and resource data systems	2,152	2,153	2,153	+1
Western Oregon transportation & facilities maintenance	11,053	11,202	11,202	+149
Western Oregon construction and acquisition	313	317	317	+4
Western Oregon National Monument	820	833	833	+13
Total, Oregon and California Grant Lands	109,949	111,557	111,557	+1,608
Range Improvements				
Improvements to public lands	7,873	7,873	7,873	---
Farm Tenant Act lands	1,527	1,527	1,527	---
Administrative expenses	600	600	600	---
Total, Range Improvements	10,000	10,000	10,000	---
Service Charges, Deposits, and Forfeitures				
Rights-of-way processing	19,906	17,340	17,340	-2,566
Energy and minerals cost recovery	2,900	2,900	2,900	---
Recreation cost recovery	1,000	1,000	1,000	---
Adopt-a-horse program	375	375	375	---
Repair of damaged lands	5,500	5,500	5,500	---
Cost recoverable realty cases	840	840	840	---
Timber purchaser expenses	100	100	100	---
Commercial film and photography fees	200	200	200	---
Copy fees	3,000	3,000	3,000	---
Subtotal (gross)	33,821	31,255	31,255	-2,566
Offsetting fees	-33,821	-31,255	-31,255	+2,566
Total, Service Charges, Deposits & Forfeitures	---	---	---	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Miscellaneous Trust Funds and Permanent Operating Funds				
Current appropriations	20,130	20,130	20,130	---
Payment from proceeds, sale of water	-46	---	---	+46
Naval oil shale reserves, mineral leasing receipts	-12,996	---	---	+12,996
TOTAL, BUREAU OF LAND MANAGEMENT	1,343,596	1,148,657	1,138,534	-205,062
Appropriations	(1,038,642)	(1,148,657)	(1,139,534)	(+100,892)
Rescissions	(-46)	---	(-1,000)	(-954)
Emergency appropriations	(305,000)	---	---	(-305,000)
Total discretionary, excluding emergencies	(1,008,466)	(1,118,527)	(1,108,404)	(+99,938)
UNITED STATES FISH AND WILDLIFE SERVICE				
Resource Management				
Ecological Services:				
Endangered species				
Candidate conservation	10,670	10,592	12,592	+1,922
Listing				
Critical habitat	10,458	10,632	11,632	+1,174
Listing	8,808	9,471	10,471	+1,663
Subtotal	19,266	20,103	22,103	+2,837
Consultation	53,462	56,863	59,363	+5,901
Recovery	74,575	76,599	85,399	+10,824
Subtotal, Endangered species	157,973	164,157	179,457	+21,484
Habitat conservation:				
Partners for fish and wildlife	52,943	57,841	60,191	+7,248
Project planning	32,048	35,235	35,985	+3,937
Coastal programs	14,736	14,946	15,946	+1,210
National wetlands inventory	5,328	5,398	5,648	+320
Subtotal, Habitat conservation	105,055	113,420	117,770	+12,715
Environmental contaminants	13,242	13,500	14,000	+758
Subtotal, Ecological Services	276,270	291,077	311,227	+34,957
National Wildlife Refuge System:				
Refuge operations:				
Wildlife and habitat management	199,859	214,778	230,778	+30,919
Refuge visitor services	75,571	78,973	79,973	+4,402
Refuge law enforcement	36,089	36,684	38,684	+2,595
Conservation planning	11,789	12,021	13,021	+1,232
Subtotal	323,308	342,456	362,456	+39,148
Refuge maintenance	139,551	140,823	140,823	+1,272
Subtotal, National Wildlife Refuge System	462,859	483,279	503,279	+40,420
Migratory Birds, Law Enforcement & International Conservation:				
Migratory bird management	50,846	53,025	54,525	+3,679
Law enforcement operations and maintenance	62,667	63,839	65,839	+3,172
International affairs	13,204	13,229	14,379	+1,175
Subtotal	126,717	130,093	134,743	+8,026

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Fisheries:				
National fish hatchery system operations	48,649	50,271	54,421	+5,772
Maintenance and equipment	19,048	18,367	18,367	-681
Aquatic habitat and species conservation	55,411	60,198	61,498	+6,087
Aquatic invasive species	5,352	6,244	8,244	+2,892
Marine mammals	3,371	5,615	5,815	+2,444
Subtotal	131,831	140,695	148,345	+16,514
Climate Change Adaptive Science Capacity:				
Climate Change Planning	---	10,000	10,000	+10,000
Climate Change Adaptive Science Capacity	---	10,000	10,000	+10,000
Subtotal	---	20,000	20,000	+20,000
General Administration:				
Central office administration	39,652	40,485	40,485	+833
Regional office administration	42,305	43,340	43,340	+1,035
Servicewide operational support	34,620	36,440	36,440	+1,820
National Fish and Wildlife Foundation	7,537	8,537	7,537	---
National Conservation Training Center	19,171	25,260	25,010	+5,839
Subtotal	143,285	154,062	152,812	+9,527
Disposal of excess property - operational savings	---	-1,000	-1,000	-1,000
Emergency appropriations, ARA (P.L. 111-5)	165,000	---	---	-165,000
Total, Resource Management	1,305,962	1,218,206	1,269,406	-36,556
Appropriations	(1,140,962)	(1,218,206)	(1,269,406)	(+128,444)
Emergency appropriations	(165,000)	---	---	(-165,000)
Total discretionary, excluding emergencies	(1,140,962)	(1,218,206)	(1,269,406)	(+128,444)
Construction				
Construction and rehabilitation:				
Line item construction	25,267	18,775	26,423	+1,156
Bridge and dam safety	1,350	1,855	1,855	+505
Nationwide engineering services	8,970	9,161	9,181	+191
Subtotal	35,587	29,791	37,439	+1,852
Anadromous fish program (cancellation of balances)	-54	---	---	+54
Emergency appropriations, ARA (P.L. 111-5)	115,000	---	---	-115,000
Total, Construction	150,533	29,791	37,439	-113,094
Appropriations	(35,587)	(29,791)	(37,439)	(+1,852)
Rescissions	(-54)	---	---	(+54)
Emergency appropriations	(115,000)	---	---	(-115,000)
Total discretionary, excluding emergencies	(35,533)	(29,791)	(37,439)	(+1,906)
Land Acquisition				
Fish and Wildlife Service:				
Acquisitions - Federal refuge lands	28,315	45,445	66,785	+38,470
Inholdings/emergencies and hardships	3,000	5,000	5,000	+2,000
Exchanges	1,500	2,000	2,000	+500
Acquisition management	8,140	10,555	10,555	+2,415
Cost Allocation Methodology	1,500	2,000	2,000	+500
Total, Land Acquisition	42,455	65,000	86,340	+43,885
Cooperative Endangered Species Conservation Fund				
Grants to States	10,001	14,001	11,000	+999
HCP planning grants	7,642	12,642	10,000	+2,358
Snake River Water Rights Act of 2004	5,146	5,146	5,146	---
Administration	2,518	2,518	2,854	+336
(Subtotal, Cooperative ES fund grants & admin)	(25,307)	(34,307)	(29,000)	(+3,693)
Species recovery land acquisition	14,186	29,685	15,000	+814
HCP land acquisition	40,508	36,008	41,000	+492
(Subtotal, Cooperative ES fund,land acquisition)	(54,694)	(85,693)	(56,000)	(+1,306)
Total (gross)	80,001	100,000	85,000	+4,999

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Cancellation of prior-year balances	-4,500	---	---	+4,500
Total, Cooperative Endangered Species Conservation Fund	75,501	100,000	85,000	+9,499
National Wildlife Refuge Fund				
Payments in lieu of taxes	14,100	14,100	14,500	+400
North American Wetlands Conservation Fund				
Wetlands conservation	40,941	50,540	45,742	+4,801
Administration	1,706	2,107	1,905	+199
Total, North American Wetlands Conservation Fund	42,647	52,647	47,647	+5,000
Neotropical Migratory Bird Conservation Fund				
Migratory bird grants	4,750	4,750	5,000	+250
Multinational Species Conservation Fund				
African elephant conservation	2,000	2,000	2,000	---
Rhinoceros and tiger conservation	2,500	2,500	3,000	+500
Asian elephant conservation	2,000	2,000	2,000	---
Great ape conservation	2,000	2,000	2,500	+500
Marine turtle conservation	1,500	1,500	2,000	+500
Total, Multinational Species Conservation Fund	10,000	10,000	11,500	+1,500
State and Tribal Wildlife Grants				
State and tribal wildlife apportioned grants	63,000	63,000	78,000	+15,000
Tribal competitive grants	7,000	7,000	7,000	---
State competitive Grants	5,000	5,000	5,000	---
Climate change planning	---	40,000	---	---
Total, State and tribal wildlife grants	75,000	115,000	90,000	+15,000
Federal Aid in Wildlife Restoration				
Federal Aid in Wildlife Restoration	---	28,000	---	---
Wildlife Conservation and Appreciation Fund				
Cancellation of prior-year funds	-497	---	---	+497
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,720,451	1,637,494	1,646,832	-73,619
Appropriations	(1,445,502)	(1,637,494)	(1,646,832)	(+201,330)
Rescissions	(-5,051)	---	---	(+5,051)
Emergency appropriations	(280,000)	---	---	(-280,000)
Total discretionary, excluding emergencies	(1,440,451)	(1,637,494)	(1,646,832)	(+206,381)
NATIONAL PARK SERVICE				
Operation of the National Park System				
Park Management:				
Resource stewardship	315,886	347,328	346,078	+30,192
Visitor services	226,249	247,386	247,386	+21,137
Park protection	346,417	368,698	368,698	+22,281
Facility operations and maintenance	677,699	705,220	702,013	+24,314
Park support	417,223	441,854	441,854	+24,631
Subtotal, Park Management	1,983,474	2,110,486	2,106,029	+122,555

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
External administrative costs	148,055	155,530	155,530	+7,475
Emergency appropriations, ARA (P.L. 111-5)	146,000	---	---	-146,000
Total, Operation of the National Park System	2,277,529	2,266,016	2,261,559	-15,970
Appropriations	(2,131,529)	(2,266,016)	(2,261,559)	(+130,030)
Emergency appropriations	(146,000)	---	---	(-146,000)
Total discretionary, excluding emergencies	(2,131,529)	(2,266,016)	(2,261,559)	(+130,030)
Park Partnership Project Grants				
Signature projects matching program	---	25,000	15,000	+15,000
Use of carryover balances - recreational fee program	---	---	-10,000	-10,000
Total, Park Partnership Project Grants	---	25,000	5,000	+5,000
National Recreation and Preservation				
Recreation programs	575	591	591	+16
Natural programs	10,008	10,713	10,713	+705
Cultural programs	22,655	23,026	25,026	+2,371
International park affairs	1,625	1,655	1,655	+30
Environmental and compliance review	423	434	434	+11
Grant administration	3,096	1,753	1,753	-1,343
Heritage Partnership Programs	15,702	15,736	17,814	+2,112
Preserve America	---	---	4,600	+4,600
Statutory or Contractual Aid	5,600	---	5,850	+250
Total, National Recreation and Preservation	59,684	53,908	68,436	+8,752
Historic Preservation Fund				
State historic preservation offices	42,500	46,500	46,500	+4,000
Tribal grants	7,000	8,000	8,000	+1,000
Save America's Treasures	20,000	20,000	25,000	+5,000
Preserve America	---	3,175	---	---
Emergency appropriations, ARA (P.L. 111-5)	15,000	---	---	-15,000
Total (gross)	84,500	77,675	79,500	-5,000
Cancellation of prior-year balances	-516	---	---	+516
Total, Historic Preservation Fund	83,984	77,675	79,500	-4,484
Appropriations	(69,500)	(77,675)	(79,500)	(+10,000)
Rescissions	(-516)	---	---	(+516)
Emergency appropriations	(15,000)	---	---	(-15,000)
Total discretionary, excluding emergencies	(68,984)	(77,675)	(79,500)	(+10,516)
Construction				
General Program:				
Line item construction and maintenance	149,223	116,825	142,988	-6,235
Emergency and unscheduled	2,975	3,975	3,975	+1,000
Housing	6,000	5,000	5,000	-1,000
Dam safety	2,500	2,500	2,500	---
Equipment replacement	14,516	14,516	14,516	---
Planning, construction	10,100	10,117	10,117	+17
Construction program management	34,552	38,535	38,535	+3,983
General management plans	13,292	14,523	15,338	+2,046
Use of prior-year balances	---	---	---	---
Subtotal	233,158	205,991	232,969	-189
Emergency appropriations, ARA (P.L. 111-5)	589,000	---	---	-589,000
Cancellation of Federal infrastructure improvement balances	-637	---	---	+637
Total, Construction	821,521	205,991	232,969	-588,552
Appropriations	(233,158)	(205,991)	(232,969)	(-189)
Rescissions	(-637)	---	---	(+637)
Emergency appropriations	(589,000)	---	---	(-589,000)
Total discretionary, excluding emergencies	(232,521)	(205,991)	(232,969)	(+448)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Land and Water Conservation Fund (rescission of contract authority)	-30,000	-30,000	-30,000	---
Land Acquisition and State Assistance				
Assistance to States:				
State conservation grants	19,000	27,200	37,200	+18,200
Administrative expenses	1,000	2,800	2,800	+1,800
Subtotal	20,000	30,000	40,000	+20,000
Cancellation of prior-year state assistance balances	-1,000	---	---	+1,000
Subtotal (including cancellation of funds)	19,000	30,000	40,000	+21,000
National Park Service:				
Acquisitions	30,940	49,527	68,766	+37,826
Emergencies and hardships	2,500	3,000	3,000	+500
Acquisition management	9,250	9,473	9,500	+250
Inholdings	2,500	6,000	5,000	+2,500
Subtotal	45,190	68,000	86,266	+41,076
Total, Land Acquisition and State Assistance	64,190	98,000	126,266	+62,076
Urban Parks and Recreation				
Cancellation of prior-year balances	-1,300	---	---	+1,300
TOTAL, NATIONAL PARK SERVICE	3,275,608	2,696,590	2,743,730	-531,878
Appropriations	(2,559,061)	(2,726,590)	(2,773,730)	(+214,669)
Rescissions	(-33,453)	(-30,000)	(-30,000)	(+3,453)
Emergency appropriations	(750,000)	---	---	(-750,000)
Total discretionary, excluding emergencies	(2,525,608)	(2,696,590)	(2,743,730)	(+218,122)
UNITED STATES GEOLOGICAL SURVEY				
Surveys, Investigations, and Research				
Geographic Research, Investigations, & Remote Sensing:				
Land remote sensing	61,718	62,057	63,707	+1,989
Geographic analysis and monitoring	10,598	11,135	11,135	+537
National geospatial program	69,816	70,748	70,748	+932
Subtotal	142,132	143,940	145,590	+3,458
Geologic Hazards, Resource and Processes:				
Geologic hazards assessments	90,585	91,263	92,763	+2,178
Geologic landscape and coastal assessments	72,381	74,351	74,351	+1,970
Geologic resource assessments	79,176	81,367	82,017	+2,841
Subtotal	242,142	246,981	249,131	+6,989
Water Resources Investigations:				
Hydrologic monitoring, assessments and research:				
Ground water resources program	9,008	8,234	9,714	+706
National water quality assessment	65,056	66,507	66,507	+1,451
Toxic substances hydrology	10,767	11,084	11,084	+317
Hydrologic research and development	13,421	12,222	13,822	+401
National streamflow information program	22,406	27,732	27,732	+5,326
Hydrologic networks and analysis	30,128	30,041	31,387	+1,259
Subtotal	150,786	155,820	160,246	+9,460

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Federal-State program	64,078	65,561	65,561	+1,483
Water resources research institutes	6,500	6,500	6,500	---
Subtotal, Water Resources Investigations	221,364	227,881	232,307	+10,943
Biological Research:				
Biological research and monitoring	146,416	157,765	160,685	+14,269
Biological information management and delivery	21,965	22,196	24,946	+2,981
Cooperative research units	16,949	19,313	19,313	+2,364
Subtotal	185,330	199,274	204,944	+19,614
Enterprise Information:				
Enterprise information security and technology	25,176	26,263	26,263	+1,087
Enterprise information resources	17,478	19,706	19,706	+2,228
Subtotal	42,654	45,969	45,969	+3,315
Science support	67,430	69,225	69,225	+1,795
Facilities	102,123	106,397	106,397	+4,274
Global climate change research	40,628	58,177	58,177	+17,549
(National Global Warming & Wildlife Science Center)	(10,000)	(15,000)	(15,000)	(+5,000)
(Climate Change Science, total program)	(45,452)	(67,452)	(67,452)	(+22,000)
Emergency appropriations, ARA (P.L. 111-5)	140,000	---	---	-140,000
TOTAL, UNITED STATES GEOLOGICAL SURVEY	1,183,803	1,097,844	1,111,740	-72,063
Appropriations	(1,043,803)	(1,097,844)	(1,111,740)	(+67,937)
Emergency appropriations	(140,000)	---	---	(-140,000)
Total discretionary, excluding emergencies	(1,043,803)	(1,097,844)	(1,111,740)	(+67,937)
MINERALS MANAGEMENT SERVICE				
Royalty and Offshore Minerals Management				
Offshore Energy and Minerals Management:				
Renewable energy	---	21,413	21,413	+21,413
Leasing and environmental program	54,963	59,461	59,461	+4,498
Resource evaluation	33,698	34,385	35,285	+1,587
Regulatory program	57,268	60,261	60,261	+2,993
Information management program	20,270	20,454	20,454	+184
Subtotal	166,199	195,974	196,874	+30,675
Royalty Management:				
Compliance and asset management	47,965	50,940	50,940	+2,975
Revenue and operations	38,719	38,434	38,434	-285
Subtotal	86,684	89,374	89,374	+2,690
General Administration:				
Executive direction	2,741	2,818	2,818	+77
Policy and management improvement	4,236	4,328	4,328	+92
Administrative operations	17,654	20,029	20,029	+2,375
General support services	26,589	28,524	28,524	+1,935
Subtotal	51,220	55,699	55,699	+4,479
Total (gross)	304,103	341,047	341,947	+37,844
Use of receipts and cost recovery fees	-146,730	-166,730	-166,730	-20,000
Total, Royalty and Offshore Minerals Management	157,373	174,317	175,217	+17,844
Oil Spill Research				
Oil spill research	6,303	6,303	6,303	---
Subtotal, Minerals Management Service	163,676	180,620	181,520	+17,844
Administrative Provisions				
State royalty administrative cost deduction	-47,000	---	-45,000	+2,000
TOTAL, MINERALS MANAGEMENT SERVICE	116,676	180,620	136,520	+19,844

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT				
Regulation and Technology				
Environmental restoration	159	160	160	+1
Environmental protection	88,425	94,771	94,771	+6,346
Technology development and transfer	15,386	15,663	15,663	+277
Financial management	510	516	516	+6
Executive direction	15,676	16,070	16,070	+394
Subtotal	120,156	127,180	127,180	+7,024
Civil penalties	100	100	100	---
Total, Regulation and technology	120,256	127,280	127,280	+7,024
Abandoned Mine Reclamation Fund				
Environmental restoration	34,123	12,864	16,364	-17,759
Technology development and transfer	3,970	4,032	4,032	+62
Financial management	6,836	6,961	6,961	+125
Executive direction	8,017	8,231	8,231	+214
Subtotal	52,946	32,088	35,588	-17,358
Rescission of prior year balances	-8,500	---	---	+8,500
Total, Abandoned Mine Reclamation Fund	44,446	32,088	35,588	-8,858
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	164,702	159,368	162,868	-1,834
BUREAU OF INDIAN AFFAIRS				
Operation of Indian Programs				
Tribal Budget System				
Tribal Government:				
Aid to Tribal government	33,596	33,195	33,195	-401
Consolidated Tribal government program	68,933	71,659	71,659	+2,726
Self governance compacts	144,397	147,762	147,762	+3,365
Contract support	147,294	152,794	166,000	+18,706
Indian self determination fund	---	2,000	2,000	+2,000
New Tribes	311	311	311	---
Tribal government program oversight	8,000	8,851	8,851	+851
Subtotal	402,531	416,572	429,778	+27,247
Human Services:				
Social services	33,538	33,766	33,766	+228
Welfare assistance	74,915	74,915	74,915	---
Indian child welfare act	10,798	11,143	11,143	+345
Housing improvement program	13,614	12,620	12,620	-994
Human services Tribal design	444	455	455	+11
Human services program oversight	4,139	4,097	4,097	-42
Subtotal	137,448	136,996	136,996	-452
Trust - Natural Resources Management:				
Natural resources, general	4,454	4,641	4,641	+187
Irrigation operations and maintenance	11,922	11,970	11,970	+48
Rights protection implementation	18,250	18,451	30,451	+12,201
Tribal management/development program	5,679	4,786	5,636	-43
Endangered species	1,234	1,249	1,249	+15
Integrated resource information program	2,130	2,130	2,130	---
Agriculture and range	24,363	28,912	28,912	+4,549
Forestry	43,203	43,854	43,854	+651
Water resources	10,018	10,084	10,084	+66
Fish, wildlife and parks	7,429	9,410	11,410	+3,981
Minerals and mining	12,474	18,622	18,622	+6,148
Resource management program oversight	6,554	6,659	6,659	+105
Subtotal	147,710	160,768	175,618	+27,908
Trust - Real Estate Services	150,087	152,493	152,493	+2,406

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Education:				
Elementary and secondary programs (forward funded)	499,470	516,702	518,702	+19,232
Post secondary programs (forward funded)	---	50,000	50,000	+50,000
Subtotal, forward funded education	499,470	566,702	568,702	+69,232
Elementary and secondary programs	75,126	77,379	77,379	+2,253
Post secondary programs	115,272	125,691	126,791	+11,519
Education management	26,285	26,528	26,528	+243
Subtotal, Education	716,153	796,300	799,400	+83,247
Public Safety and Justice:				
Law enforcement	255,077	283,152	303,152	+48,075
Tribal courts	14,508	19,704	24,704	+10,196
Fire protection	1,200	999	999	-201
Subtotal	270,785	303,855	328,855	+58,070
Community and Economic Development	43,589	43,910	44,910	+1,321
Executive Direction and Administrative Services	260,327	267,915	267,915	+7,588
Emergency appropriations, ARA (P.L. 111-5)	40,000	---	---	-40,000
Total, Operation of Indian Programs	2,168,630	2,278,809	2,335,965	+167,335
Appropriations	(2,128,630)	(2,278,809)	(2,335,965)	(+207,335)
Emergency appropriations	(40,000)	---	---	(-40,000)
Total discretionary, excluding emergencies	(2,128,630)	(2,278,809)	(2,335,965)	(+207,335)
Construction				
Education	128,837	112,994	112,994	-15,843
Public safety and justice	39,399	39,407	64,407	+25,008
Resources management	40,306	38,385	38,385	-1,921
General administration	2,060	2,064	2,064	+4
Construction management	7,086	7,150	7,150	+64
Emergency appropriations, ARA (P.L. 111-5)	450,000	---	---	-450,000
Total, Construction	667,688	200,000	225,000	-442,688
Appropriations	(217,688)	(200,000)	(225,000)	(+7,312)
Emergency appropriations	(450,000)	---	---	(-450,000)
Total discretionary, excluding emergencies	(217,688)	(200,000)	(225,000)	(+7,312)
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians				
White Earth Land Settlement Act (Admin)	625	625	625	---
Hoopa-Yurok settlement fund	250	250	250	---
Pyramid Lake water rights settlement	142	142	142	---
Nez Perce/Snake River	15,210	15,463	15,463	+253
Navajo Water Resources Development Trust Fund	---	6,000	6,000	+6,000
Duck Valley Water Rights Settlement	---	12,000	12,000	+12,000
Puget Sound regional shellfish settlement	3,000	5,000	5,000	+2,000
Pueblo of Isleta settlement	2,400	2,400	2,400	---
Soboba Band/Luiseno Indian Settlement	---	5,500	5,500	+5,500
Total, Miscellaneous Payments to Indians	21,627	47,380	47,380	+25,753
Indian Guaranteed Loan Program Account				
Indian guaranteed loan program account	8,186	8,215	8,215	+29
Emergency appropriations, ARA (P.L. 111-5)	10,000	---	---	-10,000
Subtotal	18,186	8,215	8,215	-9,971
Indian Land Consolidation Account				
Indian land consolidation account	---	3,000	3,000	+3,000
TOTAL, BUREAU OF INDIAN AFFAIRS	2,876,131	2,537,404	2,619,560	-256,571
Appropriations	(2,376,131)	(2,537,404)	(2,619,560)	(+243,429)
Emergency appropriations	(500,000)	---	---	(-500,000)
Total discretionary, excluding emergencies	(2,376,131)	(2,537,404)	(2,619,560)	(+243,429)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
DEPARTMENTAL OFFICES				
Office of the Secretary				
Departmental direction	14,292	14,678	14,678	+386
Management and coordination	32,526	33,503	33,503	+977
Hearings and appeals	7,658	7,868	7,868	+210
Central services	41,976	47,851	47,851	+5,875
Bureau of Mines workers compensation/unemployment	623	599	599	-24
Indian Arts and Crafts Board	1,177	1,201	1,201	+24
Appraisal services	8,012	12,136	12,136	+4,124
National Museum of American Latino Commission	1,000	1,000	1,000	---
Total (gross)	107,264	118,836	118,836	+11,572
Federal Subsistence Management Account (cancellation of balances)	-108	---	---	+108
Total, Office of the Secretary	107,156	118,836	118,836	+11,680
Insular Affairs				
Assistance to Territories				
Territorial Assistance				
Office of Insular Affairs	8,850	9,280	9,280	+430
Technical assistance	11,018	11,000	15,302	+4,284
Maintenance assistance fund	2,241	2,241	2,241	---
Brown tree snake	2,631	2,631	3,000	+369
Insular management controls	1,453	1,453	---	-1,453
Coral reef initiative	1,000	1,000	1,000	---
Water and wastewater projects	1,000	1,000	1,900	+900
Guam infrastructure	---	2,000	2,000	+2,000
Subtotal, Territorial Assistance	28,193	30,605	34,723	+6,530
American Samoa				
Operations grants	22,752	22,752	22,752	---
Northern Marianas				
Covenant grants	27,720	27,720	27,720	---
Subtotal, discretionary	22,752	22,752	22,752	---
(mandatory)	(27,720)	(27,720)	(27,720)	---
Total, Assistance to Territories	78,665	81,077	85,195	+6,530
Compact of Free Association				
Compact of Free Association - Federal services	2,818	2,818	2,818	---
Mandatory payments - program grant assistance	2,000	2,000	---	-2,000
Discretionary payments - program grant assistance	---	---	2,000	+2,000
Enewetak support	500	500	500	---
Total, Compact of Free Association	5,318	5,318	5,318	---
Total, Insular Affairs	83,983	86,395	90,513	+6,530
Office of the Solicitor				
Legal services	45,938	47,255	47,255	+1,317
General administration	14,966	16,635	16,635	+1,669
Ethics	1,146	1,186	1,186	+40
Total, Office of the Solicitor	62,050	65,076	65,076	+3,026
Office of Inspector General				
Audit and investigations	36,773	38,866	38,866	+2,093
Administrative services and information management	9,180	9,724	9,724	+544
Emergency appropriations, ARA (P.L. 111-5)	15,000	---	---	-15,000
Total, Office of Inspector General	60,953	48,590	48,590	-12,363
Appropriations	(45,953)	(48,590)	(48,590)	(+2,637)
Emergency appropriations	(15,000)	---	---	(-15,000)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Office of Special Trustee for American Indians*				
Federal Trust Programs				
Program operations, support, and improvements	179,485	183,728	183,728	+4,243
(Office of Historical Accounting)	(56,445)	(56,536)	(56,536)	(+91)
Executive direction	2,163	2,256	2,256	+93
Total, Office of Special Trustee for American Indians	181,648	185,984	185,984	+4,336
*Indian Land Consolidation is requested in the Bureau of Indian Affairs in FY 2010				
TOTAL, DEPARTMENTAL OFFICES	495,790	504,881	508,999	+13,209
Appropriations	(480,898)	(504,881)	(508,999)	(+28,101)
Rescissions	(-108)	---	---	(+108)
Emergency appropriations	(15,000)	---	---	(-15,000)
Total discretionary, excluding emergencies	(451,070)	(475,161)	(481,279)	(+30,209)
DEPARTMENT-WIDE PROGRAMS				
Wildland Fire Management				
Fire Operations:				
Preparedness	281,767	285,452	290,452	+8,685
Fire suppression operations	335,191	369,797	383,797	+48,606
Emergency appropriations (P.L. 111-32)	50,000	---	---	-50,000
Subtotal, Fire operations	666,958	655,249	674,249	+7,291
Other Operations:				
Hazardous fuels reduction	203,053	205,089	206,206	+3,153
Burned area rehabilitation	20,305	20,305	20,305	---
Fire facilities	6,137	6,137	6,137	---
Joint fire science	6,000	6,000	6,000	---
Rural fire assistance	7,000	7,000	7,000	---
Subtotal, Other operations	242,495	244,531	245,648	+3,153
Subtotal, Wildland fire management	909,453	899,780	919,897	+10,444
Emergency appropriations, ARA (P.L. 111-5)	15,000	---	---	-15,000
Use of prior-year funds	---	---	-125,000	-125,000
Total, Wildland fire management	924,453	899,780	794,897	-129,556
Appropriations	(859,453)	(899,780)	(794,897)	(-64,556)
Emergency appropriations	(65,000)	---	---	(-65,000)
Wildland Fire Suppression Contingency Reserve Fund				
Wildland fire suppression contingency reserve fund	---	75,000	---	---
FLAME Wildfire Suppression Reserve Account				
FLAME wildfire suppression reserve account	---	---	61,000	+61,000
Total, All wildland fire accounts	924,453	974,780	855,897	-68,556
Total discretionary, excluding emergencies	(859,453)	(974,780)	(855,897)	(-3,556)
Central Hazardous Materials Fund				
Central hazardous materials fund	10,148	10,175	10,175	+27
Natural Resource Damage Assessment Fund				
Damage assessments	3,979	4,022	4,022	+43
Program management	1,755	1,825	1,825	+70
Restoration support	604	615	615	+11
Total, Natural Resource Damage Assessment Fund	6,338	6,462	6,462	+124

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Working Capital Fund				
Financial and Business Management System (FBMS)	73,435	85,823	85,823	+12,388
TOTAL, DEPARTMENT-WIDE PROGRAMS	1,014,374	1,077,240	958,357	-56,017
Appropriations	(949,374)	(1,077,240)	(958,357)	(+8,983)
Emergency appropriations	(65,000)	---	---	(-65,000)
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	12,191,131	11,040,098	11,027,140	-1,163,991
Appropriations	(10,183,289)	(11,070,098)	(11,058,140)	(+874,851)
Rescissions	(-47,158)	(-30,000)	(-31,000)	(+16,158)
Emergency appropriations	(2,055,000)	---	---	(-2,055,000)
Mandatory	(59,850)	(59,850)	(57,850)	(-2,000)
Total discretionary excluding emergencies	(10,076,281)	(10,980,248)	(10,969,290)	(+893,009)
TITLE II - ENVIRONMENTAL PROTECTION AGENCY				
Science and Technology				
Air toxics and quality	105,132	122,256	122,256	+17,124
(EISA/Renewable Fuels Rule)	(8,000)	(21,300)	(21,327)	(+13,327)
Climate protection program	16,828	18,975	18,975	+2,147
Enforcement	15,087	15,946	15,946	+859
Homeland security	63,718	71,332	66,332	+2,614
(Water Security Initiative)	(14,982)	(23,726)	(18,726)	(+3,744)
(Decontamination)	(26,407)	(25,430)	(25,430)	(-977)
(Laboratory preparedness & response)	(494)	(500)	(500)	(+6)
(Safe buildings)	(1,976)	(2,000)	(2,000)	(+24)
Indoor air	1,120	1,157	1,157	+37
IT / Data management / Security	3,969	4,073	4,073	+104
Operations and administration	73,835	72,882	72,882	-953
(Rent)	(34,521)	(33,947)	(33,947)	(-574)
(Utilities)	(18,547)	(19,177)	(19,177)	(+630)
(Security)	(11,989)	(10,260)	(10,260)	(-1,729)
Pesticide licensing	5,671	6,463	6,463	+792
Research: Clean air	98,427	104,073	104,073	+5,646
(Research: Global change)	(17,886)	(20,909)	(20,909)	(+3,023)
Research: Clean water	106,164	110,363	110,363	+4,199
Research: National priorities	5,450	---	5,700	+250
Research: Human health and ecosystems	229,403	245,381	248,381	+18,978
(Research: Computational toxicology)	(15,156)	(19,602)	(19,602)	(+4,446)
(Research: Endocrine disruptor)	(11,486)	(11,442)	(11,442)	(-44)
(Research: Fellowship)	(9,651)	(10,894)	(10,894)	(+1,243)
Research: Land protection	13,586	13,782	13,782	+196
Research: Sustainability	21,157	24,107	24,107	+2,950
Research: Pesticides and toxics	26,949	27,839	27,839	+890
Water: Human health protection	3,555	3,720	3,720	+165
(Transfer from Superfund)	(26,417)	(26,834)	(26,834)	(+417)
Total, Science and Technology	790,051	842,349	846,049	+55,998

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Environmental Programs and Management				
Air toxics and quality	195,151	203,265	203,265	+8,114
Brownfields	22,957	25,254	23,904	+947
Climate protection program	94,271	111,634	111,634	+17,363
(Energy star)	(49,735)	(50,748)	(50,748)	(+1,013)
(Methane to markets)	(4,498)	(4,582)	(4,582)	(+84)
(Greenhouse gas reporting registry)	(6,388)	(17,005)	(17,005)	(+10,617)
Compliance	128,826	136,631	134,631	+5,805
Enforcement	209,157	223,943	223,943	+14,786
(Environmental justice)	(6,993)	(7,203)	(7,203)	(+210)
Environmental protection: National priorities	17,450	---	16,950	-500
Geographic programs:				
Great Lakes Restoration Initiative	---	475,000	475,000	+475,000
Chesapeake Bay	31,001	35,139	50,000	+18,999
Great Lakes*	23,000	---	---	-23,000
San Francisco Bay	5,000	5,000	7,000	+2,000
Puget Sound	20,000	20,000	50,000	+30,000
Long Island Sound	3,000	3,000	7,000	+4,000
Gulf of Mexico	4,578	4,638	6,000	+1,422
Lake Champlain	3,000	1,434	4,000	+1,000
Lake Pontchartrain	978	978	1,500	+522
CARE(Community Action for a Renewed Environment)	2,000	2,448	2,448	+448
Other geographic activities	3,402	3,493	5,493	+2,091
Subtotal	95,959	551,130	608,441	+512,482
*funding moved to Great Lakes Initiative in 2010				
Homeland security	23,406	23,901	23,901	+495
(Decontamination)	(3,542)	(3,443)	(3,542)	---
Indoor air	25,895	26,649	26,649	+754
Information exchange / Outreach	126,343	131,825	129,972	+3,629
(Children and other sensitive populations: Agency coordination)	(6,071)	(6,515)	(6,515)	(+444)
(Environmental education)	(8,979)	(9,038)	(9,038)	(+59)
International programs	19,664	20,349	20,349	+685
(Mexico Border)	(5,561)	(5,047)	(5,047)	(-514)
IT / Data management / Security	99,025	109,320	104,320	+5,295
Legal/Science/Regulatory/Economic review	118,123	128,231	123,788	+5,665
Operations and administration	479,197	511,895	501,895	+22,698
(Rent)	(160,366)	(162,040)	(157,040)	(-3,326)
(Utilities)	(10,973)	(13,514)	(13,514)	(+2,541)
(Security)	(25,676)	(27,997)	(27,997)	(+2,321)
Pesticide licensing	116,061	119,187	119,187	+3,126
Resource Conservation and Recovery Act (RCRA)	116,891	122,131	122,131	+5,240
Toxics risk review and prevention	93,259	102,903	102,903	+9,644
(Endocrine disruptors)	(8,498)	(8,659)	(8,659)	(+161)
Underground storage tanks (LUST / UST)	11,946	12,451	12,451	+505
Water: Ecosystems				
Great Lakes Legacy Act*	37,000	---	---	-37,000
National estuary program / Coastal waterways	26,557	26,967	32,567	+6,010
Wetlands	22,539	23,336	23,336	+797
Subtotal	86,096	50,303	55,903	-30,193
*funding moved to Great Lakes Initiative in 2010				
Water: Human health protection	101,585	105,726	105,726	+4,141
Water quality protection	210,817	223,836	221,836	+11,019
Total, Environmental Programs and Management	2,392,079	2,940,564	2,993,779	+601,700

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Office of Inspector General				
Audits, evaluations, and investigations	44,791	44,791	44,791	---
Emergency appropriations, ARA (P.L. 111-5)	20,000	---	---	-20,000
(Transfer from Superfund)	(9,975)	(9,975)	(9,975)	---
(Transfer from Chemical Hazards Safety Board)	(300)	(150)	---	(-300)
Total, Office of Inspector General	64,791	44,791	44,791	-20,000
Appropriations	(44,791)	(44,791)	(44,791)	---
Emergency appropriations	(20,000)	---	---	(-20,000)
Buildings and Facilities				
Homeland security: Protection of EPA personnel and infrastructure	8,070	8,070	8,070	---
Operations and administration	26,931	28,931	28,931	+2,000
Total, Buildings and Facilities	35,001	37,001	37,001	+2,000
Hazardous Substance Superfund				
Air toxics and quality	2,295	2,596	2,596	+301
Audits, evaluations, and investigations	9,975	9,975	9,975	---
Compliance	1,351	1,247	1,247	-104
Enforcement	187,776	196,034	196,034	+8,258
(Environmental justice)	(818)	(822)	(822)	(+4)
(Superfund: Enforcement)	(166,148)	(173,176)	(173,176)	(+7,028)
(Superfund: Federal facilities enforcement)	(9,872)	(10,378)	(10,378)	(+506)
Homeland security	56,571	56,561	56,561	-10
(Laboratory preparedness and response)	(9,588)	(9,621)	(9,621)	(+33)
(Decontamination)	(10,613)	(10,774)	(10,774)	(+161)
Information exchange / Outreach	1,433	1,433	1,433	---
IT / Data management / Security	17,679	17,923	17,923	+244
Legal/Science/Regulatory/Economic review	1,582	1,641	1,641	+59
Operations and administration	134,643	139,923	137,923	+3,280
(Rent)	(45,353)	(44,300)	(44,300)	(-1,053)
(Utilities)	(3,042)	(3,397)	(3,397)	(+355)
(Security)	(6,524)	(8,299)	(8,299)	(+1,775)
Research: Human health and ecosystems	3,377	3,395	3,395	+18
Research: Land protection	20,905	21,401	21,401	+496
Research: Sustainability	79	---	---	-79
Superfund cleanup				
Superfund: Emergency response and removal	195,043	202,843	202,843	+7,800
Superfund: EPA emergency preparedness	9,442	9,791	9,791	+349
Superfund: Federal facilities	31,306	32,203	32,203	+897
Superfund: Remedial	604,992	605,000	605,000	+8
Superfund: Support to other Federal agencies	6,575	6,575	6,575	---
Subtotal	847,358	856,412	856,412	+9,054
Emergency appropriations, ARA (P.L. 111-5)	600,000	---	---	-600,000
Total, *Hazardous Substance Superfund*	1,885,024	1,308,541	1,306,541	-578,483
Appropriations	(1,285,024)	(1,308,541)	(1,306,541)	(+21,517)
Emergency appropriations	(600,000)	---	---	(-600,000)
(Superfund transfer to Inspector General)	(-9,975)	(-9,975)	(-9,975)	---
(Superfund transfer to Science and Technology)	(-26,417)	(-26,834)	(-26,834)	(-417)
Total discretionary, excluding emergencies	(1,285,024)	(1,308,541)	(1,306,541)	(+21,517)
Leaking Underground Storage Tank Trust Fund (LUST)				
Compliance	817	788	788	-29
IT / Data management / Security	162	162	162	---
Operations and administration	2,057	2,190	2,190	+133
(Rent)	(696)	(696)	(696)	---
Research: Land protection	475	484	484	+9

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Underground storage tanks (LUST / UST)	109,066	109,477	109,477	+411
(LUST/UST)	(11,105)	(11,855)	(11,855)	(+750)
(LUST Cooperative agreements)	(62,461)	(63,192)	(63,192)	(+731)
(Energy Policy Act grants)	(35,500)	(34,430)	(34,430)	(-1,070)
Emergency appropriations, ARA (P.L. 111-5)	200,000	---	---	-200,000
Total, Leaking Underground Storage Tank Trust Fund	312,577	113,101	113,101	-199,476
Appropriations	(112,577)	(113,101)	(113,101)	(+524)
Emergency appropriations	(200,000)	---	---	(-200,000)
Total discretionary, excluding emergencies	(112,577)	(113,101)	(113,101)	(+524)
Oil Spill Response				
Compliance	277	317	317	+40
Enforcement	2,117	2,406	2,406	+289
IT / Data management / Security	24	24	24	---
Oil	13,953	14,397	14,397	+444
Operations and administration	596	498	498	-98
(Rent)	(538)	(438)	(438)	(-100)
Research: Land protection	720	737	737	+17
Total, Oil Spill Response	17,687	18,379	18,379	+692
State and Tribal Assistance Grants (STAG)				
Clean water state revolving fund (SRF)	689,080	2,400,000	2,100,000	+1,410,920
Drinking water state revolving fund (SRF)	829,029	1,500,000	1,387,000	+557,971
STAG infrastructure grants	145,000	---	156,777	+11,777
Alaska Native villages	18,500	10,000	13,000	-5,500
Brownfields projects	97,000	100,000	100,000	+3,000
Diesel emissions grants (Energy Policy Act)	60,000	60,000	60,000	---
Targeted airshed grants	15,000	---	20,000	+5,000
Mexico border	20,000	10,000	17,000	-3,000
Subtotal, Infrastructure Assistance Grants	1,873,609	4,080,000	3,853,777	+1,980,168
Categorical grants:				
Beaches protection	9,900	9,900	9,900	---
Brownfields	49,495	49,495	49,495	---
Environmental information	10,000	10,000	10,000	---
Hazardous waste financial assistance	101,346	106,346	103,346	+2,000
Homeland security	4,950	---	---	-4,950
Lead	13,564	14,564	14,564	+1,000
Climate change grants to local governments	10,000	---	10,000	---
Nonpoint source (Sec. 319)	200,857	200,857	200,857	---
Pesticides enforcement	18,711	18,711	18,711	---
Pesticides program implementation	12,970	13,520	13,520	+550
Pollution control (Sec. 106)	218,495	229,264	229,264	+10,769
(Water quality monitoring)	(18,500)	(18,500)	(18,500)	---
Pollution prevention	4,940	4,940	4,940	---
Public water system supervision	99,100	105,700	105,700	+6,600
Radon	8,074	8,074	8,074	---
Sector program	1,828	1,828	---	-1,828
State and local air quality management	224,080	226,580	226,580	+2,500
Toxics substances compliance	5,099	5,099	5,099	---
Tribal air quality management	13,300	13,300	13,300	---
Tribal general assistance program	57,925	62,875	62,875	+4,950
Underground injection control (UIC)	10,891	10,891	10,891	---
Underground storage tanks	2,500	2,500	2,500	---
Wetlands program development	16,830	16,830	16,830	---
Subtotal, Categorical grants	1,094,855	1,111,274	1,116,446	+21,591
Emergency appropriations, ARA (P.L. 111-5)	6,400,000	---	---	-6,400,000
Total, State and Tribal Assistance Grants	9,368,464	5,191,274	4,970,223	-4,398,241
Appropriations	(2,968,464)	(5,191,274)	(4,970,223)	(+2,001,759)
Emergency appropriations	(6,400,000)	---	---	(-6,400,000)
Total discretionary, excluding emergencies	(2,968,464)	(5,191,274)	(4,970,223)	(+2,001,759)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Rescission (various EPA accounts)	-10,000	-10,000	-40,000	-30,000
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	14,855,674	10,486,000	10,289,864	-4,565,810
Appropriations	(7,645,674)	(10,496,000)	(10,329,864)	(+2,684,190)
Rescissions	(-10,000)	(-10,000)	(-40,000)	(-30,000)
Emergency appropriations	(7,220,000)	---	---	(-7,220,000)
Total discretionary, excluding emergencies	(7,635,674)	(10,486,000)	(10,289,864)	(+2,654,190)

TITLE III - RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Forest and Rangeland Research

Forest inventory and analysis	60,770	61,939	66,939	+6,169
Research and development programs	235,610	239,673	245,073	+9,463
(Global Climate Change Science)	(26,857)	(26,857)	(31,857)	(+5,000)
Rescission	---	-1,000	---	---
Total, Forest and rangeland research	296,380	300,612	312,012	+15,632

State and Private Forestry

Forest Health Management:				
Federal lands forest health management	54,110	55,282	57,282	+3,172
Cooperative lands forest health management	46,292	45,823	48,573	+2,281
Subtotal	100,402	101,105	105,855	+5,453
Cooperative Fire Protection:				
State fire assistance	35,000	35,147	39,147	+4,147
Volunteer fire assistance	6,000	7,000	7,000	+1,000
Subtotal	41,000	42,147	46,147	+5,147
Cooperative Forestry:				
Forest stewardship	27,000	26,369	29,369	+2,369
Forest Legacy	57,445	91,060	79,460	+22,015
Use of prior year balances	-8,000	---	-3,000	+5,000
Subtotal	49,445	91,060	76,460	+27,015
Urban and Community Forestry	29,541	29,327	30,377	+836
Economic action programs	4,973	---	5,000	+27
Forest resource information and analysis	5,000	5,035	5,035	+35
Subtotal, Cooperative Forestry	115,959	153,791	146,241	+30,282
International forestry	8,500	9,068	9,818	+1,318
Total, State and Private Forestry	265,861	306,111	308,061	+42,200

National Forest System

Land management planning	48,833	45,518	45,917	-2,916
Inventory and monitoring	167,580	168,695	170,502	+2,922
Recreation, heritage and wilderness	277,635	280,117	285,117	+7,482
Wildlife and fish habitat management	139,385	141,471	143,014	+3,629
Grazing management	50,000	49,949	50,714	+714
Forest products	332,666	328,959	336,722	+4,056
Vegetation and watershed management	180,437	182,286	187,960	+7,523
Minerals and geology management	85,470	86,650	87,240	+1,770
Landownership management	93,299	94,372	95,606	+2,307
Law enforcement operations	135,500	135,047	145,047	+9,547
Valles Caldera National Preserve	4,000	3,500	3,500	-500
Undistributed funding increase	---	---	---	---
Rescission	-5,000	-10,000	---	+5,000
Total, National Forest System	1,509,805	1,506,564	1,551,339	+41,534

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Capital Improvement and Maintenance				
Facilities				
Maintenance	70,851	86,134	86,134	+15,283
Construction	55,602	44,606	48,876	-6,726
Subtotal, Facilities	126,453	130,740	135,010	+8,557
Roads				
Maintenance	162,500	166,885	166,885	+4,385
Construction	66,325	68,115	69,636	+3,311
Subtotal, Roads	228,825	235,000	236,521	+7,696
Trails				
Maintenance	49,100	61,746	63,846	+14,746
Construction	31,915	20,335	21,535	-10,380
Subtotal, Trails	81,015	82,081	85,381	+4,366
Deferred Maintenance	9,100	9,141	9,141	+41
Legacy road remediation	50,000	50,000	90,000	+40,000
Protecting National Forests Initiative	---	50,000	---	---
Subtotal, Capital improvement and maintenance	495,393	556,962	556,053	+60,660
Deferral of road and trail fund payment	-13,000	---	-18,000	-5,000
Emergency appropriations, ARA (P.L. 111-5)	650,000	---	---	-650,000
Total, Capital improvement and maintenance	1,132,393	556,962	538,053	-594,340
Appropriations	(482,393)	(556,962)	(538,053)	(+55,660)
Emergency appropriations	(650,000)	---	---	(-650,000)
Land Acquisition				
Forest Service:				
Acquisitions	39,275	21,684	51,022	+11,747
Acquisition management	8,000	7,000	8,000	---
Cash equalization	1,000	---	1,000	---
Critical inholdings/wilderness protection	1,500	---	3,500	+2,000
Total, Land Acquisition	49,775	28,684	63,522	+13,747
Acquisition of lands for national forests, special acts	1,050	1,050	1,050	---
Acquisition of lands to complete land exchanges	250	250	250	---
Range betterment fund	3,600	3,600	3,600	---
Gifts, donations and bequests for forest and rangeland research	50	50	50	---
Management of national forest lands for subsistence uses	5,000	2,582	2,582	-2,418
Wildland Fire Management				
Fire operations:				
Wildland fire preparedness	675,000	675,000	675,000	---
Wildland fire suppression operations	993,947	1,128,505	997,505	+3,558
Emergency appropriations (P.L. 111-32)	200,000	---	---	-200,000
Subtotal, Fire operations	1,868,947	1,803,505	1,672,505	-196,442
Other operations:				
Hazardous fuels	328,086	315,285	350,285	+22,199
Rehabilitation	11,500	9,000	11,600	+100
Fire plan research and development	23,917	23,917	23,917	---
Joint fire sciences program	8,000	8,000	8,000	---
Forest health management (federal lands)	17,252	14,440	20,752	+3,500
Forest health management (co-op lands)	9,928	7,000	11,428	+1,500
State fire assistance	55,000	50,000	71,250	+16,250
Volunteer fire assistance	9,000	7,000	9,000	---
Subtotal, Other operations	462,683	434,642	506,232	+43,549
Subtotal, Wildland fire management	2,331,630	2,238,147	2,178,737	-152,893

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Emergency appropriations, ARA (P.L. 111-5)	500,000	---	---	-500,000
Use of prior-year funds	---	---	-75,000	-75,000
Total, Wildland fire management	2,831,630	2,238,147	2,103,737	-727,893
Appropriations	(2,131,630)	(2,238,147)	(2,103,737)	(-27,893)
Emergency appropriations	(700,000)	---	---	(-700,000)
Wildland Fire Suppression Contingency Reserve Fund				
Wildland fire suppression contingency reserve fund	---	282,000	---	---
FLAME Wildfire Suppression Reserve Account				
FLAME wildfire suppression reserve account	---	---	413,000	+413,000
Total, All wildland fire accounts	2,831,630	2,520,147	2,516,737	-314,893
(Total discretionary, excluding emergencies)	2,131,630	2,520,147	2,516,737	+385,107
Total, Forest Service without Wildland fire	3,264,164	2,706,465	2,780,519	-483,645
Appropriations	(2,614,164)	(2,706,465)	(2,780,519)	(+166,355)
Emergency appropriations	(650,000)	---	---	(-650,000)
Total discretionary, excluding emergencies	(2,614,164)	(2,706,465)	(2,780,519)	(+166,355)
TOTAL, FOREST SERVICE	6,095,794	5,226,612	5,297,256	-798,538
Appropriations	(4,750,794)	(5,237,612)	(5,297,256)	(+546,462)
Rescissions	(-5,000)	(-11,000)	---	(+5,000)
Emergency appropriations	(1,350,000)	---	---	(-1,350,000)
Total discretionary, excluding emergencies	(4,745,794)	(5,226,612)	(5,297,256)	(+551,462)
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
INDIAN HEALTH SERVICE				
Indian Health Services				
Clinical Services:				
IHS and tribal health delivery				
Hospital and health clinic programs	1,597,777	1,751,883	1,754,383	+156,606
(Indian Healthcare Improvement Fund)	(15,000)	(45,543)	(45,543)	(+30,543)
(Domestic Violence Prevention Initiative)	(7,500)	(7,500)	(10,000)	(+2,500)
(Health Information Technology)	(2,500)	(16,251)	(16,251)	(+13,751)
Dental health program	141,936	151,384	152,634	+10,698
Mental health program	67,748	72,786	72,786	+5,038
Alcohol and substance abuse program	183,769	194,409	194,409	+10,640
(Methamphetamine treatment and prevention)	(16,391)	(16,391)	(16,391)	---
Contract care	634,477	779,347	779,347	+144,870
(Catastrophic health emergency fund)	(31,000)	(48,000)	(48,000)	(+17,000)
Subtotal	2,625,707	2,949,809	2,953,559	+327,852
Preventive Health:				
Public health nursing	59,885	64,071	64,071	+4,186
Health education	15,723	16,682	16,682	+959
Community health representatives program	57,796	61,628	61,628	+3,832
Immunization (Alaska)	1,823	1,934	1,934	+111
Subtotal	135,227	144,315	144,315	+9,088
Urban health program	36,189	38,139	43,139	+6,950
Indian health professions	37,500	40,743	40,743	+3,243
Tribal management	2,586	2,586	2,586	---
Direct operations	65,345	68,720	68,720	+3,375
Self-governance	6,004	6,066	6,066	+62
Contract support costs	282,398	389,490	398,490	+116,092
Emergency appropriations, ARA (P.L. 111-5)	85,000	---	---	-85,000
Total, Indian Health Services	3,275,956	3,639,868	3,657,618	+381,662
Appropriations	(3,190,956)	(3,639,868)	(3,657,618)	(+466,662)
Emergency appropriations	(85,000)	---	---	(-85,000)
(Non-contract services)	(2,641,479)	(2,860,521)	(2,878,271)	(+236,792)
(Contract care)	(634,477)	(779,347)	(779,347)	(+144,870)
Total discretionary, excluding emergencies	(3,190,956)	(3,639,868)	(3,657,618)	(+466,662)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Indian Health Facilities				
Maintenance and improvement	53,915	53,915	53,915	---
Sanitation facilities	95,857	95,857	95,857	---
Construction facilities	40,000	29,234	29,234	-10,766
Facilities and environmental health support	178,329	193,087	193,087	+14,758
Equipment	22,067	22,664	22,664	+597
Emergency appropriations, ARA (P.L. 111-5)	415,000	---	---	-415,000
Total, Indian Health Facilities	805,168	394,757	394,757	-410,411
Appropriations	(390,168)	(394,757)	(394,757)	(+4,589)
Emergency appropriations	(415,000)	---	---	(-415,000)
Total discretionary, excluding emergencies	(390,168)	(394,757)	(394,757)	(+4,589)
TOTAL, INDIAN HEALTH SERVICE	4,081,124	4,034,625	4,052,375	-28,749
Appropriations	(3,581,124)	(4,034,625)	(4,052,375)	(+471,251)
Emergency appropriations	(500,000)	---	---	(-500,000)
Total discretionary, excluding emergencies	(3,581,124)	(4,034,625)	(4,052,375)	(+471,251)
NATIONAL INSTITUTES OF HEALTH				
National Institute of Environmental Health Sciences	78,074	79,212	79,212	+1,138
AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY				
Toxic substances and environmental public health	74,039	76,792	76,792	+2,753
TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES	4,233,237	4,190,629	4,208,379	-24,858
Appropriations	(3,733,237)	(4,190,629)	(4,208,379)	(+475,142)
Emergency appropriations	(500,000)	---	---	(-500,000)
OTHER RELATED AGENCIES				
EXECUTIVE OFFICE OF THE PRESIDENT				
Council on Environmental Quality and Office of Environmental Quality	2,703	3,159	3,159	+456
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD				
Salaries and expenses	10,199	10,547	11,147	+948
(Transfer to EPA, IG)	(300)	(150)	---	(-300)
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION				
Salaries and expenses	7,530	8,000	8,000	+470
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT				
Payment to the Institute	7,900	8,300	8,300	+400
SMITHSONIAN INSTITUTION				
Salaries and Expenses				
Museum and Research Institutes:				
Museum and Research Institutes	---	---	---	---
Anacostia Community Museum	1,994	2,048	2,048	+54
Center for Folklife and Cultural Heritage	2,219	2,282	2,282	+63
National Museum of African American History and Culture	12,329	12,167	12,167	-162
National Museum of American History	22,037	22,209	22,209	+172
National Museum of the American Indian	31,998	32,870	32,870	+874
Archives of American Art	1,784	1,858	1,858	+74
Arthur M. Sackler Gallery/Freer Gallery of Art	5,906	6,113	6,113	+207
Cooper-Hewitt, National Design Museum	3,937	4,103	4,103	+166
Hirshhorn Museum and Sculpture Garden	4,272	4,412	4,412	+140
National Museum of African Art	4,392	4,504	4,504	+112
National Portrait Gallery	5,651	5,867	5,867	+216
Smithsonian American Art Museum	8,789	9,145	9,145	+356
National Air and Space Museum	17,474	18,119	18,119	+645
National Museum of Natural History	46,138	47,728	47,728	+1,590
National Zoological Park	22,437	23,190	23,190	+753

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
Smithsonian Astrophysical Observatory	23,612	24,323	24,323	+711
Museum Conservation Institute	3,031	3,119	3,119	+88
Smithsonian Environmental Research Center	3,443	3,596	3,596	+153
Smithsonian Tropical Research Institute	12,611	14,546	14,546	+1,935
Subtotal, Museums and Research Institutes	234,052	242,199	242,199	+8,147
ogram Support and Outreach:				
Outreach	9,720	9,969	9,969	+249
Communications	2,161	2,328	2,328	+167
Institution-wide programs	7,839	8,839	10,839	+3,000
Office of Exhibits Central	2,872	2,982	2,982	+110
Major scientific instrumentation	3,822	3,822	3,822	---
Museum Support Center	1,800	1,858	1,858	+58
Smithsonian Institution Archives	1,968	2,064	2,064	+96
Smithsonian Institution Libraries	9,824	10,008	10,008	+384
Subtotal	39,806	41,870	43,870	+4,064
ministration	69,229	76,494	76,494	+7,265
cilities services:				
Facilities maintenance	67,646	72,935	72,935	+5,289
Facilities operations, security and support	180,245	198,087	198,087	+17,842
Subtotal	247,891	271,022	271,022	+23,131
spector General	2,422	2,576	2,576	+154
Total, Salaries and Expenses	593,400	634,161	636,161	+42,761
Facilities Capital				
vitalization	104,500	89,300	89,300	-15,200
cilities planning and design	18,500	35,700	35,700	+17,200
ergency appropriations, ARA (P.L. 111-5)	25,000	---	---	-25,000
Total, Facilities Capital	148,000	125,000	125,000	-23,000
Non-emergency	(123,000)	(125,000)	(125,000)	(+2,000)
Emergency	(25,000)	---	---	(-25,000)
Legacy Fund				
gacy Fund	15,000	---	30,000	+15,000
Rescission of prior year balances	---	---	-29,766	-29,766
Total, Legacy Fund	15,000	---	234	-14,766
TOTAL, SMITHSONIAN INSTITUTION	756,400	759,161	761,395	+4,995
Appropriations	(731,400)	(759,161)	(791,161)	(+59,761)
Emergency appropriations	(25,000)	---	---	(-25,000)
Total discretionary, excluding emergencies	(731,400)	(759,161)	(761,395)	(+29,995)
NATIONAL GALLERY OF ART				
Salaries and Expenses				
re and utilization of art collections	34,734	35,142	36,902	+2,168
eration and maintenance of buildings and grounds	28,643	29,267	29,267	+624
otection of buildings, grounds and contents	22,252	23,776	23,776	+1,524
neral administration	19,759	20,801	20,801	+1,042
Total, Salaries and Expenses	105,388	108,986	110,746	+5,358
Repair, Restoration and Renovation of Buildings				
se program	17,368	56,259	56,259	+38,891
TOTAL, NATIONAL GALLERY OF ART	122,756	165,245	167,005	+44,249

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS				
Operations and maintenance	21,300	22,500	23,000	+1,700
Capital repair and restoration	15,064	17,447	17,447	+2,383
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	36,364	39,947	40,447	+4,083
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS				
Salaries and expenses	10,000	10,225	12,225	+2,225
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES				
National Endowment for the Arts				
Grants and Administration				
Grants				
Direct grants	54,100	59,524	63,235	+9,135
Challenge America grants	9,800	10,000	10,000	+200
National Initiative: American Masterpieces	13,300	10,000	10,000	-3,300
State partnerships				
State and regional	42,000	41,724	42,961	+961
Underserved set-aside	9,000	11,292	12,529	+3,529
Subtotal	51,000	53,016	55,490	+4,490
Subtotal, Grants	128,200	132,540	138,725	+10,525
Program support	1,750	1,850	1,850	+100
Administration	25,050	26,925	26,925	+1,875
Emergency appropriations, ARA (P.L. 111-5)	50,000	---	---	-50,000
Total, Arts	205,000	161,315	167,500	-37,500
Appropriations	(155,000)	(161,315)	(167,500)	(+12,500)
Emergency appropriations	(50,000)	---	---	(-50,000)
Total discretionary, excluding emergencies	(155,000)	(161,315)	(167,500)	(+12,500)
National Endowment for the Humanities				
Grants and Administration				
Grants				
Federal/State partnership	35,000	38,515	40,370	+5,370
Preservation and access	16,000	16,250	17,116	+1,116
Public programs	14,500	14,750	15,616	+1,116
Research programs	14,500	16,000	16,866	+2,366
Education programs	14,500	14,750	15,616	+1,116
Program development	400	750	750	+350
We The People Initiative grants	15,800	14,500	14,500	-1,300
Digital Humanities Initiatives	4,000	4,000	4,866	+866
Subtotal, Grants	114,700	119,515	125,700	+11,000
Matching Grants				
Treasury funds	5,000	4,800	4,800	-200
Challenge grants	9,300	9,500	9,500	+200
Subtotal, Matching grants	14,300	14,300	14,300	---
Administration	26,000	27,500	27,500	+1,500
Total, Humanities	155,000	161,315	167,500	+12,500
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	360,000	322,630	335,000	-25,000
Appropriations	(310,000)	(322,630)	(335,000)	(+25,000)
Emergency appropriations	(50,000)	---	---	(-50,000)
Total discretionary, excluding emergencies	(310,000)	(322,630)	(335,000)	(+25,000)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	Conference	Conference vs. Enacted
COMMISSION OF FINE ARTS				
Salaries and expenses	2,234	2,294	2,294	+60
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS				
Grants*	9,500	10,000	9,500	---
*requested in National Endowment for the Humanities in FY 2010 President's request				
ADVISORY COUNCIL ON HISTORIC PRESERVATION				
Salaries and expenses	5,498	5,908	5,908	+410
NATIONAL CAPITAL PLANNING COMMISSION				
Salaries and expenses	8,328	8,507	8,507	+179
UNITED STATES HOLOCAUST MEMORIAL MUSEUM				
Holocaust Memorial Museum	47,260	48,551	49,122	+1,862
PRESIDIO TRUST				
Operations	17,450	17,230	23,200	+5,750
DWIGHT D. EISENHOWER MEMORIAL COMMISSION				
Salaries and expenses	2,000	3,000	3,000	+1,000
Capital construction	---	16,000	16,000	+16,000
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION	2,000	19,000	19,000	+17,000
TOTAL, TITLE III, RELATED AGENCIES	11,735,153	10,855,945	10,969,844	-765,309
Appropriations	(9,815,153)	(10,866,945)	(10,999,610)	(+1,184,457)
Rescissions	(-5,000)	(-11,000)	(-29,766)	(-24,766)
Emergency appropriations	(1,925,000)	---	---	(-1,925,000)
Total discretionary, excluding emergencies	(9,810,153)	(10,855,945)	(10,969,844)	(+1,159,691)
TITLE IV - GENERAL PROVISIONS				
Forest Service Marina fees	1,000	---	---	-1,000
EPA Hunter's Point Remediation (section 414)	8,000	---	8,000	---
Compact payments, Palau (section 117)	---	---	12,000	+12,000
Cabin user fee (S. Sec. 430)	---	---	2,000	+2,000
Geothermal Energy Receipts(section 419)	---	---	-15,000	-15,000
TOTAL, TITLE IV, GENERAL PROVISIONS	9,000	---	8,000	-1,000
GRAND TOTAL	38,790,958	32,382,043	32,294,848	-6,496,110
Appropriations	27,653,116	32,433,043	32,395,814	+4,742,498
Rescissions	-62,158	-51,000	-100,766	-38,608
Emergency appropriations	11,200,000	---	---	-11,200,000
Discretionary total	27,579,108	32,325,193	32,239,998	+4,660,890

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 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2009	38,790,958
Budget estimates of new (obligational) authority, fiscal year 2010	32,382,043
House bill, fiscal year 2010	32,354,850
Senate bill, fiscal year 2010	32,153,734
Conference agreement, fiscal year 2010	32,294,848
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2009	−6,496,110
Budget estimates of new (obligational) authority, fiscal year 2010	−87,195
House bill, fiscal year 2010	−60,002
Senate bill, fiscal year 2010	+141,114

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2010

Division B provides further continuing appropriations for agencies and activities that would be covered by the regular fiscal year 2010 appropriations bills not yet enacted into law. Specifically, language is included amending the first fiscal year 2010 continuing resolution (division B of Public Law 111–68) to extend its general expiration date to December 18 2009, to add certain additional necessary extensions, and to make technical corrections.

DAVID R. OBEY,
NORMAN D. DICKS,
JAMES P. MORAN,
ALAN B. MOLLOHAN,
BEN CHANDLER,
MAURICE D. HINCHEY,
JOHN W. OLVER,
ED PASTOR,
DAVID E. PRICE,
Managers on the Part of the House.

DIANNE FEINSTEIN,
ROBERT C. BYRD,
PATRICK J. LEAHY,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
HERB KOHL,
TIM JOHNSON,
JACK REED,
BEN NELSON,
JON TESTER,
DANIEL K. INOUYE,
LAMAR ALEXANDER,
THAD COCHRAN,
ROBERT F. BENNETT,
JUDD GREGG,
LISA MURKOWSKI,
SUSAN M. COLLINS,
Managers on the Part of the Senate.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 additional 1-minute speeches on each side of the aisle.

HEALTH CARE REFORM: WILL WE STAND FOR THE PEOPLE OR FOR THE INSURANCE COMPANIES?

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

Mr. KUCINICH. Madam Speaker, health care is a basic right in a democracy and a moral responsibility of our government consistent with the preamble and the Constitution itself; yet we are being told that it's not possible to have the kind of single-payer health system which every industrialized democracy in the world has.

We compromised single-payer with a public option. We're being asked to compromise a public option with negotiated rates. In conference, we'll be asked to compromise negotiated rates with a trigger.

In all of this, in each and every step, the insurance companies win. They get $900 billion in new taxpayer subsidies. They get to raise their premiums, increase their copays and their deductibles, while the public is forced to pay for private insurance, and the insurance companies win big.

If this is the best we can do, then it's time to ask ourselves whether the two-party system is truly capable of representing the American people or whether it's become so compromised by special interests that it can't even protect the health of our own people.

This is a moment of truth for the Democratic Party in particular. Will we stand for the people or for the insurance companies? Will we have a true public option or will we be co-opted?

THE LIBERTY TREE AXED BY THE FEDERAL COMMUNICATIONS COMMISSION

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

Mr. POE of Texas. Mr. Speaker, talk radio today is like the Liberty Tree in Revolutionary War times.

The first Liberty Tree was in Boston where the Sons of Liberty would gather around a large elm tree in the public square. They would talk about the issues of the day and voice their political opinions. Anyone could speak. But the British military cut down the Liberty Tree because colonists spoke out against taxes and the King.

Now it sounds like the redcoats over at the FCC are trying to put the ax to the Liberty Tree of free speech again. They say they need to protect the American people from hearing things that are just too controversial. So their answer is to control the speech content of those radio rebels. The redcoats at the FCC say they must determine what the masses hear.

Mr. Speaker, the notion that anyone in the Federal Government has the right to censor political speech is an affront to a free people. The Constitution protects political speech because it's sacred. We defeated the British because they wanted to control speech, and now it's time for those who still believe in the First Amendment to defy the redcoats at the FCC.

And that's just the way it is.

INTRODUCING LOCOMOTIVE TAX CREDIT

(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, I rise today to announce that I am introducing new legislation to create and save valuable manufacturing jobs and support our Nation's rail transportation industry.

The Locomotive Fleet Investment and Tax Credit Act of 2009 creates a 30 percent tax credit to encourage the purchase, sale, and manufacture of long-haul freight, passenger, and switch locomotives.

The locomotive industry in the United States provides more than 125,000 direct jobs and supports thousands more. This tax credit will create jobs by helping boost the sale of freight long haul, passenger, and switch locomotives by making fleet investment more affordable for our Nation's rail companies.

In addition to saving and creating jobs, my bill will help put more efficient, cleaner-burning locomotives in service, which can lower air pollution in the long term.

I urge my colleagues to support my bipartisan legislation to create jobs, support manufacturing, and enhance our national rail system.

A HEALTHY DOLLAR WILL PROMOTE A HEALTHY ECONOMY

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

Mr. WILSON of South Carolina. Mr. Speaker, the Democrat Big Government agenda in Washington is destroying jobs.

Every dollar borrowed and spent by this Democrat majority, a total of $1.4 trillion this year alone, threatens the value of our currency.

Among the negative consequences of a weak dollar is the increased costs to American families for goods and services, especially gas to run cars and businesses. CQ Weekly reports money going into commodities instead of the dollar drives up oil prices. Along with the majority's refusal to allow for the exploration of more American oil and natural gas, the decline of the value of the dollar leads to rising oil prices. This is painful to struggling families. It costs jobs and undercuts our economy.

We must restore fiscal sanity. We cannot borrow and spend our way to prosperity, a devastating truth with the lack of jobs created by the Democrats nearly $1 trillion porkulus bill.

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

THE HEALTH CARE BILL

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

Mr. BLUMENAUER. Mr. Speaker, one of the most bizarre assertions from some of our Republican friends from the other side of the aisle is that there is some massive health bill that's being cooked up in secret, that they are being denied knowledge, that they don't know what's going on.

Mr. Speaker, everybody on Capitol Hill who wants to know can find out

what is in the legislation. They can not just go online, but the news accounts, television shows, and trade publications. In fact, yesterday, in the Wall Street Journal it was outlined again.

There are some sticking points yet to be resolved, as those are being debated, they're public knowledge. People know about the public option, options.

Indeed, the notion that somehow we could keep a secret in our little Capitol Hill village of 5,000 compulsive leakers is laughable. Everybody knows that to be the case. If Republicans were still confused or couldn't figure it out themselves they could have just listened to some of their colleagues who were talking about how they disagreed with what was in the bill. They should talk to each other.

THE BRIDGE LOAN TO NOWHERE

(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, last December Treasury lent General Motors $13 billion, another $6 billion last spring, and in June, just days before GM declared bankruptcy, the White House gave another $30 billion, just in time to convert taxpayer loans into government ownership.

That's $49 billion given to GM, and taxpayers now own 61 percent of the company.

Last Wednesday, ex-car czar Steve Rattner estimated that the taxpayers' stake in GM has lost $25 billion, a nearly 50 percent loss. While sales of the privately owned Ford Motors fell only 6 percent, the government-owned GM saw a 45 percent decline.

How much should taxpayers expect to lose from the ''Bridge Loan to Nowhere''?

Despite pledges of transparency, the ''Bridge Loan to Nowhere'' comes with none. American taxpayers are in the dark about the basic details of $49 billion given to GM.

Congress, and the American people, should see the financial and operating information for GM. Taxpayers should be treated like shareholders of any other major company.

HEALTH REFORM IS GOOD FOR SENIORS

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

Ms. SCHWARTZ. Central to finding a uniquely American solution to our Nation's health care challenges is a focus on strengthening Medicare for our Nation's seniors.

Our health care reform efforts renew our commitment to the health and security of America's seniors by ensuring the long-term fiscal health of Medicare and improving the quality of care for our seniors. The House bill adds valuable new benefits for our seniors and improves access to primary care.

I strongly advocated for ending the copayment that seniors pay for preventive services. Right now seniors pay up to 20 percent of the cost of services such as mammograms, colonoscopies, and vaccines. As of January 1, 2011, seniors will no longer have to pay the copay for preventive services. This is a major win for America's seniors.

Health care reform also sets us on a path to close the coverage gap in the Medicare part D prescription drug plan known as the ''doughnut hole.'' In 2011, Medicare will pay $500 more and will continue to add benefits until we eliminate this gap in coverage for drug services.

Health care reform is a win for seniors. Now is the time to act.

□ 1015

HEALTH CARE

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

Mr. FLEMING. Mr. Speaker, as a doctor for over 30 years, I have become a pretty good judge of truth telling. We have heard Democratic leadership try to convince us that ObamaCare is going to pass, and with a ''robust'' public option.

It has become obvious there are not enough votes in Congress, and suddenly, the terms are changing. Within a few days, a whole new vernacular has emerged to describe the public option. This includes the opt-in and the opt-out option; the trigger—no offense to Roy Rogers' horse; the competitive option; and finally, the consumer option. Mr. Speaker, this is not a marketing problem; it is an idea problem.

To my Democrat colleagues, let me suggest a frequently spoken idiom: if you put lipstick on porcine, it is still porcine. Or if you prefer a Louisiana colloquialism: this dog won't hunt.

This bill will add 750 billion real dollars to the deficit, not to mention taxes and higher premiums on the middle class, all while covering relatively few more Americans. Fortunately, there are enough Democrats in both Houses who see past this sham and fear their voters more than their leadership, as they well should.

HEALTH CARE

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

Mr. YARMUTH. Mr. Speaker, Democratic leadership is committed to making any health care reform bill available to the public for at least 72 hours before a floor vote, and I am glad they have because the American people deserve a chance to see what we are doing.

But, there is one group that has made it clear that they don't need 72 hours to decide where they stand on health care, and it is our Republican colleagues. We could give them 72 days, and they would still know that they are going to say ''no'' no matter what is in that bill. They don't need time to read our bill to know they are against giving affordable, quality health care to every American.

The truth is that the Republicans haven't given us one minute to read their bill. You know why? They don't have a bill. It has been 133 days since Republican leadership promised a bill from their side, and all we hear is ''no.'' And now some members of the party, their party, are giving us ideas like privatizing Medicare and increased subsidies to insurance companies.

Mr. Speaker, the American people know it is time for reform, and it is time the Members of this House stand up for them and give the American people the health care they deserve.

IRANIAN TRIALS

(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, last week the Iranian Government handed down death sentences to three activists who protested this year's stolen election in Iran. There are at least 140 other demonstrators who will be subject to these sham trials, and unfortunately, there may be more executions as the regime seeks to restore their iron rule.

The charges were phony, the trials were held in secret, the outcome rigged, and now the Iranian Government is only identifying condemned men by their initials. The Iranian Government is clearly on shaky footing; and according to some reports, they imported Hezbollah and Hamas radicals who wore face masks and who couldn't speak Farsi to harass and beat the demonstrators.

Unfortunately, we continue to negotiate with this brutal regime, legitimizing their autocratic rule, even though they are so weak they must resort to hiring brutal thugs from other nations.

The President should act swiftly, without regard to Russian objections to institute international sanctions that will support freedom for the Iranian people and undermine the vicious rulers who persecute them.

HEALTH CARE

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

Mr. COHEN. Mr. Speaker, at the end of President Bush's term, this House was faced with a TARP bill. The American public likes bipartisanship, and we had bipartisanship on that bill. There were Democrats and Republicans who voted ''no,'' but there were Democrats and Republicans who voted ''yes.'' Just about everyone agrees that bill saved us from going over the abyss into a Great Depression similar to 1933. It was a moment of bipartisanship and a moment I was proud to participate in.

When President Obama became President, bipartisanship ended. The ARRA—which everybody agrees, the stimulus package, has helped our economy and provided millions of jobs in State and local government and education and other places and provided jobs in the private sector—didn't have a single vote on the Republican side. Not one single vote.

And now on health care, we see not one single vote coming from the Republican side. Doing nothing is not the answer. Everybody knows the health system needs reform.

In my city, the emergency room at Charity Hospital, the public hospital, is about to close. People are having great problems paying their premiums. We need health reform, and we need bipartisanship.

HEALTH CARE

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

Mr. PENCE. Mr. Speaker, sometimes I like to say Washington, D.C., is the world capital of unintended consequences. That seems to be becoming more true every day.

The American people want health care reform that lowers the cost of health insurance and lowers the cost of health care. But a new study produced by Indiana's leading provider of health insurance yesterday shows that the cost of health insurance under the Democratic bill will actually go up for most Americans. That's right. You heard that right.

According to a 238-page study by the actuaries at WellPoint, the Democratic plan, with its mandates and regulations, will actually drive up premiums for small business owners and individuals. Get this, young and healthy consumers will be hardest hit. For young and healthy Americans, their premiums could actually triple in some States. And for a family of four, premiums would more than double.

Now the White House has denounced this, and I know there will be denunciations here on the floor of this study; but the reality is the experts in the industry are pointing out regulations and mandates are going to result in Democrat health care reform meaning higher cost of health insurance to Americans.

P.J. O'Rourke had it right when he said if you think health care is expensive now, wait until it is free.

HEALTH CARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of national comprehensive health care reform for all Americans. Our district has the highest number of uninsured adults in the Nation.

Since 1965, Medicare has proven to be one of the great success stories of the Federal Government. It is the second most popular government-run program behind Social Security. That's why I strongly support national health care reform that includes the national public option similar to Medicare.

Some of our Republican colleagues have been quick to say that H.R. 3200, America's Affordable Health Care Choices Act, endangers traditional Medicare and eliminates the Medicare Advantage program. These assertions are not true. The fact is that H.R. 3200 does not use funds from the Medicare trust fund to pay for reform. Instead, it eliminates waste and fraud within the Medicare program and abolishes the infamous doughnut hole that was created under a Republican Congress in 2003 on the prescription drug plan and strengthens the financial health of Medicare.

In 2003, a Republican Congress created the Medicare Advantage program, and insurance companies have been benefiting ever since.

FILIPINO AMERICAN HISTORY MONTH

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

Mr. AUSTRIA. Mr. Speaker, while we celebrate Filipino American History Month in October, unfortunately the Philippines has been devastated by multiple typhoons in the past few weeks, and our thoughts and prayers are with the Filipino people.

My father came to the United States from the Philippines to finish medical school. He became a U.S. citizen and lived the American dream. I am aware of at least two other Members of Filipino descent, and I am proud to be a first-generation Filipino American elected to Congress, which is why I cosponsored House Resolution 780 which recognizes Filipino American History Month.

I would like to take this opportunity to acknowledge the economic, cultural, social, and many other contributions of Filipino Americans. Our Nations have been brought together as partners by crucial events throughout history, and even though we are separated by an ocean, the two countries are connected by their long-standing relationship.

Mr. Speaker, may the long-standing relationship between the Philippines and the United States remain strong.

HEALTH CARE

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

Mr. TONKO. Mr. Speaker, the American people elect us to serve as innovators and problem solvers. I am an engineer; I see a problem, and I come up with a solution. The Democratic Party is a party of solutions, especially when it comes to health insurance reform.

So I ask you today, Mr. Speaker, where are the Republican solutions? One hundred and thirty-three days ago, my friends from the Republican side of the aisle said they were going to have a comprehensive plan. Where is that plan, and just what are those solutions?

Democrats have already pledged to make the merged health reform bill public for 72 hours before it is considered on the floor. Will Republicans promise to do the same?

Given the status quo of health insurance coverage in the United States, it appears as if Republicans want to continue to deny coverage for preexisting conditions, force families into bankruptcy because of health care costs, stifle the growth of business, and continue to play politics as usual by defending insurance companies and pharmaceutical companies. Then they should also be happy to be labeled the party of ''no.''

HEALTH CARE

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

Mr. GINGREY of Georgia. Mr. Speaker, health care reform should not hurt my patients, many of which are seniors. Somewhere in this Capitol Building, behind closed doors and away from the public view, the Speaker and her liberal allies are rewriting the health care bill that they want. We don't know what is going to be included in that health care reform bill, despite the allegations of my friend Representative BLUMENAUER earlier this morning. But one thing is for certain; it will gut our Medicare program.

Our seniors have suffered tremendously since this recession began. Many of their 401(k)s are now 201(k)s; they have lost 50 percent of their value. Yet, my Democratic colleagues don't think the seniors have paid enough. So they are asking our seniors to foot the bill for health insurance reform by cutting $500 billion from the Medicare program. These cuts will result in seniors losing benefits under the Medicare Advantage program, such as vision, dental, hearing, and even annual checkups. These cuts will result in longer wait times and even make it harder for senior patients to find a doctor.

Mr. Speaker, I say again: health care reform should not hurt our seniors.

HEALTH CARE

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

Mr. WU. Mr. Speaker, this Congress is doing health insurance reform this fall. What does that mean for middle income Americans? It means an insurance company can no longer decide to deny you coverage because of a preexisting condition, or jack up your rates because of preexisting conditions.

It means it will be against the law for insurance companies to drop your coverage when you become sick.

It means insurance companies will no longer be able to place an arbitrary cap on the amount of coverage that you receive.

It means there will be a yearly limit on how much you can be charged for out-of-pocket expenses because no one should go bankrupt because they get sick.

It means 35 to 40 million additional Americans will be covered with health insurance. That is virtually every legal resident of America.

This set of health insurance reforms means that America will finally get the health care coverage that it deserves.

HEALTH CARE

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

Mr. ANDREWS. Mr. Speaker, if you listen to America's senior citizens and ask them what they want with respect to Medicare, I think this is what you hear. Seniors want to continue to have their benefits left alone and be able to choose the doctor and hospital they want. Under our plan, they do.

Seniors want to pay less for their prescription drugs which are rising at a rapid pace. Under our plan, they will.

Seniors want to be sure that their doctors will continue to provide quality care for them because they trust and rely on those doctors so much. Under our bill, doctors will get more of what they richly and fairly deserve. They will get paid what they deserve.

Now, the other side has engaged in a scare campaign to scare America's seniors. I think what most scares America's seniors is the irresponsibility of proposing nothing about America's health care crisis. That is what the minority offers.

We offer a better way, a brighter way, and a safer way for America's seniors.

CHARITABLE GIVING

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

Mr. BILIRAKIS. Mr. Speaker, I rise in opposition to the unwise proposal made by the White House earlier this year to lower the tax deduction for charitable giving. Independent studies have concluded this proposal could result in a drop of as much as $4 billion in charitable donations.

Charities in the Tampa Bay area have recently indicated the threat of this proposal becoming law has already contributed to a sharp decline in donations, forcing some of them to shut their doors down.

Every year, Americans give hundreds of billions of dollars to charity. In turn, they provide funding to shelters, food banks, health care clinics, and a host of other charitable programs which benefit the needy. During this recession, their services are needed more than ever. Limiting charitable contributions is the wrong course of action and will end up hurting those who need it the most, particularly as we approach the holidays.

□ 1030

OLDER AMERICANS LACK HEALTH INSURANCE

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it has been 133 days since the Republicans promised to present their health insurance reform legislation, and we still have no alternative plan from them.

The fastest growth group of uninsured Americans is older Americans age 50 to 64. Saying ''no'' to health insurance reform hurts millions of Americans who lack health insurance.

There was a 36 percent increase in the number of older Americans without insurance from 2000 to 2009. It used to be if you worked most of your life here in America you could retire to someplace warm and sunny like my home State of Florida. There were 7.1 million uninsured people age 50 to 64 in 2007. How can we allow more than 7 million Americans over 50—many who have worked their entire life—to go without health insurance? They certainly can't afford to retire when they're worried about how to pay for their medical bills.

Republicans point to a bunch of different solutions offered by their Members, including dismantling or privatizing Medicare. So which plan do they stand behind? Americans deserve to know.

HEALTH CARE

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

Mr. MURPHY of Connecticut. Mr. Speaker, we are entering the final stages of crafting a health care bill that gives the American people what they want—more choice in health care options, lower cost for families and small businesses, and insurance that's fair to American families once again.

We've worked long days and nights here in Washington to craft a bill that addresses the challenges that people in Connecticut and across this country face. And the American people have been able to read our bills and monitor the debate on television and on the Internet and be able to interact with us when we come back home. Meanwhile, where have our Republican colleagues been? Sitting on the sidelines, talking about solutions, but sharing nothing with the public. And they have kept us waiting for the last 133 days without a bill.

Well, it's time for Republicans to get in the game because health care struggles of the American people aren't getting any easier, and they can't afford to wait.

IT'S TIME TO END ''DON'T ASK, DON'T TELL''

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

Ms. SPEIER. Mr. Speaker, I rise to commend our former colleague and current Secretary of the Army, John McHugh. He rightly stated last weekend that the United States Army—the proudest and most professional fighting force on Earth—is fully capable of accepting openly gay and lesbian Americans into service and ending the unworkable and unconscionable policy of ''don't ask, don't tell.''

We have all heard the tired arguments of why all Americans who choose to serve should not be allowed to serve, but those arguments belong to an intolerant past. The men and women who make up today's Armed Forces are modern, highly informed Americans who have grown up in an era more accepting of individual differences. As Secretary McHugh said, ''The Army has a big history of taking on similar issues with predictions of doom and gloom that did not play out.''

At long last, the United States military is ready to be representative of all the people of the United States. It's time now for Congress to act and send legislation to the President asking him to end ''don't ask, don't tell'' once and for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

ADDITIONAL TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1929) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

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

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–66, is amended by striking ''October 31, 2009'' each place it appears and inserting ''January 31, 2010''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 30, 2009.

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

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

The legislation before us will extend the Small Business Administration's broad array of critical programs until the end of January. This will allow small businesses to go on using the valuable services of the SBA while the House and the Senate continue our work to comprehensively reauthorize the Small Business Administration.

Already this year we have made important progress toward reauthorizing the SBA. In May, the House passed legislation reauthorizing the agency's entrepreneurial development programs. In July, we approved a measure to update the Small Business Innovation Research Initiative. And later this week, the House will consider H.R. 3854, a bill to comprehensively update the SBA's capital access initiatives. Passing the bill before us today will let us complete our work on these measures and conference them with our counterparts in the Senate.

The SBA clearly needs to be modernized in order to meet today's challenges. I look forward to sending legislation to the President's desk that will bring all of these various initiatives up to date. In the meantime, this bill offers the appropriate amount of time to continue our work while ensuring the agency can continue serving small businesses.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, I rise today in support of the chairwoman's request to suspend the rules and pass S. 1929, as amended.

The bill is very simple. It is a clean extension that prolongs the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated the funds. This extension is going to last until January 31, 2010.

This extension is essential because the authorization of various programs operated by the SBA ceases on October 31, 2009. Over the past two Congresses, our committee has worked in a bipartisan fashion and reported out a number of bills to reauthorize and extend the programs operated by the SBA. Despite our efforts to come to terms with various differing aspects of our and the other body's legislation, the extension passed earlier this year will expire before the legislative process can run its course.

The work needed to help America's entrepreneurs revitalize the economy simply cannot be accomplished within the timeframe outlined in the current legislation. We not only need to reauthorize these critical programs, but also update them to respond to the reality that is the 21st century. The extra time contained in this legislation allows us to fully explore and implement the ideas that will give our Nation's entrepreneurs the tools they need to be successful.

Without enactment of this extension, a number of vital programs that the SBA operates would cease to function. Given the continued importance that small businesses play in the revitalization of the American economy, we cannot allow the SBA authorization to run out. Passage of this legislation will enable the House and Senate to continue to work in an industrious manner to address necessary changes to SBA programs.

I urge all of my colleagues to suspend the rules and pass S. 1929, as amended.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. I thank the gentlelady.

Mr. Speaker, I rise in support of S. 1929, as amended by the House. We have been working diligently on reauthorizing key programs of the SBA, including the Small Business Innovative Research and the Small Business Technology Transfer programs.

While progress has been made, a temporary extension of SBA programs is necessary to provide more time for us to continue working and provide stability to the SBA. S. 1929, as passed by the Senate, would extend SBA programs through April 30, 2010.

While I believe it is important to provide stability for SBA, 6 months is simply too long of a time to extend the programs because we need to keep our focus on a comprehensive reauthorization of SBIR and STTR. By extending the program for 6 months, we would delay this process. We would be putting off important work that needs to be done, such as permitting technology and venture capital participation in SBIR to a larger extent, changing grant sizes and other important things to turn the program into an innovation program as well as a small business program.

S. 1929, as amended by the House, will provide a 3-month extension that will provide stability to the SBA but also ensure that we continue to work expeditiously to pass reauthorization bills for SBIR and STTR.

I commend the chairwoman for her leadership on the Small Business Committee and working to keep small businesses in their important role as we work toward an economic recovery. Small business is the heart of our innovation economy, and we have to have the tools to keep them active and thriving in a 21st century economy.

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

Ms. VELÁZQUEZ. Mr. Speaker, I urge a ''yes'' vote on this vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, S. 1929, as amended.

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

A motion to reconsider was laid on the table.

ALLOWING FUNDING FOR THE INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROGRAM

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1694) to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1694

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

SECTION 1. PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANTS.

(a) Notwithstanding section 3006(a)(2) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note), sums made available to administer the Public Safety Interoperable Communications Grant Program under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) shall remain available until expended, but not beyond September 30, 2012.

(b) The period for performance of any investment approved under the Program as of the date of enactment of this Act shall be extended by one year, but not later than September 30, 2011, except that the Assistant

Secretary of Commerce for Communications and Information may extend, on a case-by-case basis, the period of performance for any investment approved under the Program as of that date for a period of not more than 2 years, but not later than September 30, 2012. In making a determination as to whether an extension beyond September 30, 2011, is warranted, the Assistant Secretary should consider the circumstances that gave rise to the need for the extension, the likelihood of completion of performance within the deadline for completion, and such other factors as the Assistant Secretary deems necessary to make the determination.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

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

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, before the House today is Senate 1694, a measure to enable funding for the Interoperable Emergency Communications Grant Program to remain available through fiscal year 2012. In the absence of this measure, the funds for the program could not be expended by the recipients of grants under the program after the end of this year.

The bill before the House has been approved in the other body, and it is identical to House bills previously introduced by the gentlelady from California (Ms. HARMAN) and by the gentleman from Louisiana (Mr. CAO). The bill extends the Public Safety Interoperable Communications Grant Program that is jointly administered by the U.S. Department of Commerce through the National Telecommunications and Information Administration and by the U.S. Department of Homeland Security.

The funds, which are awarded as grants to first responders under the program, derive from proceeds of the auction by the Federal Communications Commission of the 700 megahertz spectrum, which became available as TV broadcasters ceased their analog television broadcasts in association with the digital television transition. The program had its genesis in recommendations by the 9/11 Commission concerning the well-acknowledged shortcomings in interoperable communications capabilities among first responders nationwide.

As required by law, the Department of Commerce's Office of the Inspector General conducted an annual assessment of that Department's management of this grant program. It found that the NTIA within the Department of Commerce had met the statutory guidelines and requirements for making awards and for reviewing and approving the grantees' communications plans, but the Office of Inspector General also found that the congressional deadline which exists in current law had not allowed the States a sufficient amount of time within which by the end of this year to expend the grant funds that they receive under this program. That inability of States to expend all of these moneys by the end of this year is what necessitates the passage of the measure that is before us today.

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Ms. HARMAN's measure was approved by the Subcommittee on Communications, Technology, and the Internet of our House Energy and Commerce Committee on the 8th of October, and her measure was approved by the full committee on October 15. It has been endorsed by, among others, the National Governors Association, the Major Cities Chiefs Association, the Association of Public-Safety Communications Officials—International, the Telecommunications Industry Association, the National Emergency Management Association, and mayors of the cities of New York, Houston, and Los Angeles. S. 1694 passed the other body by unanimous consent on October 14, and we're taking up the Senate measure today so that upon approval in the House, it can go directly to the President for signature without further delay.

I want to say thank you this morning to the gentleman from Florida (Mr. STEARNS), who is the ranking Republican member of the Subcommittee on Communications, Technology, and the Internet, and also the gentleman from Texas (Mr. BARTON), who is the ranking member on our full committee, for the bipartisan manner in which we have processed the legislation through the Energy and Commerce Committee. I commend both Ms. HARMAN and Mr. CAO for their leadership.

Mr. Speaker, with the conclusion of these comments, I reserve the balance of my time.

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

(Mr. CAO asked and was given permission to revise and extend his remarks.)

Mr. CAO. Mr. Speaker, S. 1694, with an identical version in the House, H.R. 3633 and H.R. 3348, is an important bill because it would provide an additional 2 years for public safety officials, first responders, and firefighters to use communications grants. This will help many districts, especially ones like mine, where officials are still replacing and upgrading equipment. Only people who have lived through the horrors such as Katrina realize the importance of this grant.

After Katrina, much of the communications systems in the Second Congressional District and throughout southeast Louisiana were down for a period of several weeks. First responders were trying to save lives and trying to fight crime, while at the same time they were unable to communicate with one another. So, with this grant, it will provide cities such as New Orleans the time to rebuild their emergency operations centers. That includes replacing the building in which they were housed as well as replacing an entire interoperable system. Some emergency personnel are still using radios on loan from FEMA 4 years after the storm because, without an extension, the Public Safety Interoperable Communications Grant Program would have expired next year. My district could not fully take advantage of it.

Other areas in the Gulf Coast and Midwest that were struggling to rebuild after disasters were also having trouble completing or even applying for communications grants because of the short window of the program. It became clear that the need for this program extended beyond those areas when we began to receive calls and letters of support from States like Vermont, Montana, Texas, and California, who all voiced the same concern—they needed more time to use these grants, and they needed Congress' help.

The International Association of Fire Fighters, National Emergency Management Association, and Association of Public Safety Officials all lent their support to this effort. I would like to thank them for helping get this bill up for a vote.

I would also like to thank the staff on the Energy and Commerce Committee for their fast, bipartisan work on getting this bill to the floor, and I would also like to extend my thanks to the gentlewoman from California, Congresswoman JANE HARMAN, who took the initiative to file H.R. 3633 when there was a slim chance that my own bill, H.R. 3348, would have a chance of passing. So I would like to thank her for her initiative in making sure that this important extension gets passed so that we can help people who need help.

I would also like to thank my colleagues on the floor who have shown the bipartisan support and spirit to support this bill today.

Mr. Speaker, it doesn't seem that I have any other speakers, so I will yield back the balance of my time.

Mr. BOUCHER. Mr. Speaker, I recognize myself for 2 minutes.

Let me again thank the gentleman from Louisiana and the gentlewoman from California (Ms. HARMAN) for bringing this measure before us today. It is a bipartisan measure.

It is necessary that we pass this legislation in order to assure that first responders are able to expend the funds that are awarded to them under the Emergency Communications Grant Program. That program expires at the end of this year, and the Inspector General at the Department of Commerce found that awardees under that program simply within that timeframe do not have the time necessary in order to make good on these grants and expend those for communications equipment. So by extending this program until the end of fiscal year 2012, we provide the time that is necessary.

It is appropriate legislation, completely bipartisan, and I encourage that the House adopt this bill.

Ms. ESHOO. Mr. Speaker, I rise today in support of S. 1694, the Extension of Public Service Interoperability Communications, PSIC, Grant Program, and I'm proud to be one of the first to have cosponsored this important piece of legislation. I thank my colleague from California, Ms. HARMAN, for her hard work in helping to create the PSIC program and for her support of public safety funding.

The funds available under these PSIC grants must have a more flexible timeline so that our public safety agencies can take full advantage of this program and develop interoperability plans that work for their communities. These funds are essential to public safety interoperability plans nationwide.

I've long supported funding for public safety interoperability, both as a member of the Energy and Commerce Committee and in my role as Co-Chair of the E911 Caucus.

First Responders must have the best resources available to them during a crisis. Just as importantly, different emergency agencies must have the ability to communicate with one another to provide essential information. The inability to communicate could have life or death consequences. We knew this hard fact long before 9/11/2001, but we saw it demonstrated in the starkest terms on that day. We should never have to say "what if?" We must take the question mark out of interoperable communications and ensure that we have efficient systems in place as soon as possible.

It's been over eight years since we learned the important lessons, of September 11, but we're still taking the initial steps toward interoperability. These grants are just the tip of the iceberg. We need to develop more funding resources and encourage the rapid deployment of available spectrum for public safety interoperability. I'm committed to making certain that we have adequate spectrum rollout for this purpose and I support funding initiatives that will provide interoperability opportunities throughout the nation.

Thank you again for your personal commitment to keeping our first responders and all Americans safe.

Mr. WELCH. Mr. Speaker, I want to thank Representative HARMAN for introducing legislation to provide additional time for states to utilize federal grants made available through the Public Safety Interoperable Communications Grant Program, PSIC. I am proud to be a sponsor of this legislation and commend her for her ongoing leadership on this critical issue.

The PSIC grant program funds state projects that provide public safety personnel with interoperable communications equipment and training for system users. The Act appropriated $1 billion for the program from the proceeds of the auction of analog spectrum reclaimed by the digital television transition.

In our current fiscal environment, public safety needs this assistance more than ever.

Unfortunately, under current law, funding for these critical interoperability projects will expire in September 2010.

Given the enormous importance of interoperable public safety communications during times of crisis, we need to allow states the time and funds necessary to complete projects already underway or in planning stages. If adopted, Representative HARMAN'S legislation will provide this necessary time.

S. 1694 represents the best approach to this problem because (1) it minimizes the regulatory burden on public safety; (2) it creates incentives for public safety to act quickly and (3) it protects public money. More specifically:

The proposed legislation allows all States an automatic one-year extension. This will reduce the regulatory burden on states associated with individual extension requests. Some states may not need more than a year and they can avoid filing an extension request altogether.

The automatic one-year extension also incentivizes States that are on track for completion to complete work rapidly so they do not have to go through the extension request process.

But those States that need more than one year to complete projects will have the flexibility to request an additional year if the head of NTIA determines that their circumstances warrant an extension.

The criteria enumerated in the proposed legislation will ensure that the Assistant Secretary's decisions are based on a complete evaluation of the extension request. This discretion allows the Assistant Secretary to protect public money and ill-advised or mismanaged projects may not be eligible for continued funding.

S. 1694 has widespread support. A number of organizations, including the National Governor's Association and the Association of Public Communications Officers, APCO, ave all expressed support for Representative HARMAN'S bill.

Representative HARMAN'S bill is identical to a bipartisan measure introduced in the Senate by Senators ROCKEFELLER and HUTCHISON. If we pass this bill today we have a decent chance of making this extension happen in time for public safety to plan and budget accordingly.

One of the painful lessons our nation learned in the aftermath of the terrorist attacks of September 11 from the response to Hurricane Katrina was how critical it is for first responders to be able to communicate seamlessly with one another when responding to an emergency. This is as true in a city like LA as a rural state like Vermont, where emergency personnel are sparse in many parts of the state and it is often necessary for multiple jurisdictions to work together when responding to a call. If we are going to ask our first responders to put their lives on the line and work together to protect us, we must provide them with the tools they need to do their jobs effectively.

I urge my colleagues on both sides of the aisle to join me in supporting this important legislation.

Mr. THOMPSON of Mississippi. Mr. Speaker, today I rise in support of legislation, S. 1694, offered by Ms. HARMAN. This bipartisan bill is critical to promoting interoperable emergency communications capabilities for the Nation's first responders. This important piece of legislation provides our Nation's first line of defense with the tools and equipment necessary to carry out their life-saving responsibilities.

As Chairman of the Committee on Homeland Security, it remains unsettling that most of the public safety communications failures uncovered during the terrorist attacks on 9/11 and Hurricane Katrina in 2005 still exist today. Those tragic events will forever be engrained in the minds of every American. We learned a shrilling lesson from those major incidents: that when our Nation's first responders cannot communicate during a manmade or natural disaster, lives are lost.

Today, we have the opportunity to act with what Reverend Dr. Martin Luther King, Jr. coined as, "the fierce urgency of now." Interoperable communications—the ability of emergency responders to communicate in real-time, when needed, and as authorized—remains an unaccomplished goal. Therefore, we must commit to the American people that we will do our due diligence and address the daily challenges—both human and technological—that first responders face with interoperable emergency communications post-haste.

I would like to applaud Ms. HARMAN for her leadership in the effort to bring our nation's first responders one step closer to achieving interoperable communications by closing a loophole in the Public Safety Interoperable Communications, PSIC, grant program.

Specifically, S. 1694, which is a companion bill to H.R. 3633, appropriately extends next year's statutory deadline to spend PSIC grant funds to September 30, 2012. The PSIC program is an important grant program for the public safety community and has provided nearly $1 billion of funding to state and local to purchase equipment, deploy new communications systems, and train personnel.

As a condition to receive grants under the PSIC program, states and local governments must develop Statewide Communications Interoperability Plans, SCIPs. The Department of Homeland Security faced delays in approving the SCIPs, creating the challenge for state and local grantees to spend the grant funds by the end of next year.

S. 1694 makes an important change and gives grantees the much needed time and flexibility to do their due diligence and avoid wasteful spending. This bipartisan bill allows for state and local governments to properly invest in public safety communications systems that will achieve the goal of implementing nationwide interoperability.

I support S. 1694 and urge my colleagues to join me in this supporting our Nation's first responders.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 1694.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on the matter before the House.

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

There was no objection.

NATIONAL METASTATIC BREAST CANCER AWARENESS DAY

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 787) expressing support for designation of October 13, 2009, as National Metastatic Breast Cancer Awareness Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 787

Whereas metastatic breast cancer refers to Stage IV breast cancer when cancer cells travel from the breast, either through the bloodstream or the lymphatic system, to other parts of the body, including the bones, liver, lungs, or brain, and continue to grow in their new location;

Whereas an estimated 192,370 women and 1,910 men in the United States will be diagnosed with invasive breast cancer, and 62,280 women will be diagnosed with in situ breast cancer;

Whereas nearly 30 percent of women diagnosed with early stage breast cancer will develop Stage IV advanced or metastatic breast cancer;

Whereas in developing countries, the majority of women with breast cancer are diagnosed with advanced stage or metastatic disease;

Whereas the statistic that 155,000 women and men are presently living with metastatic breast cancer in the United States underscores the immediate need for increased public awareness;

Whereas there currently is no cure for metastatic breast cancer, and metastatic breast cancer frequently involves trying one treatment after another with the goal of extending the best quality of life as possible;

Whereas scientists and researchers are conducting important research projects to achieve breakthroughs in metastatic breast cancer research;

Whereas metastatic breast cancer is rarely discussed during Breast Cancer Awareness Month, however those living with the disease should never feel isolated or ignored;

Whereas metastatic Breast Cancer Awareness Day emphasizes the urgent need for new, targeted breast cancer treatments that will provide a high quality of life and long life expectancy for patients by making Stage IV cancer a chronic, but not fatal disease;

Whereas the House of Representatives is an institution that can raise awareness in the general public and the medical community of breast cancer; and

Whereas October 13, 2009, would be an appropriate date to designate as National Metastatic Breast Cancer Awareness Day: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of National Metastatic Breast Cancer Awareness Day;

(2) encourages all people in the United States to become more informed and aware of metastatic breast cancer; and

(3) respectfully requests the Clerk of the House to transmit a copy of this resolution to the Metastatic Breast Cancer Network.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentlewoman from North Carolina (Mrs. MYRICK) 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 include 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 rise today in strong support of House Resolution 787. This resolution expresses support for designating October 13, 2009, as National Metastatic Breast Cancer Awareness Day.

Metastatic breast cancer refers to stage IV breast cancer, the most advanced stage of this form of cancer. At this point, cancer cells have spread beyond the breast and underarm lymph nodes to other areas of the body. Sadly, there is no cure for breast cancer once it has reached this stage.

Breast cancer is the second most commonly diagnosed cancer in women. The National Institutes of Health estimates that nearly 195,000 new cases will be diagnosed in 2009, the majority of which occur among women. Nearly 30 percent of women diagnosed with early stage breast cancer will develop metastatic breast cancer; and despite this startling statistic, advanced breast cancer is rarely discussed during National Breast Cancer Awareness Month.

This resolution supports designation of National Metastatic Breast Cancer Awareness Day. It encourages all people in the U.S. to become more informed and aware of metastatic breast cancer and requests that the Clerk of the House transmit a copy of this resolution to the Metastatic Breast Cancer Network.

Earlier this month, my subcommittee held a hearing on four pieces of legislation that focus on prevention, early diagnosis, and treatment of breast cancer. During this hearing, we heard from four of my colleagues who have sponsored legislation to address this important health issue. Those are Congressman NADLER, Congresswoman DELAURO, who is also the sponsor of this resolution today, Congresswoman WASSERMAN SCHULTZ, and Congresswoman CASTOR. We also heard testimony from a number of advocacy groups and the National Cancer Institute.

Mr. Speaker, this hearing and the resolution before us today underscore the importance of early detection of breast cancer and ensuring that, once diagnosed, women receive the best quality treatment available. As House Resolution 787 highlights, it's especially important that women with metastatic breast cancer feel supported rather than feeling isolated or ignored.

As National Breast Cancer Awareness Month draws to a close, I would like to take this opportunity to comment on the important issues raised with respect to the experience of breast cancer patients in today's medical environment. These patients and many others lack access to preventive services that are recommended by experts. Many patients lack coverage of the medical care that they need. That's precisely why we are hard at work trying to pass health reform legislation that will improve access to quality and affordable health care for every American.

If enacted, America's Affordable Health Choices Act of 2009, currently H.R. 3200, will make dramatic improvements in our efforts to battle breast cancer. Specifically, it will provide affordable access to insurance. H.R. 3200 would prohibit insurers from excluding patients or charging higher premiums because of preexisting conditions. It would offer protection against high out-of-pocket costs by limiting deductibles and copayments and precluding insurance companies from establishing limits on annual or lifetime benefits. H.R. 3200 would also prohibit insurers from rescinding or dropping insurance policies on the basis of health status.

This bill would also provide coverage of preventive services in Medicare, Medicaid, and within the newly established Health Insurance Exchange, free of cost sharing. This means that services like mammograms would be available free of copays. Early detection and treatment can help reduce the number of patients who ever get to stage IV while we continue our efforts to find a cure for those who do.

I am pleased to join my colleagues today in raising awareness about breast cancer, and particularly stage IV breast cancer.

Of course I want to thank, in particular, the gentlewoman from Connecticut, Congresswoman DELAURO, and my colleague from New Jersey, Congressman LOBIONDO, for their leadership.

Let me just say about Congresswoman DELAURO, she has been basically a champion on every aspect of breast cancer since I've been here. I think, really, without her efforts, we would not have gone as far as we have in terms of providing meaningful research and treatment. So it's certainly no surprise that she is the prime sponsor of this resolution today.

I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I am very proud to be here today to support Representative DELAURO's Metastatic Breast Cancer Awareness Day resolution.

As has already been mentioned many times this month, October is National Breast Cancer Awareness Month, and we see it all over by the pink ribbons everywhere, media campaigns. Throughout the last 30 days, there has been good exposure. The month is nearly over, but the need for breast cancer

awareness and education continues all year long.

October 13 has been recognized as National Metastatic Breast Cancer Awareness Day, and I would like to thank the Metastatic Breast Cancer Network for their continued community outreach.

Awareness and education has assisted in the annual decline in deaths from breast cancer. The Centers for Disease Control has stressed the importance of women receiving regular mammograms, which can help doctors diagnose breast cancer in its early stages, which was my fortunate experience. It is because of these successful programs and National Breast Cancer Awareness Month that encourage early diagnosis before the cancer cells travel from the breast to other parts of the body, including the most well-known and, unfortunately, the places they go the most often, the bones, the liver, the lungs, and the brain. And that describes metastatic breast cancer.

□ 1100

It's commonly known as stage IV breast cancer because it is diagnosed when the cancer has spread to one or more of these distant sites in the body. For all intents and purposes, it is the scariest form of the disease and one that is very difficult to fight. People face reality when they're first diagnosed and are told that they're at stage IV. For others, it's a diagnosis they face later on as they go through their treatment, which is happening to one of my friends currently.

For these women, time is truly of the essence, and the support of family, friends and of the medical professionals is crucial. Sadly, metastatic breast cancer is deadly in most cases, but the good news is that research continues to make great strides in survival rates and in the quality of life for these patients. So I am very proud to support this resolution to designate October 13 as Metastatic Breast Cancer Awareness Day.

I thank my good friend, Representative DELAURO, who is also a cancer survivor, I might add—long term—for sponsoring this bill.

With that, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the sponsor of the legislation, the gentlewoman from Connecticut (Ms. DELAURO). I can't say enough about her. Her championing on the issues of breast cancer research, treatment, et cetera, are really always out there.

Ms. DELAURO. I thank the gentleman for the time, and I also want to say to him thank you for your very, very kind words. It has been my honor to work in partnership with Congressman PALLONE. He is enormously committed to health care and to health care reform but with particular interest to women's health issues. He has been a strong partner in his championing of these efforts on the committee which he chairs.

I also want to say a ''thank you'' to my colleague Congressman LOBIONDO for cosponsoring this resolution with me today and a particular ''thank you'' to my colleague and good friend, Congresswoman MYRICK, for all of her efforts and stamina. We are a band of sisters in this effort. Thank you so very, very much.

Mr. Speaker, following the lead of eight States across the Nation—Colorado, Georgia, Illinois, Maine, Maryland, Michigan, Washington, and my home State of Connecticut—this resolution expresses support for designating October 13, 2009, as National Metastatic Breast Cancer Awareness Day.

Right now in America, it has been said that 15,000 men and women around the country are living with metastatic, or stage IV, breast cancer. It means that the cancer cells have traveled from the breast to other areas in the body, such as to the liver, lungs, bones or brain, and the cells are now growing there. There is no cure for breast cancer once it has metastasized, and most of today's current medical treatments are focused only on extending the best quality of life for the patient.

Breast cancer is the second leading type of cancer among women. In this year alone, 192,000 women—over that number—and 1,900 men in the United States will be diagnosed with the disease, and over 62,000 women will die from it. Thirty percent of women diagnosed with earlier stages of the illness will eventually suffer from metastatic breast cancer. The later it is diagnosed, the more likely it is that the cancer has or will metastasize.

Missed opportunities of early detection is a major reason why women in developing countries, as well as right here in the United States with our own most vulnerable citizens, are more likely diagnosed with late-stage breast cancer. Without adequate access to preventative medical care, the health of the poor here and around the world is already at extreme risk.

For all of these reasons and more, we believe that Congress should support this resolution and should get behind National Metastatic Breast Cancer Awareness Day on October 13. Not only will such a day help to emphasize the urgent need for new and targeted breast cancer treatments for stage IV cancer patients, but it will raise awareness, and it will save lives.

I know firsthand. I'm a cancer survivor—ovarian cancer. I was fortunate enough to have been diagnosed at stage 1. If it had not been caught early by my doctor or if the cancer had metastasized, there is a good chance I would not be standing here today. We need to promote awareness of metastatic cancers in any way that we can so that women and men will know how to get timely mammograms and cancer screenings that might just save their lives.

Even as doctors and scientists search for a cure for metastatic breast cancer, it is up to us to help make the treatment affordable for women in need and to pass comprehensive health insurance reform now, not later. Too many women with breast cancer today are forced to make decisions based on their finances and not on what is best for their health. All too often, as they bravely battle their illnesses, they must also fight high out-of-pocket costs and denied claims. If they become too sick to work, they must face the terrifying prospect of losing their coverage altogether.

While today we express our support for a National Metastatic Breast Cancer Awareness Day, I hope very soon in the future we will reaffirm our commitment to breast cancer patients by passing meaningful health insurance reform.

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

Mr. PALLONE. I yield the gentlewoman 1 additional minute.

Ms. DELAURO. Today's resolution has the support of several key organizations, including Living Beyond Breast Cancer, breastcancer.org, The Wellness Community, Breast Cancer Network of Strength—formerly Y–ME—and the Young Survivor Coalition.

By drawing attention to this disease, we can help medical researchers find ways to provide a higher quality of life and a longer life expectancy for patients. We can help make stage IV cancer a chronic but not a fatal disease, and we can encourage the women and men we love to stay aware of metastatic breast cancer and to protect themselves through regular checkups and screenings.

I strongly urge my colleagues to support this resolution.

Mrs. MYRICK. Mr. Speaker, at this time, I am very pleased to yield so much time as he may consume to the other sponsor of the legislation, the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Thank you, Congresswoman MYRICK, and thank you to Congressman PALLONE and to Congresswoman DELAURO for their advocacy on this very important issue.

Mr. Speaker, I rise in very strong support of the resolution designating October 13 as National Metastatic Breast Cancer Awareness Day.

We have heard a lot of statistics. They are staggering, and they are staggering because, much of the time, some of this can be prevented. The resolution recognizes the need to raise the level of awareness and to increase research on treatments that will provide a higher quality of life and longer life expectancies for patients living with and fighting metastatic breast cancer.

I participated in an American Cancer Society cancer awareness event about 2 weeks ago on a Sunday in my district in southern New Jersey. On a Sunday morning, in a driving Nor'easter rainstorm with very high winds and with rain coming down in buckets, we had

hundreds of people who showed up because they believed that their involvement would make a difference. They were helping to raise the level of awareness. They were helping to get the message out that we can challenge this terrible disease and that we can make progress.

Metastatic breast cancer refers to stage IV breast cancer, which is when cancer cells travel and then do terrible things in other locations of the body. We know that, in this year, there will be in excess of 190,000 women, almost 2,000 men and, very, very tragically, in excess of 62,000 women who will lose their lives.

So I am a very proud cosponsor of this resolution. I encourage all of my colleagues to join in support of this. All of America should understand that, united and together, we can make a difference. We can make a difference against this dreaded disease.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Thank you, Mr. PALLONE, for yielding time to me to speak on this bill and on the bill that was just considered.

Mr. Speaker, I am proud to be a member of the Health Subcommittee of the Energy and Commerce Committee. I regret the fact that it has taken us so many months to get to a place where we are almost ready to consider comprehensive health care reform. I strongly support it, especially with a robust public option. Yet this is a good day because, today we will pass a more limited bill that identified a huge problem, metastatic breast cancer.

I have been fortunate not to have cancer, but there are many cancer survivors in this body, some of whom have survived breast cancer. I am the sister of Dr. David Lakes, who is an oncologist in Northern California and who was voted Healer of the Year in Marin County for the work he has done with those who suffer from metastatic breast cancer. I am very proud of him.

I am very proud of the sponsors of this legislation, who understand how critical it is not just to focus on the fact of this disease, but, as Ms. DELAURO said a few minutes ago, on how to make it a chronic disease and not a killer. So I strongly support this legislation.

As the author of Legislation to extend the PSIC Grant Program, the Public Safety Interoperable Communications Grant Program, which was debated just moments ago, I urge us to continue the program which provides $1 billion in grants to State and local governments for interoperable communications systems, which, obviously, will be needed in the event of the next terrorist attack or natural disaster.

Eight years after 9/11, we have not fixed one of the two major problems on that day. One problem was that we failed to connect the dots. The other was that we could not communicate in realtime among our first responders to the catastrophe both in New York and in Washington. Nationally, we still lack an interoperable communications network. That will require more work by Congress and the FCC to build out the now vacant 700 megahertz analog spectrum so that, nationally, all of our first preventers, or responders, can communicate.

In the meantime, it is significant that our communities will be able to access additional Federal funds because of the action recommended moments ago to pass S. 1694 which is identical to H.R. 3633—an action that means the bill will become law.

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

Mr. PALLONE. I yield to the gentlewoman 1 additional minute.

Ms. HARMAN. Let me finally say that the PSIC extension legislation is supported by the major city police chiefs, the National Governors Association, the National Emergency Management Association, the Association of Public-Safety Communications Officials, the Telecommunications Industry Association, mayors in Los Angeles, New York and Houston, the Los Angeles County Sheriff—Lee Baca—and many others because they know that having interoperable communications in our cities and regions is critical.

Just as metastatic breast cancer is an emergency that we must deal with, so is the lack of a truly national interoperable communications capability. We took a big step this morning. I hope we will take a bigger step later this year.

I thank Chairman PALLONE for the work that he does on the Health Subcommittee. I am proud to be a member.

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

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding.

Mr. Speaker, I had not planned to speak on this resolution when I came to the floor, but after listening to Ms. DELAURO's eloquent discussion of it, I felt duty-bound to weigh in as well in very strong support.

There isn't a woman in my family who has not died from breast cancer—both of my grandparents, all of my aunts, of which I had several, and my mother. My sister, thank goodness, is a survivor, and has just celebrated the birth of her first grandchild herself; but it is in our family, and I cannot tell you how important this resolution is to increase the awareness of this deadly disease.

By the time my mother passed away, her breast cancer had metastasized throughout her body, and as she lay there with her family around her, she couldn't help but ask why she was still there. It broke our hearts to see this woman who had raised us so well and who was so strong in our family literally fall apart before our very eyes.

So I hope that this resolution will increase the awareness of this dreaded disease that hits almost every household in the United States and that causes such pain and suffering. Let us be aware of it, and let us use this opportunity to educate our fellow citizens so that they can receive the treatment they need in a timely manner so they do not suffer as my entire family has.

I want to thank the gentlewoman from Connecticut, and want to urge all of my colleagues to give this resolution a resounding thumbs up.

□ 1115

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would just urge everyone to support this resolution. I particularly want to thank the survivors, Mrs. MYRICK, Ms. DELAURO, and Ms. WASSERMAN SCHULTZ.

They just spend so much time devoted to this issue, whether it's research, treatment, to try to find a cure or to just raise awareness. I never cease to be amazed by their efforts. I want to thank them and I urge everyone to pass the resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 787.

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

A motion to reconsider was laid on the table.

SUPPORTING A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 790) supporting the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 790

Whereas hundreds of thousands of men and women have served this Nation in building its nuclear defense since World War II;

Whereas these dedicated American workers paid a high price for their service and have developed disabling or fatal illnesses as a result of exposure to beryllium, ionizing radiation, toxic substances, and other hazards that are unique to the production and testing of nuclear weapons;

Whereas these workers were put at individual risk without their knowledge and consent in order to develop a nuclear weapons program;

Whereas these patriotic men and women deserve to be recognized for their contribution, service, and sacrifice towards the defense of our great Nation; and

Whereas, on May 20, 2009, the Senate passed S. Res. 151, designating a national day of remembrance on October 30, 2009, for nuclear weapons program workers: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of a national day of remembrance for American nuclear weapons program workers and uranium miners, millers, and haulers; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to recognize a national day of remembrance for past and present workers in America's nuclear weapons program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which they may revise and extend their remarks and include any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present House Resolution 790 for consideration. This legislation expresses our support for the goals and ideals of a national day of remembrance on October 30, 2009, in honor of America's nuclear weapons program workers and uranium miners, millers and haulers.

House Resolution 790 was introduced by my friend and colleague, Representative SHELLEY BERKLEY of Nevada, on October 1, 2009, and it enjoys the support of over 50 Members of Congress. In addition, the United States Senate unanimously approved a companion measure to this legislation, Senate Resolution 151, on May 20, 2009.

Mr. Speaker, House Resolution 790 seeks to honor the hundreds of thousands of uranium and nuclear weapons workers who have served our Nation at great personal sacrifice since World War II and during the height of the Cold War. Regrettably, many of these dedicated workers developed disabling and fatal illnesses, including cancer and lung disease, as a result of their workplace exposure to beryllium, ionizing radiation and other hazards associated with the development and testing of nuclear weapons.

As noted in 2007 by Denver's Rocky Mountain News, which published a report on the human costs associated with the domestic production and development of nuclear weapons, nearly 37,000 Americans have suffered from serious illness as a result of their exposure to radiation and toxic chemicals during their employment at aboveground nuclear weapons test sites and underground uranium mines. The same publication additionally reported that at least 4,000 of these nearly 37,000 individuals have died as a result of illnesses associated with their work.

Moreover, it's important to note that these statistics were only based on government figures, tracking those individuals that have been approved for compensation. As additionally noted by the Rocky Mountain News, many other nuclear weapons and uranium workers may have been affected, though they have yet to apply for compensation or have had their claims denied due to the difficulty in establishing a causal connection between their illness and their work.

Mr. Speaker, these dedicated workers have served our Nation at great risk and sacrifice to not only themselves but to further generations of their families. It is my hope that we can honor their service and sacrifice through the passage of House Resolution 790.

I urge my colleagues to join me in supporting Ms. BERKLEY, who is the lead sponsor of this resolution, in expressing our support for the goals and ideals of a national day of remembrance for American nuclear and uranium workers.

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

Mr. JORDAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Let me, too, thank Mr. LYNCH and Ms. BERKLEY for this legislation. Please join me in supporting House Resolution 790 to honor the patriots who have served their country in the nuclear weapons program. The development of the American nuclear weapons program depended upon the commitment, the sacrifice and the service of hundreds of thousands of workers since World War II.

The sacrifice of these workers for America's security and technological advancement is patriotism at its finest. All Americans owe a debt of gratitude to all the workers in America's nuclear weapons program. We should honor their contributions with a national day of remembrance for nuclear weapons program workers and uranium miners, millers and haulers. Therefore, I urge you to support House Resolution 790 to show our appreciation for all these men and women whose sacrifices to protect our Nation have benefited us all.

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

Mr. LYNCH. Mr. Speaker, at this point I would like to recognize for 5 minutes Representative SHELLEY BERKLEY of Nevada, the lead sponsor of this resolution.

Ms. BERKLEY. I thank the gentleman for yielding.

I'd particularly like to thank my colleagues, Representatives TOWNS and ISSA, for expediting the floor consideration of this resolution, because it is very time sensitive. I would also like to thank Mr. WAMP for his work on this resolution and for joining me as a lead cosponsor.

Mr. Speaker, I rise in strong support of House Resolution 790 and in support of the hundreds of thousands of men and women who served this Nation in building and maintaining our nuclear defenses since World War II.

In my home State of Nevada, we have thousands and thousands of our fellow citizens who have worked at the Nevada test site, the essential Nevada test site, and put themselves at great risk to make sure America had a first-rate nuclear weapons program. From the nuclear scientists, to the janitors, to the secretaries, and the drivers, these people devoted their lives in defense of their country, creating a nuclear weapons program for our Nation's security and defense. Many were unwittingly exposed to beryllium, ionizing radiation and other toxic substances and hazards.

Many of these extraordinary workers have since developed deadly diseases, mostly cancer, as a result of their work at the Nevada test site and other sites around the country—in Georgia, Kentucky, New Mexico, Ohio, and Texas, just to name a few.

And so we stand here today to honor these heroes and to call upon our fellow Americans to do so as well. In my home State of Nevada, the Atomic Testing Museum—on the grounds of the University of Nevada, Las Vegas, where my colleague Congresswoman DINA TITUS taught and is an expert in this field—will host an event on October 30, this Friday, to honor and remember those who sacrificed in order to protect our great Nation.

Whatever one may think of America's nuclear program, we can all agree on one thing: these workers deserve our thanks and our gratitude for their work and for their subsequent sacrifices. I thank them. I thank my colleagues once again for their support. I urge my colleagues to vote strongly and resoundingly in favor of this resolution.

Mr. JORDAN of Ohio. Mr. Speaker, I yield as much time as he may consume to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the distinguished ranking member and chairman of the subcommittee and the ranking member and chairman of the full committee, and especially Ms. BERKELEY for her initiative on this important resolution.

One of the greatest privileges of my service here over the last 15 years is representing Oak Ridge, Tennessee, which played a critical role in the defense of our country, from the Manhattan Project forward. As we know, since 1942, almost three-quarters of a million people have worked in this industry, the nuclear industry.

Some of our citizens in this country have been called during war to serve in

the uniform of our country. Some volunteered, some mandatorily; many were in tanks, in airports, ships, submarines. Many were in our plants and our facilities doing the same kind of work in a different venue, just as patriotic, just as sacrificial, and they haven't received, at different times, the due that they deserve. But the day after tomorrow, October 30, 2009, all across the country in different places, people will come together for this important commemoration, a day of recognition and remembrance, remembering those that have gone on.

As the chairman said, many have died from the very illnesses that they got from their service and their sacrifice. Their families suffered a lot with them because they became ill doing this work in very difficult and unhealthy environments.

Years ago here, in the Congress, about 10 years ago, I was one of the original authors of the legislation to compensate those people that became ill, commonly known as the Sick Worker Legislation, the acronym is EEOICPA, the hardest one to memorize. With a Democratic administration—the Clinton administration—and a Republican Congress, we hammered out and forged a benefit program for these sick workers.

I want to thank on the floor of the House today Senator Fred Thompson, who stood up as a Republican with me at the time and others in a bipartisan way to provide this benefit to these families. Many of these families received $150,000 for the direct illnesses that they received from their extraordinary sacrifice.

As we remember those that have died, we need to thank as a Nation all of those who became ill because of their exposure to these very chemicals and these toxicities that have been talked about on the floor today, but also recognize those that are still out there that are working that have survived. Maybe they've retired. It's so very important that we do this, because these are patriots who helped us win the Cold War and helped us create the deterrent that has kept the world safer.

This nuclear industry is important. These facilities are important. The Department of Energy has played an important role, we knew it as the Atomic Energy Commission at that time, which evolved into the Department of Energy. It's a labor of love to work in a bipartisan way, in the Congress, to have this official day of recognition and remembrance for all of these workers, past and present and future, frankly, because we are still cleaning up the legacy of this Cold War investment. That's an important investment as well for our country to make.

It's an honor and a privilege to coauthor this resolution with Congresswoman BERKLEY. Again, I want to close by thanking her for taking this initiative, because it is an important step. While many of us, because the House will be in session on Friday, October 30, will not physically be there at these remembrances, we are there with you 100 percent in a bipartisan way as the Congress of the United States comes together. The Senate passed their resolution on May 20 for this official day of recognition and remembrance for all of these nuclear workers through the years and into the future.

The United States of America and the Congress of the United States thanks you and recognizes you and remembers those who have given so much in defense of our liberties.

□ 1130

Mr. LYNCH. Mr. Speaker, I yield 2 minutes to the cosponsor of this resolution, the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentleman for yielding. I also would like to thank Congresswoman BERKLEY for her leadership in introducing this resolution and the supporters on both sides of the aisle. In particular, I want to thank Congressman WAMP for his extremely eloquent testimonial just now.

I rise in strong support of House Resolution 790. For decades during the Cold War, hundreds of thousands of Atomic Energy Commission employees, including thousands of workers at the Iowa Army Ammunition Plant in my district, labored in hazardous conditions at our Nation's nuclear weapons facilities. In the end, many of these workers sacrificed their health for the security of our Nation, working with beryllium, asbestos, uranium and radiation, without knowing the impacts these materials would later have on their health. But for far too long, their service and sacrifice have not been properly honored. They are truly the unheralded heroes of the Cold War.

That will begin to change on October 30th, happily; October 30th marks the first national day of remembrance for our country's nuclear workers. On this day, our country will pause to pay tribute to our Cold War heroes, many of whom have paid a high price for their service. The resolution that we are considering today urges all Americans to recognize the men and women who have served our country selflessly and with great dedication in its nuclear facilities.

I have had the distinct honor of meeting some of the Iowans who worked on Line One of the Burlington Atomic Energy Commission plant. These are the workers who assembled, disassembled, modified and tested weapons in Iowa between 1949 and 1975. They are true patriots, and their service was critical to our country's security throughout the uncertain decades of the Cold War.

I urge all Americans to reflect upon their work and their sacrifices, and I urge my colleagues to support this critical resolution.

Mr. JORDAN of Ohio. Mr. Speaker, I reserve my time.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield 2 minutes to another lead cosponsor of this measure, the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I thank the gentleman from Massachusetts, as well as Ms. BERKLEY and Mr. WAMP, for proposing this day of remembrance.

On November 11th, our Nation recognizes Veterans Day by honoring the sacrifices of the men and women of our armed services. But we need to acknowledge another group of patriots who sacrificed in the defense of this Nation.

This group of American citizens served for over 60 years to develop and ultimately construct the United States nuclear arsenal. The legacy of thousands of men and women who labored in the mines, nuclear fuel processing facilities and nuclear weapons assembly plants across the United States should be remembered forever, in particular for ending the cold war.

Thousands of these cold war scientists, managers, engineers and workers who secretly worked in both building and decommissioning the United States' nuclear arsenal are suffering adverse health effects of their work with and around toxic and radioactive materials.

Colorado's former Rocky Flats nuclear weapons facility, which is just a few miles from my house, and its thousands and thousands of workers, played an integral part to enhance the security of our Nation. These workers helped bring an end to the cold war. As we work to ensure that these workers receive the medical care and coverage they deserve, we need to offer them our thanks for their courageous service to our Nation. We continue to urge the administration to promptly respond to the various applications they have made for compensation and health care.

I rise in support today and ask that we pass House Resolution 790, to designate Friday, October 30th, the Cold War Patriots National Day of Remembrance for the services these men and women provided to our Nation.

Mr. JORDAN of Ohio. Mr. Speaker, we continue to reserve.

Mr. LYNCH. Mr. Speaker, I would now like to yield 3 minutes to another lead cosponsor of this resolution, the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I rise today in strong support of House Resolution 790, a resolution supporting the goals and ideals of a national day of remembrance on October 30th, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers. I would like to thank my good friend and colleague, Congresswoman BERKLEY, for introducing this important resolution.

The national day of remembrance recognizes the contributions of heroes whose efforts on the front line of the Cold War changed history. Their service to our Nation was instrumental in the effort to create a nuclear deterrent

that helped defeat the forces of Communism. Too often, their efforts are not recognized the way the veterans of other wars have been. But just as our veterans of other battles served with distinction to protect our Nation, so too did the workers at atomic weapons facilities.

More than half a million Americans have worked since 1942 to create and maintain the United States nuclear arsenal. And while they did not face the dangers of conventional warfare, unfortunately, too many of these workers were left with the lasting scars of a battle that was waged in labs and test facilities across the country.

Many former workers suffered from radiation and toxic exposure in their work on our nuclear forces. These workers from around the country deserve our support and are entitled to the care and benefits they have earned from their service during a period of our history when the threat of nuclear war was ever-present. Just as we care for our soldiers returning home from the battlefield, it is our responsibility to care for the workers from our nuclear weapons facilities who have been exposed to dangerous materials that harm their health.

I especially salute the workers at the Nevada Test Site, also known as the National Sacrifice Zone, and thank them for their service. For more than four decades, they tested nuclear weapons that contribute to the safety and security of our Nation.

I have been privileged to work with many of them as a board member of the Nevada Test Site Historical Foundation and as a sponsor of State legislation to help facilitate the creation of the Atomic Testing Museum in Las Vegas so their incredible story can be made available for all to see and contemplate.

The UNLV Oral History Program has also amassed hundreds of interviews with test site workers and preserved their experiences and reflections on life in the shadow of the mushroom cloud for scholars, journalists and other people of interest to have access to.

So I thank you again, Mr. Speaker, and the other sponsors of this important resolution. I urge its passage.

Mr. JORDAN of Ohio. Mr. Speaker, we continue to reserve.

Mr. LYNCH. Mr. Speaker, at this point I would like to yield 2 minutes to the gentleman from Tennessee (Mr. DAVIS).

(Mr. DAVIS of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Tennessee. Mr. Speaker, I rise today in support of House Resolution 790, designating October 30th, 2009, as American nuclear weapons program workers remembrance day. I want to thank my good friend, the gentlelady from Nevada, for introducing this resolution.

During World War II, countless men and women across the country sacrificed to ensure victory for our common ideals of democracy and freedom and to defeat tyrannical forces committing grave atrocities. This sacrifice continues to be true of the men and women who work in the nuclear weapons program, including uranium miners, millers, and haulers.

In my home State of Tennessee, the Oak Ridge National Security Complex remains at the forefront of nuclear weapons development and manufacturing, providing security for the American people and our allies. These facilities have provided employment opportunities for East Tennesseans for decades.

Unfortunately, throughout the years, nuclear workers have endured many physical dangers, including exposure to ionic radiation and other toxic substances. These patriotic workers are, at the very least, owed recognition of their great sacrifices. That is why I rise today in support of this resolution.

As we look back to remember America's nuclear weapons program workers, it is important to look forward in our attempts to develop and improve protective equipment in order to create a safer workplace. We have made strides in protecting nuclear workers in recent times, and this government has a responsibility to continue that commitment.

So, Mr. Speaker, I rise to say to these workers in Tennessee and around this great country, thank you for your service that continues to contribute to our national peace and security. Your patriotic sacrifices do not go unnoticed.

Mr. JORDAN of Ohio. Mr. Speaker, we have no other speakers. We yield back the balance of our time.

Mr. LYNCH. Mr. Speaker, again I urge my colleagues to join with Ms. BERKLEY and Mr. WAMP on the other side of the aisle to recognize and honor America's nuclear industry and uranium workers through the passage of House Resolution 790.

I yield back the balance of our time.

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 resolution, H. Res. 790, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING 150TH ANNIVERSARY OF JOHN BROWN'S RAID IN HARPERS FERRY, WEST VIRGINIA

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 568) recognizing the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 568

Whereas Harpers Ferry, West Virginia, located at the confluence of the Shenandoah and Potomac Rivers was first noted for its beauty by our Founding Father, Thomas Jefferson;

Whereas it was designated by George Washington as a site for a Federal armory and arsenal that helped it grow into a bustling factory town where the first interchangeable parts for guns were created that supplied Lewis and Clark on their journey of westward expansion;

Whereas Harpers Ferry, best known as the site of John Brown's Raid on October 16-18, 1859, was targeted as an ideal location for initiating an uprising in the South that would end slavery because of its Federal armory and arsenal;

Whereas John Brown and his provisional army of 21 men captured the bridge, arsenal, armory, Hall's Rifle Works, along with hostages, and slave owners John Allstadt and Lewis Washington;

Whereas the fighting continued and on the morning of October 18, 1859, Lt. Col. Robert E. Lee and Lt. J.E.B. Stuart ordered 90 Marines to storm the engine house and captured John Brown and his 4 remaining men after they refused to surrender;

Whereas a total of 16 men were killed or mortally wounded in John Brown's Raid including, an unidentified slave, Thomas Boerly, George W. Turner, Mayor Fontaine Beckham, Heyward Shepherd, Luke Quinn, and 10 of Brown's men, William Leeman, John H. Kagi, Jeremiah G. Anderson, William Thompson, Dauphin Thompson, Brown's sons Oliver and Watson, Stewart Taylor, Lewis S. Leary, and Dangerfield Newby;

Whereas Brown and his men were tried in Charles Town, Virginia (present day West Virginia), and were convicted to death by hanging for the charges of murder, conspiring with slaves to rebel, and treason against the State of Virginia, however, their actions ultimately forced the Nation to consider the future of slavery in a turn of events that would lead to the Civil War and the freedom of 4,000,000 slaves;

Whereas Harpers Ferry stands as a testament to the antislavery and civil rights movements with the establishment of Storer College, created to educate newly freed slaves and later became the site of the Nation's first Niagara Movement meeting with an address delivered by African-American leader and scholar, W.E.B. Du Bois whose speech inspired the civil rights movement and the creation of the National Association for the Advancement of Colored People in 1909; and

Whereas in a year when we celebrate the 150th anniversary of John Brown's raid and the outbreak of America's Civil War, let us recognize the important role Harpers Ferry has played in our Nation's history: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present House Resolution 568 for consideration. This resolution recognizes the 150th anniversary of John Brown's raid at Harpers Ferry in what is now West Virginia. The measure before us was introduced on June 19th, 2009, by my friend and colleague Representative CAPITO of West Virginia and enjoys the support of over 50 Members of Congress.

Mr. Speaker, the controversial but passionate abolitionist John Brown organized the raid in Harpers Ferry, which served as a precursor to the Civil War and as a driving force behind the abolishment of the unjust institution of slavery. This moment in our Nation's history also stands as a testament to the strength and courage of all of those Americans who have advanced the antislavery and civil rights movements, not only in our country, but beyond our borders as well.

Intent on leading an uprising in the South that would end the practice of slavery in the summer of 1859, John Brown began to develop a plan to raid the Federal armory and arsenal in the small town of Harpers Ferry, located in present-day West Virginia. In preparation for the raid, Brown rented the nearby Kennedy farmhouse, and with his small provisional army of 21 men, with arms supplied by northern abolition groups, he took residence several miles from the arsenal site.

On the night of October 16th, 1859, Brown and his men advanced towards Harpers Ferry and quickly succeeded in capturing both bridges along the Shenandoah River, the U.S. Armory and Arsenal, the U.S. Rifle Works on Hall's Island, and several hostages, including Lewis Washington, grand-nephew of John Washington, and John Allstadt.

By the morning of October 17th, 1859, news of the raid had spread, and as a result, local farmers and militia swiftly descended on Brown and his men and surrounded the arsenal. A bloody battle thereafter ensued, and by the afternoon of October 17th, President James Buchanan had ordered a detachment of 90 United States Marines to march on Harpers Ferry under the command of Lieutenant Colonel Robert E. Lee of the United States 2nd Calvary.

On the morning of October 18th, 1859, Lee ordered his men to storm the engine house adjacent to the arsenal, resulting in the capture of John Brown and his remaining men. Sixteen men were killed in the raid at Harpers Ferry, including 10 of John Brown's men.

Brown subsequently faced charges of murder, conspiring with slaves to rebel, and treason against the State of Virginia. On November 2nd, 1859, following a 5-day trial, Brown was convicted of all charges and sentenced to hang on the gallows.

Brown's address to the Virginia court on the last day of his trial evidenced his strong conviction regarding the justness of his actions at Harpers Ferry, when he said:

''Had I interfered in the manner which I admit, had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends, and suffered and sacrificed what I have in this interference, it would have been all right, and every man in this court would have deemed it an act worthy of reward rather than punishment.''

□ 1145

Brown was thereafter executed on December 2, 1859, and through his death, the slave liberation movement gained a hero.

Mr. Speaker, the raid organized by John Brown at Harpers Ferry in October of 1859 was a critical moment in our Nation's history and served to move our country forward in its struggle to abolish slavery. As noted by his good friend, Frederick Douglass, who, while opposing Brown's violent tactics, said, ''If John Brown did not end the war that ended slavery, he did at least begin the war that ended slavery.''

Let us recognize the important place in our history that John Brown and the raid on Harpers Ferry played in the history of our Nation's civil rights movement through the passage of House Resolution 568. I urge my colleagues to join myself and the lead sponsor of this measure, Mrs. CAPITO of West Virginia, in supporting this legislation.

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

Mr. JORDAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H. Res. 568, recognizing the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia. And I will be brief because I want to save the bulk of our time for Mrs. CAPITO, who is the sponsor of this bill and has done a great job with it.

John Brown's life should remind us all that freedom is priceless. He did what he saw was necessary to combat an inhuman evil, the enslavement of human beings. Although it did cost him his life, the memory of Harpers Ferry is a testimony to how strong action is sometimes necessary to protect what is honorable and what is right.

John Brown's raid on Harpers Ferry on October 16th through October 18th, 1859, was an attempt by the part of John Brown to start an armed slave revolt.

Harpers Ferry was the site for the federal arsenal and seizing the location would allow Brown and his men to arm thousands of Southern slaves. Out of context, Harpers Ferry may seem like a rash violent act. But in light of pre-Civil War tensions, the raid was the impassioned start of a larger battle where liberty was on the line.

John Brown's raid on Harpers Ferry, although unsuccessful, helped galvanize the Northern abolitionist movement into stronger direct action.

He was able to show them how morality would not be enough to persuade the South to abandon slavery—which was essential to their rural plantation economy.

John Brown's life should remind us all that freedom is priceless. He did what he saw necessary to combat an inhuman evil—the enslavement of human beings. Although it did cost him his life, the memory of Harpers Ferry is a testimony to how strong action is sometimes necessary to protect what is honorable and what is right.

After the Civil War, Frederick Douglass said in a lecture he gave honoring John Brown, "His zeal in the cause of freedom was infinitely superior to mine. Mine was as the taper light; his was as the burning sun. I could speak for the slave. John Brown could fight for the slave. I could live for the slave; John Brown could die for him". Passing the resolution to commemorate the 150th anniversary of John Brown's raid on Harpers Ferry honors what this man save his life to achieve—freedom for all peoples.

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

Mr. LYNCH. I continue to reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I yield such time as she may consume to a good friend, the distinguished gentlewoman from West Virginia (Mrs. CAPITO), the sponsor of this legislation.

Mrs. CAPITO. I thank Mr. LYNCH and Mr. JORDAN for their great descriptions of John Brown's raid and the importance to our Nation's history. I'd also like to thank Chairman TOWNS and Ranking Member ISSA for bringing this resolution forward.

In my home State of West Virginia, we're very proud of our rich history and heritage. We proudly boast that ours is the only State formed as a result of the Civil War when we seceded from Virginia and joined the Union to become the 35th State. In 1863, we were signed into our statehood very proudly by President Abraham Lincoln. Yet, as any good history teacher will tell you, the abolitionist movement in our State has roots deeper than the Civil War itself.

This month, we are celebrating the 150th anniversary of John Brown's historic raid on Harpers Ferry, which is just a short distance from our Nation's Capital, which helped to ignite the abolitionist movement and led to the War Between the States.

Our State motto is ''Mountaineers are Always Free,'' and it is those principles that guided John Brown into his controversial raid. I rise today to note this year's anniversary and also celebrate the full heritage and history of this West Virginia town, Harpers Ferry, which is located beneath the foothills of the Blue Ridge Mountains.

Long before its first settlement, Harpers Ferry's natural beauty caught

the attention of Thomas Jefferson, who stood above the confluence of the Shenandoah and Potomac Rivers and noted that the region's beauty was ''worth a voyage across the Atlantic.'' And I must say, its splendor is equally as captivating today as it was more than 220 years ago, particularly at this time of year when visitors, thousands of visitors, are now flocking to Harpers Ferry National Park to take in the beautiful autumn colors.

Jefferson's fellow statesman George Washington was similarly impressed with the community's strategic location and in 1794 recommended that Congress designate Harpers Ferry, which was then in Virginia, as a site for a Federal Armory and Arsenal.

With the establishment of the armory, the community grew into a bustling factory town, where John Hall created the first interchangeable parts for firearms. His inventions led to the mass production of thousands of muskets and rifles, many of which would supply Lewis and Clark on their journey of westward expansion.

But as we all well know, it was John Brown's 1859 historic raid which truly established Harpers Ferry's place in our history. That summer, John Brown settled into a nearby farm in Maryland under the alias of Isaac Smith and laid plans to seize the armory and lead a revolt to spread across the South with hopes of ending slavery.

As the gentleman from Massachusetts mentioned, on the night of October 16, 1859, 150 years ago, he gathered with his provisional army of 21 men and seized the town, taking the town's bridges, Halls Rifle Works, the Federal Armory and Arsenal, and several hostages. As the fighting continued, news of the revolt spread across the region until Lieutenant Colonel Robert E. Lee and Lieutenant J.E.B. Stuart ordered 90 marines to storm the engine house where John Brown and his men had taken refuge.

Upon his capture, John Brown was tried and convicted of murder, conspiring to rebel, and treason. He was sentenced to death by hanging in another historic town just down the road from Harpers Ferry, in present-day Charles Town, where on the day of his death, in addition to what the gentleman said, he wrote, ''I am now quite certain that the crimes of this guilty land will never be purged away but with blood.''

Unfortunately, we now know that his words held true as it took the bloody and divisive struggle of the Civil War to finally bring freedom to a people long enslaved. John Brown's raid will forever be known as one of the seminal events which led to the Civil War. His death brought the slavery debate to the forefront of our Nation divided. In the North, Brown was considered a ''martyr,'' and in the South, he was a ''terrorist.'' Yet, regardless of how he may be revered in history, his bold actions helped lead the fight for freedom and the end of slavery.

After once again proving its geographic importance during the Civil War, Harpers Ferry became an epicenter for the fight for equality and civil rights movement. It became the home to Storer College, an integrated institution to educate newly freed slaves, with the campus later serving as the site of the Nation's first Niagara Movement meeting. It was at that meeting where the scholar W.E.B. Du Bois delivered his address which led to the creation of the NAACP, an organization which this year celebrated its 100th anniversary.

Mr. Speaker, as you can see, Harpers Ferry is a town rich in history, and it is only fitting that during the 150th anniversary of John Brown's raid, the Harpers Ferry National Park has held several commemorative events, particularly last weekend to recognize the sesquicentennial and remember the contributions made by those who have come before us.

I simply call on the rest of my colleagues to support the passage of H. Res. 568, and I would also encourage those near-and-far Americans to visit Harpers Ferry and the surrounding area to share in the deep history and tradition that we have in our State of West Virginia that's also part of what we will be commemorating later, that is, the 150-year anniversary of the beginning of the Civil War here in our Nation.

Mr. LYNCH. Mr. Speaker, I have no further requests for time, and I continue to reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time and urge passage.

Mr. LYNCH. Mr. Speaker, in closing, we ask Members on both sides to support Mrs. CAPITO on her resolution, House Resolution 568.

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

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 resolution, H. Res. 568.

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

A motion to reconsider was laid on the table.

RECOGNIZING HISPANIC HERITAGE MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 783) recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic-Americans to the strength and culture of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 783

Whereas from September 15, 2009, through October 15, 2009, the United States celebrates Hispanic Heritage Month;

Whereas the presence of Hispanics in North America predates the founding of the United States, and, as among the first to settle in the New World, Hispanics and their descendants have had a profound and lasting influence on the history, values, and culture of the United States;

Whereas since the arrival of the earliest Spanish settlers more than 400 years ago, millions of Hispanic men and women have come to the United States from Mexico, Cuba, and other Caribbean regions, Central America, South America, and Spain, in search of freedom, peace, and opportunity;

Whereas Hispanic-Americans have contributed throughout the ages to the prosperity and culture of the United States;

Whereas the Bureau of the Census now lists Hispanic-Americans as the largest ethnic minority within the United States with a population of 46,900,000, comprising 15 percent of the Nation's total population;

Whereas according to the Bureau of the Census, 16 States have at least a half-million Hispanic residents, including Arizona, California, Colorado, Florida, Georgia, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, Virginia, and Washington;

Whereas according to the Bureau of the Census, Hispanics are the largest minority group in 20 States, including Arizona, California, Colorado, Connecticut, Florida, Idaho, Iowa, Kansas, Massachusetts, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, Oregon, Rhode Island, Texas, Utah, Washington, and Wyoming;

Whereas according to the Bureau of the Census, there are 1,600,000 Hispanic-owned businesses operating in areas including construction, administrative and support, waste management and remediation services, and retail and wholesale trade that generated $222,000,000,000 in revenue in 2002, up 19 percent from 1997;

Whereas according to the Bureau of the Census, the rate of growth of Hispanic-owned businesses between 1997 and 2002 tripled to 31 percent compared with the national average of 10 percent for all businesses;

Whereas Hispanic-Americans serve in all branches of the United States Armed Forces and have fought valiantly in every war in the history of the United States;

Whereas according to the Bureau of the Census, there are 1,100,000 Hispanic veterans of the United States Armed Forces;

Whereas the Medal of Honor is the highest United States military distinction, awarded since the Civil War for ''conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty'';

Whereas 43 men of Hispanic origin have earned this distinction;

Whereas many Hispanic-Americans are dedicated public servants, holding posts at the highest levels of government, including Cabinet Secretaries, Members of the House of Representatives, the Senate, and the Supreme Court; and

Whereas Hispanic-Americans have a deep commitment to faith, family, and community, an enduring work ethic, and a perseverance to succeed: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Hispanic Heritage Month;

(2) celebrates the vast contributions of Hispanic-Americans to the strength and culture of the United States; and

(3) encourages the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am proud to present House Resolution 783 for consideration. This resolution recognizes Hispanic Heritage Month and celebrates the vast contributions of Hispanic Americans to the strength and culture of these United States.

The measure before us was introduced on September 29 by my colleague and friend Representative MARIO DIAZ-BALART of Florida and enjoys the support of nearly 60 Members of Congress.

Mr. Speaker, each year Americans observe National Hispanic Heritage Month from September 15 to October 15 in celebration of the many contributions of Hispanic Americans to our Nation. This observation began in 1968, following President Lyndon Baines Johnson's designation of a Hispanic Heritage Week, and was expanded to cover the 30-day period of September 15 to October 15 by President Ronald Reagan in 1988.

Notably, September 15 marks the anniversary of the independence days of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. In addition, the 30-day period of observance also covers the anniversary of the independence days of Mexico and Chile, as well as the anniversary of the arrival of Christopher Columbus in the Americas.

Mr. Speaker, according to the most recent United States Census Bureau estimate, the Hispanic American population in the United States is roughly 47 million people, which is about 15 percent of the Nation's population, making American citizens of Hispanic ancestry our Nation's largest ethnic or racial minority. Moreover, the Census Bureau has also recognized our Nation's Hispanic population as the fastest-growing minority group and notes that 16 States, including California, New York, Florida, Texas, and my home State of Massachusetts, currently include at least a half million Hispanic residents. The Census Bureau additionally estimates that there are approximately 1.1 million Hispanic American veterans, proud veterans, of the United States Armed Forces.

Over the course of several generations, American life has been deeply enriched by Hispanic contributions in the fields of government, the arts, sports, education, and countless other areas. Within the past 2 years alone, we have witnessed historic firsts for Americans of Hispanic heritage that evidence the historical, cultural, and social significance of Hispanic Americans as a vital part of our Nation.

Founded in December 1976, the Congressional Hispanic Caucus currently consists of 24 Members of Congress. In August of 2009, the United States Senate confirmed Sonia Sotomayor as the first Hispanic American to serve on the United States Supreme Court. In February of 2009, the United States Senate also confirmed Hilda Solis as the Nation's first Hispanic American woman to serve as our Secretary of Labor. And in April of 2008, renowned Hispanic American author Junot Diaz became the first Dominican American author to receive the Pulitzer Prize for fiction and only the second Hispanic American author ever to win the prestigious award.

Hispanic American activists such as Cesar Chavez have fought tooth and nail to organize workers and attain the basic rights that all Americans deserve. Baseball greats, including Roberto Clemente, Juan Marichal, and Rod Carew, have helped to make America's pastime the great international sport it is today. Musicians such as Tito Puente and Carlos Santana have delighted millions with their music. And actors such as Benicio Del Toro and Jimmy Smits continue to entertain us in films and television. And celebrated authors, including Richard Rodriguez and Sandra Cisneros, continue to advance America's rich literary history with their works.

Mr. Speaker, let us take this opportunity to honor the contributions of these and all Americans of Hispanic ancestry to the historical, cultural, and social fabric of our Nation through the recognition of Hispanic Heritage Month. I urge my colleagues to join me in supporting House Resolution 783.

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

□ 1200

Mr. JORDAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Please join me in recognizing Hispanic Heritage Month to celebrate the lasting influence Hispanic Americans have had throughout the United States.

Mr. Speaker, the United States Census Bureau lists Hispanic Americans as the largest ethnic minority. The Hispanic culture has a privileged place of influence in the United States history.

Hispanic Americans have nobly served the United States Government throughout our history. They have served with distinction in the U.S. military, fighting for our Nation in all major American conflicts.

A total of 43 Hispanic men have earned the Medal of Honor, the highest United States military distinction for their service above and beyond the call of duty to our country. Hispanic Americans are members of the Senate, the House of Representatives, and with the appointment of Justice Sotomayor, the United States Supreme Court.

The work ethnic of Hispanic Americans have helped make them into American entrepreneurs. The number of Hispanic-owned businesses has grown into the millions. Between 1997 and 2002, Hispanic-owned businesses have increased at an astounding rate of 31 percent.

Join me in honoring the countless achievements of Hispanic Americans that have been instrumental in shaping our Nation into what it is today.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, we have no further speakers, and I continue to reserve our time.

Mr. JORDAN of Ohio. Mr. Speaker, I would yield as much time as he may consume to my distinguished colleague, the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, a lot has been said, but a lot needs to be said. I would like to thank the chairman and everyone else for bringing this resolution to the floor. We have heard from both of the speakers previously about the great and positive impact that Hispanics have had in this country. Yes, it is a large population and a growing population. It is important that this celebration, which started in 1968 when Congress authorized President Johnson to proclaim National Hispanic Heritage Week and was expanded in 1988 to a month-long celebration. It is important that we recognize and celebrate the contributions of this important part of our country.

The chairman mentioned some notable people who have done so much for this country, but you don't need to frankly look too far from Capitol Hill, or too far from this room, this Chamber right now, to recognize some of those who have done so much for our country.

One of the families that I greatly admire is the family of the person who is Speaker right now, the Salazar brothers, who have given so much for this country, generation after generation.

Previously, Justice Sotomayor was mentioned as another one of the those notable Hispanics whose contributions have been felt for many, many years, and who will continue to be felt for many, many years. It is appropriate that we are here celebrating, and that today Congress joins this celebration, this recognition of such an important part of the fiber of the United States of America, of the Hispanic community of this great country.

I thank all of you for bringing this forward. I urge my colleagues to support this resolution.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H. Res. 783 which recognizes Hispanic Heritage Month and celebrates the vast contributions that Hispanic

Americans have made to the United States in the past and that they continue to make today.

One of the most recent contributions of the Hispanic community came when Sonia Sotomayor was nominated and confirmed to the Supreme Court, becoming the first Latino to serve on our Nation's highest court. Other history-making Hispanic Americans include the Secretary of Labor, Hilda Solis, and the Secretary of the Interior, Ken Salazar. By making these nominations, President Obama showed his commitment to have executive and judicial branches that reflect the diversity of our Nation and include the voice of the Hispanic community.

But the contributions of Hispanic Americans are not limited to the executive of judicial branches. Today, we have over 20 Hispanic Members of Congress. Nydia Velázquez was the first Puerto Rican elected to Congress in 1992 and she has since become the first Hispanic woman to chair a full committee. Congresswoman LUCILLE ROYBAL-ALLARD became the first Mexican-American woman elected to Congress in 1992. The 111th Congress would not be the same diverse, dynamic body without the input of its Latino Members.

Mr. Speaker, we need lot look to the Federal Government for evidence of how Hispanic Americans contribute to this country. The 37th Congressional District of California, which I am privileged to represent, is home to a considerable number of Latinos who are making a difference every day.

My city is a city of heroes, of people who work hard to better themselves but who never forget where they come from. I want to share an amazing story with you today about one of our local heroes, Leslie Jimenez. Leslie overcame adversity and graduated from Compton High School, a school that at that time had a very low rate of graduating seniors. Not only did Leslie graduate, but she went on to attend and graduate from Harvard University, too. This fall, Leslie returned to Compton and began teaching advanced placement biology and anatomy and physiology through Teach for America. Leslie took her success and chose to give back to her community and serve as a role model to other Latino students.

Mr. Speaker, I have much hope for the future because Hispanic Americans and all Americans are working together to ensure equality and advancement not only of the Latino community, but of all communities. I look forward to celebrating the accomplishments of Hispanic Americans this year and for years to come.

Mr. BACA. Mr. Speaker, I rise today in strong support of H. Res. 783, resolution recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the culture of the United States.

I'd like to thank my friend Representative MARIO DIAZ-BALART, for sponsoring this important resolution; which I am proud to cosponsor.

Economically, culturally, and politically, Latinos are a vital part of this Nation.

The Hispanic community in America is over 47.5 million people strong, and has an annual purchasing power of well over a trillion dollars.

From science, to sports, business, government, and the arts, Hispanic Americans have made significant contributions that have strengthened our Nation and our culture. And earlier this year, the Hispanic community continued to make history with the confirmation of Justice Sonia Sotomayor as the first Hispanic to serve on the U.S. Supreme Court.

As former chair of the Congressional Hispanic Caucus, it gives me great pleasure to see the continued progress and growth of our Hispanic American community.

I urge my colleagues to recognize the importance of the Hispanic community to our Nation, and vote in favor of the Hispanic Heritage Month resolution.

Mr. JORDAN of Ohio. Mr. Speaker, I have no further speakers, I urge the passage of H. Res. 783, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing, I would simply ask that Members on both sides of the aisle join with the gentleman from Florida in supporting H. Res. 783, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 783.

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

The yeas and nays were ordered.

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

NATIONAL FIREFIGHTERS MEMORIAL DAY

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 729) expressing support for designation of a ''National Firefighters Memorial Day'' to honor and celebrate the firefighters of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 729

Whereas firefighters are often the first to respond to an emergency, whether the emergency is a fire, transportation accident, natural disaster, act of terrorism, medical emergency, or spill of hazardous materials;

Whereas firefighters tirelessly promote fire prevention and safety to protect our Nation;

Whereas people often do not recognize the important and dangerous work of firefighters;

Whereas the United States has more than 1,000,000 firefighters, 71 percent of whom are volunteer firefighters and approximately 15,000 of whom are female;

Whereas there are 1,600,000 fires, on average, in the United States each year;

Whereas approximately 30,000 fire departments operate within the United States;

Whereas a fire department responds to a fire in the United States every 20 seconds;

Whereas fire departments respond to nearly 2,000,000 calls in the United States each year without hesitation;

Whereas approximately 100 firefighters die in the United States each year in the line of duty;

Whereas 343 New York City Fire Department firefighters died in the line of duty at the World Trade Center on September 11, 2001;

Whereas an estimated 32,500 structure fires were intentionally set in the United States in 2007, resulting in 295 civilian deaths;

Whereas 103 on-duty firefighter fatalities occurred in 2008–2009 on the fire ground, 11 at other emergency calls, 39 while responding to or returning from alarms, 7 during training activities, and 17 during other on-duty activities;

Whereas approximately 3,600 people die in the United States each year as a result of fires, and over 19,000 are injured;

Whereas October 9 is the anniversary of the Great Chicago Fire of 1871, in which more than 300 people lost their lives;

Whereas President Harding declared the week of October 9 to be ''Fire Prevention Week'' in 1922;

Whereas the National Fallen Firefighters Memorial Service takes place each year at the National Fire Academy in Emmitsburg, Maryland, on the Sunday before Fire Prevention Week;

Whereas the National Fallen Firefighters Foundation sponsors the annual memorial service to pay tribute to firefighters who died in the line of duty during the previous year;

Whereas given its significance, the Sunday before Fire Prevention Week would be an ideal day to commemorate Federal, State, and local firefighters killed or disabled in the line of duty;

Whereas the Congress created the National Fallen Firefighters Foundation to honor America's fallen firefighters and their families; and

Whereas in 2001, President George W. Bush signed Public Law 107–051 requiring that the flag of the United States at all public buildings be flown at half staff in honor of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the President to designate a day as ''National Firefighters Memorial Day'' to commemorate Federal, State, and local firefighters killed or disabled in the line of duty; and

(2) calls upon the people of the United States to observe such a day with appropriate ceremonies and respect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am proud to present House Resolution 729 for consideration. This resolution seeks to honor our brave firefighters across the United States, as well as commemorate those firefighters who have been disabled or

killed in the line of duty by expressing the support of the House of Representatives for the designation of a National Firefighters Memorial Day.

The measure before us was introduced on September 10 by my colleague, Representative TED POE of Texas, and enjoys the support of nearly 60 Members of Congress.

Mr. Speaker, according to the National Fire Protection Association, there are over 1.1 million firefighters serving throughout more than 30,000 fire departments across the Nation, including over 300,000 career firefighters, and over 800,000 volunteer firefighters. As we have witnessed time and again, whether in the midst of the terrorist attacks on September 11, in the aftermath of hurricanes Katrina and Rita, or in the face of the daily emergencies faced by our local communities, these brave men and women are always on the front lines in the event of a local, State, or national crisis, and are willing to serve and safeguard their fellow citizens, at great risk to their own personal safety.

According to the United States Fire Administration, which annually collects data on firefighter fatalities across the country, last year witnessed 118 on-duty firefighter fatalities, including the deaths of 66 volunteer firefighters and 34 career firefighters. In addition, the United States Fire Administration has provisionally reported that to date this year, there have been 77 firefighter fatalities, including deaths of two heroic firefighters from my own home State of Massachusetts, firefighter Paul J. Roberts of the Beverly fire department, and fire fighter Kevin M. Kelly of my own Boston fire department.

Notably, the bravery and self-sacrifice demonstrated by our local, State, and Federal firefighters are not limited to their public service on behalf of their fellow citizens, communities, and country here at home. Many of these exceptional public servants are currently deployed overseas in Iraq, Kuwait, Afghanistan, and other nations in the Middle East, as well as serving on aircraft carriers in support of our military and reconstruction missions abroad, including Operation Iraqi Freedom and Operation Enduring Freedom.

As reported just last week by the International Association of Firefighters, 16 IAFF members are currently serving together at Kirkuk Regional Air Base in Iraq as members of the 22nd Air Force Reserve Command. Collectively, these soldiers represent 11 IAFF affiliates and constitute one of the largest numbers of IAFF members to serve together in Iraq.

Mr. Speaker, our brave local, State, and Federal firefighters stand as a shining example of the public service and principle of shared sacrifice that has come to define our Nation. It is my hope that we can honor their dedication to their fellow citizens, as well as commemorate the lives of our fallen firefighters, through the passage of House Resolution 729. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, we have some important legislation before us today. House Resolution 729 expresses support for designation of a National Firefighters Memorial Day, and I am honored to be the sponsor of this legislation. Also, I want to thank Chairman TOWNS for bringing this legislation to the floor, and the other 59 cosponsors of this legislation.

The legislation is to honor the dedication and sacrifices of firefighters and the dedication they make every day to keep families and our communities safe. In 2007, there were over 1.1 million firefighters in the United States. Of these, about a third are professional firefighters in the sense that they are career firefighters. But the other 825,000 are all volunteer firefighters. What that means, Mr. Speaker, is they volunteer their services to protect the communities they live in and the people who live around those communities, but they have other jobs to support their families.

One of the volunteer fire departments in Harris County, Texas, is the Atascocita fire department. They still drive around with those reds trucks with the big American flag on the back, something that started after 9/11.

There are 30,000 fire departments that operate in the United States. It is time for the Nation to recognize and honor the bravery and create a National Firefighters Memorial Day to honor Federal, State, and local firefighters who have been killed or disabled in the line of duty. These brave men and women deserve our respect and our gratitude. The time has come for us to create a National Firefighters Memorial Day.

Congress, several years ago, created a National Law Enforcement Memorial Day that we honor and recognize even here on this Capitol grounds every May 15, and it is time that we also recognize and elevate the sacrifices that firefighters have made to a national memorial day as well.

This past Easter Sunday in Houston, Texas, we had two Houston firefighters killed in a house fire saving two people. They were Captain James Harlow who had been a veteran of the fire department for many years, and a rookie, Damian Hobbs. This happened to be his very first fire, and he was killed in that tragic incident. The people in that house were rescued, but after the fire was over with and before the two firefighters were brought from that house, other firefighters from the Houston area came to the home and assembled in two lines as their bodies were brought from the ashes of that fire.

Firefighters are a unique and rare breed. They not only protect and serve our communities, but they are very loyal to each other. The last firefighters killed in the Houston area were also important firefighters, and their names are:

Grady Burke was killed in a fire started by a man that was trying to light a crack pipe.

Kevin Kulow was killed in the El Festival ballroom in a fire set by a man who was trying to get back at his estranged wife. The building burned down, and Officer Kulow was killed.

Captain Jay Jahnke was killed in a high-rise fire in the Galleria area of Houston, Texas.

Also, two firefighters were killed while they were putting out a fire at a McDonald's restaurant in southwest Houston. Their names were Lewis Mayo and Kim Smith.

All communities are affected by fires, and all communities are affected by the fact that firefighters, men and women that wear that uniform, sometimes are disabled, injured, or killed protecting the rest of us.

Mr. Speaker, there is a fire in the United States every 20 seconds. There are 1.6 million fires in the United States every year. Some of those are caused by accident, but many of those are caused by arson. Every year there is an average of 100 firefighters somewhere in the 50 States and our territories that are killed in the line of duty, and some of those are volunteers and some of those are career firefighters. In 2008, there were 118 firefighters killed in the line of duty.

Of course we all remember September 11, 2001, which raised the awareness of the first responders in our country and what they do for the rest of us. When on September 11, 2001, as many people remember when the World Trade Center was attacked, when the Pentagon was attacked, and when there was a plane that crashed trying to protect the rest of us from an attack in Pennsylvania, someone had to respond to those tragedies, and they were our first responders.

Many of the firefighters that responded at the World Trade Center went into those buildings and never came out. Later on September 11, 2001, while many people like myself were watching the video of what was taking place specifically in New York City, observed that when those planes crashed into the World Trade Center, the north and south tower, a lot of folks, thousands of people, good people, but when those planes hit the World Trade Center, Mr. Speaker, those people were running as hard as they could to get away from that terror in the sky. There were other people that when those planes hit the World Trade Center, when they hit the Pentagon over here, they were running as hard as they could to get to that terror that occurred at the World Trade Center and at the Pentagon.

□ 1215

Who were those people? Well, they were the Port Authority in New York, they were New York City police officers, and they were firefighters and emergency medical technicians.

While it is important for us to always remember the 3,000 people that were

killed on September 11, 2001, it's equally important for us to remember the hundreds that got to live because those first responders ran into those burning buildings and saved other people. Of those responders, there were 37 Port Authority officers killed, there were 23 New York City police officers, and there were 343 firefighters, including 41 of those who were emergency medical technicians. They gave their lives so that others could live.

That is what they do; that is what firefighters do. When they hear the alarm, they know they are going to danger, but because they are a special breed, a rare breed, they do that. They do that because their community and the people are important. And they rush into that fire, whether it's a home that's burning in Houston, Texas, or whether it's an attack on America in New York City. So we honor them by passing this resolution to give them a special memorial day.

Every year in October, we recognize the sacrifice and the commitment that these firefighters do for this country and for the people of this Nation.

And that's just the way it is.

I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing, I want to thank the gentleman for offering this resolution. I want to thank him for his kind words and eloquent words on behalf of our firefighters. I offer my own condolences to the families of Houston—the Harlow, Burke, Kulow, Jahnke, Mayo and Smith families—as well as in my own State, the Roberts family and Beverly and Kevin Kelley's family out of Local 718 in Boston because their loss has been so recent and heartfelt.

I want to also mention BILL PASCRELL of New Jersey, who on our side is a true champion of the cause of firefighters for all the reasons that the gentleman has articulated.

I thank the gentleman. And I ask all our colleagues on both sides of the aisle to support this resolution honoring American firefighters by passing House Resolution 729.

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

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 resolution, H. Res. 729.

The question was taken.

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

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SUPPORTING THE GOALS AND IDEALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 831) supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 831

Whereas there are nearly 500,000 children in the foster care system in the United States, approximately 130,000 of whom are waiting for families to adopt them;

Whereas nearly 54 percent of the children in foster care are age 10 or younger;

Whereas the average length of time a child spends in foster care is more than 2 years;

Whereas, for many foster children, the wait for a permanent, adoptive, ''forever'' family in which they are loved, nurtured, comforted, and protected seems endless;

Whereas the number of youth who ''age out'' of the foster care system by reaching adulthood without being placed in a permanent home has increased by more than 60 percent since 1998, as nearly 28,000 foster youth ''aged out'' of foster care during 2007;

Whereas every day loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas, while 3 in 10 people in the United States have considered adoption, a majority of them have misconceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 71 percent of those who have considered adoption consider adopting children from foster care above other forms of adoption;

Whereas 45 percent of people in the United States believe that children enter the foster care system because of juvenile delinquency, when in reality the vast majority of children in the foster care system were victims of neglect, abandonment, or abuse;

Whereas 46 percent of people in the United States believe that foster care adoption is expensive, when in reality there is no substantial cost for adopting from foster care, and financial support in the form of an adoption assistance subsidy is available to adoptive families of eligible children adopted from foster care and continues after the adoption is finalized until the child is 18, so that income will not be a barrier to becoming a parent to a foster child who needs to belong to a family;

Whereas significant tax credits are available to families who adopt children with special needs;

Whereas the Department of Health and Human Services, Administration for Children and Families, in a partnership with the Ad Council, supports a national recruitment campaign for adoptive parents;

Whereas the Collaboration to AdoptUsKids features a photolisting Website for waiting foster children and prospective adoptive families at www.adoptuskids.org, and in Spanish at www.adopte1.org;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, 25,000 children have joined forever families during National Adoption Day;

Whereas in 2008, adoptions were finalized for over 4,600 children through more than 325 National Adoption Day events in all 50 States, the District of Columbia, and Puerto Rico;

Whereas National Adoption Month celebrates the gift of adoption, recognizing the adoptive and foster families who share their hearts and homes with children in need, and raises awareness of the need for families for the many waiting children, particularly older children and teens, children of color, members of sibling groups, and children with physical and emotional challenges; and

Whereas November 2009 is National Adoption Month, and November 21, 2009, is National Adoption Day, and activities and information about both are available at www.childwelfare.gov/adoption/nam/activities.cfm: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child in foster care deserves a permanent and loving family;

(3) recognizes the significant commitment of taxpayers to support adoption, including the $1,900,000,000 provided to support adoption through the Title IV–E Adoption Assistance program, as well as the assistance provided through the Title IV–E Foster Care program to 130,000 children waiting for adoptive families, among other important programs; and

(4) encourages the citizens of the United States to consider adoption of children in foster care who are waiting for a permanent, loving family.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in strong support of H. Res. 831, a resolution supporting the goals and ideals of National Adoption Day and National Adoption Month.

I am pleased to have worked with Congresswoman BROWN-WAITE, Congressman TIBERI, and Congressman MCDERMOTT on this legislation.

On any given day, there are over a half million children in our Nation's foster care system, of which nearly 130,000 are waiting for a permanent home through adoption. While 51,000 children found a family to call their own last year through adoption, far too many children in the foster care system remain waiting for some level of permanency.

Adoption provides children who are unable to return to their biological homes with the opportunity to be raised in a safe and loving home, providing them a level of stability that

generally cannot be found in foster care.

Adoption is an important option for many children in the foster care system. It allows children to be raised as a member of a new family, a family that will provide the love, security and support that every child deserves.

The Fostering Connections to Success and Increasing Adoptions Act supported adoption as an important pathway to permanency. This historic law also recognized the need to support multiple avenues to permanency, given that adoption may not be the best option for all children and families.

I have worked with Representative JIM MCDERMOTT and my colleague from Illinois, former Representative Jerry Weller, to include language in the fostering connections law to provide additional opportunities to children in foster care via kinship guardianship. Kinship guardianship gives a child a permanent home with their grandparent or other relative, providing the same level of love, security and support that an adoption home provides but without the termination of parental rights.

An evaluation of Illinois' subsidized guardianship waiver found that children in kinship guardianship fair as well as those in other permanency settings on measures of well-being, including school performance, engagement in risky behaviors, and access to community resources.

A recent GAO report identified kinship guardianship as a key Federal policy to decrease the overrepresentation of African American children in our Nation's child welfare system. African American children enter foster care at higher rates and remain in foster care for longer periods of time when compared to children from other racial or ethnic groups.

Indeed, African American children make up nearly one-third of the children waiting for adoption in this country. There are a variety of reasons why these children remain in the system longer, with one reason being that adoption is not equally availed by families from different races and ethnicities, especially among African American and Native American communities. Research shows that allowing a child to achieve permanency with a relative enhances their development and long-term well-being by maintaining their cultural identity and sense of family belonging, which, understandably, is particularly important for African American and Native American children.

I personally know the value of kinship guardianship because Illinois has been a leader in developing and demonstrating the effectiveness of pioneering child welfare reforms such as kinship guardianship and extension of foster care to age 21, also included in the fostering connections legislation.

In addition to seeing the positive effects of kinship caregiving Statewide, I have seen the importance of kinship guardianship in Chicago. My congressional district has the highest percentage of children living with kinship caregivers in the Nation, followed by the First Congressional District of Illinois with the second highest percentage, and the Second District with the 10th highest percentage in the Nation.

I am proud that the fostering connections law worked to increase adoption and other avenues to permanency such as kinship guardianship to help children find the permanent, safe homes they deserve.

Despite the reforms that we have achieved in this legislation, more work needs to be done to improve the experiences of all children and all families in the system and to end racial disparities that continue to persist.

This spring, I joined with Representative JIM MCDERMOTT and TODD PLATTS to introduce legislation that would provide Federal funding to support evidence-based early childhood home visitation programs. These programs provide important home-based instruction and services to pregnant mothers and families with preschool-age children that help to improve the health and educational outcomes of children and their parents.

A growing body of evidence has found that early childhood home visitation programs serve as an effective child abuse prevention strategy, reducing the incidence of child abuse and neglect by nearly 40 percent. Home visiting also produces significant health benefits to children and their families, such as improved child health, child development, parenting skills, and school readiness.

I am pleased that it was included as part of the health care reform proposal that was reported out of the Ways and Means Committee. A similar proposal was included in the health proposal that was reported out of the Senate Finance Committee earlier this month.

I look forward to continuing to work with my colleagues to improve our Nation's foster care system through adoption, guardianship, home visitation programs, and other important initiatives.

I ask my colleagues to join me in supporting the ideals and goals of National Adoption Day and National Adoption Month by voting in favor of H. Res. 831.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 831, recognizing the goals and ideals of National Adoption Day and Month.

As you know, November 21 will mark this year's annual National Adoption Day celebration. All across the country communities will gather together to celebrate the adoptions that have been finalized this year and those that we hope to finalize in the following year.

It is this spirit of community and family that makes National Adoption Day so effective and so very important in the lives of the Nation's nearly 500,000 foster children. Since the tradition began in the year 2000, over 25,000 children have joined families on this very important day.

As someone who gave birth to two children—and I also adopted an older, hard-to-place child—I know what having a family means to so many children, and in particular to older children. My oldest daughter, following in her mom's footsteps, she and her husband 1 year ago adopted a baby at birth. So whether it's at birth or when the child is older, it is a wonderful, wonderful experience for any family. I am happy to report that little Joey just celebrated his first birthday.

□ 1230

Although we don't often consider it, each year thousands of children also age out of the foster care system. Each year they grow older, it becomes harder and harder to place them with forever families. In so many cases, adoption is the key to breaking the cycle of abuse for children who would otherwise languish in dangerous homes.

Perhaps it goes without saying how important it is for children to grow up in loving and supportive families; yet, with thousands and thousands of children still being denied this most fundamental opportunity, Congress must do all that it can to support their efforts to find a home for these children.

As such, the Federal Government has rightly stepped in to relieve the financial burden on adoptive families and, in doing so, has made adoption more affordable to people of all income levels. But much still remains to be done. The resolution that we are considering today is an important affirmation and reaffirmation of our commitment to improving the lives of foster children everywhere.

I thank my colleagues on both sides of the aisle for their support and attention to this matter. If you don't think that taking a child into your home and loving that child makes a real difference, let me tell you something that my adopted daughter just told me this week. Now, remember, she was in a very, very poor situation as she was growing up. She told me that she met a man who epitomizes what her dad represented. Her dad was my deceased husband, Harvey Waite. So she learned what a true family man really was through our adoption.

With that, Mr. Speaker, I urge adoption of this resolution, and I reserve the balance of my time.

Mr. DAVIS of Illinois. I want to thank Representative BROWN-WAITE for her introduction of this legislation and also for her remarks.

It's my pleasure now to yield such time as he might consume to the chairman of the Income Security and Family Support Subcommittee, the gentleman from Washington, Representative JIM MCDERMOTT, one of the real champions of child welfare in this

country and one who knows exactly what is needed to make sure that children have safe and comfortable environments in which to live.

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I want to begin by acknowledging my colleagues, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) for bringing this resolution to the floor.

This is an issue that deserves our unanimous support, and I'm sure it will have it. H. Res. 831 really expresses the ideals and the goals of National Adoption Day and National Adoption Month. Every child deserves to be raised in a home that is safe, loving and is permanent. Unfortunately, this basic principle is not a reality for the 129,000 children who are currently in our Nation's foster care system waiting for a permanent home to call their own.

Last year, the Congress passed bipartisan, bicameral legislation that dramatically reformed our Nation's foster care and adoption program. The Fostering Connections to Success and Increasing Adoptions Act was designed to improve the outcomes of children's lives in the foster care system as well as increase the number of children who find permanency through placement with a grandparent or other relative or through adoption. The new law helps States provide greater financial assistance to relative caregivers who choose to become the legal guardian of a foster child and also promotes the adoption of children with special needs and improves the Adoption Incentive Program.

While my colleagues and I were able to accomplish a great deal last year in improving foster care and adoption programs, our work is far from over. We must ensure that families are given the postadoption support they need when they welcome an adopted child into their home. Any of us who have raised a child know that it's difficult to do, but it is an immensely rewarding endeavor, and when the Federal Government has an ability to encourage these connections, we ought to do so.

There are a wealth of families interested in adopting a child out of foster care. A study last year showed that there are 600,000 women in the United States seeking to adopt. The majority of these women said they would consider adopting older youth, siblings, or children with special needs. We can and must do a better job of connecting these would-be parents to kids growing up in foster care.

It's my hope that this bill and the resolution connected to it will lead to an overall increase in the awareness of National Adoption Day and will help us close the gap so that it is possible to imagine a Nation where every child, indeed, lives in a safe and secure home.

We must also do a better job of keeping kids out of the foster care system to begin with. Today, we provide some or more financial assistance to States to remove children from homes and place them in care than we do in providing support to children in at-risk homes where they are living in their homes.

At this time last week, I delivered remarks in front of a group of current and former foster youth, and the topic of discussion was: How can we better address the stresses of crises in the home that bring families to the door of the system in the first place? The point I heard over and over again from these young adults was, My parents weren't bad people. They just needed some extra help and guidance to keep our family together.

Keeping children safely with their biological parents is almost always in the child's best interest. In an effort to move us in that direction, I have introduced bipartisan legislation with Representative DANNY DAVIS and TODD PLATTS to provide States with mandatory grant funding to support an evidence-based voluntary home visitation program.

The President took Representative DAVIS' idea and put it in his budget. We put it in H.R. 3200, which is the health care bill that is now about to be considered in this body.

The home visitation program provides services to pregnant women and families with preschool-aged children that are designed to enhance the child's health, well-being, and development. I am pleased that the proposal was introduced and that it made its way into the health care bill. We expect it will pass out of here in a few days.

I ask my colleagues to join me in supporting H. Res. 831 and to recommit ourselves to working on legislation that improves the lives of all children and families and improves our child welfare system. The 129,000 children who are awaiting a permanent family deserve nothing less from this Congress.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I have no additional Members wishing to speak on this. I will just certainly agree with my colleagues that this is a very worthwhile resolution and one that I hope Americans who have room in their hearts and their homes to adopt someone will take very, very seriously. Adoption is a long process and one that should be taken very seriously, but it's one that has many, many rewards.

I would encourage my colleagues to vote in favor of this resolution.

I yield back the balance of my time.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 831.

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

There was no objection.

Mr. DAVIS of Illinois. To close, Mr. Speaker, let me just commend Representative BROWN-WAITE, Chairman MCDERMOTT, Mr. TIBERI, and all those who have worked on bringing this legislation to the floor. Our children are, indeed, the future, and it's our responsibility to provide every opportunity that we possibly can for them. I think this legislation and this resolution all combine to help make America a better place for children, so I would ask that all Members support it.

Mr. CAMP. Mr. Speaker, I am pleased to rise today in support of H. Res. 831, a resolution that recognizes the successes of federal efforts to encourage adoption, and honors National Adoption Day and Month.

As an avid adoption supporter, I believe that Congress must continue to promote the adoption of children into safe and loving homes. Through our work in 1997 as part of the Adoption and Safe Families Act, and more recently through the Fostering Connections to Success and Increasing Adoptions Act of 2008, Congress has made significant advances in providing more options for children in need.

Yet, far too many children, nearly 130,000, are waiting in foster care programs throughout our country for families to adopt them. These children should be given every opportunity to lead successful lives, and one way to make that happen is to increase the adoption of these children into safe, permanent, loving homes.

That is why National Adoption Day and Month are so important. This year, National Adoption Day will take place on November 21, and is designed for communities around the country to highlight adoptions. Last year there were events in all 50 states during which the adoptions of 4,000 children were finalized.

This year is especially important, as the National Adoption Day is celebrating its 10-year anniversary. This is a significant achievement from its humble beginnings, when Los Angeles County Judge Michael Nash started "Adoption Saturdays" to help facilitate the adoption of foster children.

I have been honored to participate in National Adoption Day over the past several years. To be part of such a special occasion reinforces the need for further efforts to move kids into adoptive homes.

I would also like to highlight the efforts of the Congressional Coalition on Adoption Institute to promote adoption through its annual Angels in Adoption Awards Ceremony, held in September. This event also highlights those that have opened their hearts and their homes.

This year, I was honored to nominate Sarah and Steve Rosinski, from Traverse City, Michigan, as Angels in Adoption. Steve and Sarah became foster parents when a young boy name Logan was placed in their home. Coming from a difficult family, Logan needed special attention and care. The Rosinskis gave him the love and support he needed to thrive and made him a permanent addition to their family by adopting him in 2007.

They now are fostering a baby girl, also coming to them with early challenges—again, putting the child's best interests first, they are working on a reunification plan with her family. The Rosinksis have never asked for recognition for what they have done, they have simply

done what is right. This is what National Adoption Day is all about.

I first got involved by helping families with their adoption proceedings as their attorney. I strongly believe that we have the ability and the opportunity to help encourage adoption and help those in the foster care system. That is why it is so important to recognize the families who make extraordinary efforts to welcome children into their family and highlight the importance of National Adoption Day and Month.

Mr. LINDER. Mr. Speaker, I join my colleagues today in support of this resolution supporting National Adoption Day and Month. I join in recognizing all of the children in foster care awaiting loving adoptive families as well as the many caring adults who have opened their hearts and homes to take in foster or adopted children.

During 2007 an estimated 783,000 children were served by the foster care system, with 494,000 children in care at the end of the year, including 12,236 in my home State of Georgia. In 2006 across the U.S., 50,941 adoptions were completed with public child welfare agency involvement. Significantly, the rate of adoption from foster care has increased from 5.5 percent in 1995 to 10 percent in 2006. That improvement has been driven by specific policies—including the landmark Adoption and Safe Families Act of 1997—designed to increase the rate of adoption.

While that is welcome progress, there is more work to be done. Congress took additional steps last year with the passage of bipartisan legislation designed to promote more adoption, especially of children in foster care. As that law, the Fostering Connections to Success and Increasing Adoptions Act of 2008, is implemented, I look forward to reviewing the continued progress we will hopefully be making in improving the lives of children. When it comes to promoting more adoption instead of more foster care, we certainly have a solid track record to build on, and cause for optimism.

Beyond the legislation now in place, I call on Congress and the American people to continue working to improve educational opportunities for foster youth, as for all youth. Foster youth face particularly high hurdles in graduating from high school on time, or even at all. The reasons are many, including the multiple home placements that often cause young people in foster care to bounce not just from home to home but also from school to school. Overcoming these challenges is a key goal of last year's legislation, and one that will take the concerted efforts of many in the child welfare and education communities, in addition of course to the dedication of young people and their foster and adoptive parents. Giving each young person a solid chance of success in life starts with ensuring each and every student finishes at least high school and has the basic skills to find and keep a stable, well-paying job.

I urge all Members to support this resolution, and work with the many dedicated faith-based and other groups in their districts who promote adoption not only in November, but in every month of the year. We should all work toward the day when every child will be in a safe and loving permanent home, either with their own parents or, if they cannot adequately care for them, with loving adoptive parents.

Along the way, it is right to recognize both those who have already opened their hearts and homes to these special young people, as well as those who will do so in the future. They deserve our thanks and admiration for the tremendous commitment of love and devotion they show every day.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Resolution 831 to support the goals and ideals of National Adoption Day and National Adoption Month. This resolution seeks to promote awareness of adoption and the foster care system and remind all of us of the importance that adoption plays in the lives of countless Americans across the country.

Today there are nearly half a million children in foster care in the United States with roughly 130,000 waiting for families to adopt them. The awareness and encouragement that National Adoption Day and Month brings have helped numerous children find loving families. It is expected that 4,500 foster care children will be adopted this year on National Adoption Day which takes place on November 21.

Mr. Speaker, a loving family can have a lifelong impact on a child, and it is important that we acknowledge the sacrifices and celebrate the importance that every party in the adoption process has. I encourage my colleagues to join me today in supporting House Resolution 831 so that we can continue to recognize the on-going efforts of America's adoptive families and their adopted sons and daughters.

Mr. DAVIS of Illinois. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 831.

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

A motion to reconsider was laid on the table.

CELEBRATE SAFE COMMUNITIES WEEK AND CRIME PREVENTION MONTH

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 177) raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as ''Celebrate Safe Communities'' Week, and October as ''Crime Prevention Month''.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 177

Whereas communities across the country face localized increases in violence and other crime;

Whereas local law enforcement-community partnerships are an effective tool for crime prevention and addressing the fear of crime;

Whereas the National Sheriffs' Association (NSA) and the National Crime Prevention Council (NCPC) are leading national resources providing community safety and crime prevention tools tested and valued by local law enforcement agencies and communities nationwide;

Whereas the NSA and the NCPC have joined together to create the ''Celebrate Safe Communities'' (CSC) initiative in partnership with the Bureau of Justice Assistance, Office of Justice Programs, Department of Justice;

Whereas in its premiere year, 153 communities in over 32 States and the District of Columbia participated in ''Celebrate Safe Communities'';

Whereas ''Celebrate Safe Communities'' will take place the first week of October 2009 to help kickoff recognition of October as ''Crime Prevention Month'';

Whereas ''Crime Prevention Month'' was established 25 years ago to encourage public education on being alert to criminal activity within their communities;

Whereas ''Celebrate Safe Communities'' is designated to help local communities highlight the importance of law enforcement-community partnerships to keep communities safe places to live, learn, work, and play;

Whereas ''Celebrate Safe Communities'' will enhance the public awareness of vital crime prevention and safety messages and motivate people in the United States of all ages to learn what they can do to stay safe from crime;

Whereas ''Celebrate Safe Communities'' will help promote year-round support for locally based and law enforcement-led community safety initiatives that help keep families, neighborhoods, schools, and businesses from crime;

Whereas the week of October 1, 2009, through October 3, 2009, would be an appropriate week to designate as ''Celebrate Safe Communities'' Week; and

Whereas the month of October is designated as ''Crime Prevention Month'': Now, therefore, be it

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

(1) supports the designation of ''Celebrate Safe Communities'' Week;

(2) supports ''Crime Prevention Month'';

(3) commends the efforts of the thousands of local law enforcement agencies and their countless community partners educating and engaging residents of all ages in the fight against crime;

(4) asks communities across the country to consider how ''Celebrate Safe Communities'' can help them highlight local successes in the fight against crime;

(5) encourages the National Sheriffs' Association and the National Crime Prevention Council to continue to promote through ''Celebrate Safe Communities'' and year-round, individual and collective action, in collaboration with law enforcement and other supporting local agencies, to reduce crime and build safer communities throughout the United States; and

(6) encourages government agencies, civic groups, schools, businesses, and youth organizations to educate the public, showcase their accomplishments, and explore new partnerships during ''Crime Prevention Month''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. I ask unanimous consent that all Members have 5 legislative

days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. COHEN. I yield myself as much time as I may consume.

Mr. Speaker, this resolution, H. Con. Res. 177, recognizes the importance of citizen and community involvement in an effort to prevent crime and express support for the designation of October 1 through October 3 as Crime Prevention Week and October as National Crime Prevention Month.

Celebrate Safe Communities is a relatively recent crime prevention initiative of the Justice Department in partnership with the National Sheriffs' Association and the National Crime Prevention Council.

The goal of this initiative is to strengthen the partnership between citizens and law enforcement. In Memphis, my hometown, Stevie Morris formed a group called FFUNN, which works with young people to prevent crime. There are neighborhood associations. Neighborhood Watch is an effective group that works in the community, and so are Crime Stoppers programs.

During the first week in October, communities throughout the country held events, educating the public about crime prevention and public safety programs. Not only do these events highlight crime prevention, but they encourage citizens to become personally involved in these programs. That's what the FFUNN group in Memphis and Stevie Moore did.

Similarly, during the month of October, communities and law enforcement organizations commemorate Crime Prevention Month, promoting awareness of important issues such as victimization, volunteerism, and creating safer, more caring communities. The monthlong celebration highlights successful crime prevention efforts at the local, State, and national levels, all of which are important in our communities.

I thank the gentleman from Washington (Mr. REICHERT) for introducing this resolution. I urge my colleagues to support it.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself as much time as I may consume.

I want to thank the gentleman from Michigan (Mr. STUPAK) and the gentleman from Washington, Sheriff Reichert, for introducing this legislation.

H. Con. Res. 177, which is Celebrate Safe Communities Week, supports the designation of October 1, 2009, through October 3 as Celebrate Safe Communities Week and October as Crime Prevention Month. H. Con. Res. 177 also calls attention to the need for crime prevention in communities across the country.

In 1984, the National Crime Prevention Council established Crime Prevention Month to encourage public education on awareness and prevention of criminal activity within communities and neighborhoods. Every year since then, government agencies, volunteer groups, schools and businesses have reached out to the public to do just that.

In conjunction with the ninth National Crime Prevention Month, the National Sheriffs' Association and the National Crime Prevention Council, in partnership with the Department of Justice, they all came together to create the Celebrate Safe Communities initiative. In its very first year, the program recruited 153 communities in 32 States as well as the District of Columbia to participate in the weeklong event.

This year, from October 1 through October 3, Celebrate Safe Communities Week kicked off their recognition of October as Crime Prevention Month. Crime Prevention Month and Celebrate Safe Communities Week strive to enhance the public's awareness of local law enforcement-led community safe initiatives, thus motivating people in the United States to learn what they can do to stay safe from criminal conduct in their communities.

While Celebrate Safe Communities Week highlights the importance of citizens protecting themselves through crime prevention, initiatives also stress the importance of community participation with local law enforcement agencies after a crime has taken place.

□ 1245

Volunteer organizations have proven to be invaluable in their coordination with law enforcement officials and with other community leaders. After all, a partnership of those who have firsthand knowledge of their neighborhoods is, without a doubt, the most effective way of attacking crime head on.

This resolution reminds us that prevention is critical to the fight against crime in our society. This resolution also reminds us that crime is a local problem. There is no better time than Crime Prevention Month and Celebrate Safe Communities Week for citizens to start learning how they can take control in protecting their families and their communities.

I urge all of my colleagues to support H. Con. Res. 177.

I reserve the balance of my time.

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

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO).

Mr. CAO. I would like to thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today in support of House Concurrent Resolution 177 to raise awareness of the need for crime prevention in communities across the country. The fight to reduce crime remains a top issue for my constituents in the Second Congressional District. Unfortunately, New Orleans, like any other great city in this country, is struggling to fight the issue of violent crime, and this has been the case for 9 straight years.

Last month in New Orleans, an innocent 3-year-old girl was shot following a violent 11-hour stretch that saw 12 people shot and two people fatally wounded. Last week, an unsuspecting man was shot just two blocks away from a New Orleans school, and just this weekend, New Orleans was hit by a spate of eight armed robberies.

That is why we must work to require local and Federal law enforcement agencies to coordinate their efforts in cities like New Orleans. We should provide resources for drug and violent crime sweeps, funding for additional prosecutors, and we should help create a police and court system database to help track and prosecute criminals.

This resolution to designate October 1, 2009–October 3, 2009, as Celebrate Safe Communities Week and October as Crime Prevention Month will be an important step in fighting crime not only in my district but around the country.

Mr. Speaker, I strongly urge my colleagues to join the national fight against crime and to support House Concurrent Resolution 177.

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

Mr. POE of Texas. Mr. Speaker, I yield as much time as he wishes to consume on this resolution to the author of the resolution, the gentleman from Washington, Sheriff Reichert.

Mr. REICHERT. I stand here today, Mr. Speaker, as a former sheriff. I also stand here today as a former member of the law enforcement community for 33 years. This is a new world for me, and it's a proud moment for me to be here to introduce this bill and to have the support that we have here today from both sides of the aisle.

I know from firsthand experience the challenges associated with our communities and with keeping them safe. The truth is that safety and security are the business of every citizen. We all have to work together to make this country safe, to make our communities safe, to keep our neighborhoods safe. We always have to remain vigilant, and we always have to watch out for our neighbors' homes and for our own homes to keep them safe. Together, we will raise awareness about crime prevention and about what we can do to keep our own homes safe and our entire communities safe.

So I am pleased today to support my resolution to designate the first week of October as Celebrate Safe Communities Week and recognize October as Crime Prevention Month.

I want to thank my colleagues from across the aisle—Mr. STUPAK from Michigan—for joining me in sponsoring this important effort.

Crime affects everyday decisions—where we go in public, where we travel,

what neighborhoods we visit, and where we might stop to shop for services or goods. Although the national crime rate has gone down in recent years, many cities and communities have actually seen a rise in crime rates over the past year or so. I've seen the devastation that even perceived crimes can cause and the harmful effects on our communities, especially for our children.

Children sometimes will feel threatened even going to school, and we've had to pass laws for school safety and school violence. It's a sad state of affairs today when we recognize that our children are sometimes not even safe on the school grounds or on the playgrounds of our schools across the country. Sometimes it causes them to even turn inward and to feel insecure and unsafe, and their schoolwork even suffers. They, themselves, may even turn to crime.

People of all ages and of all walks of life can be affected by crime. As we know, increases in crime can harm the economy. Residents can stay away from local businesses in certain neighborhoods because they might feel it's unsafe to shop there and to do business there.

Crime also affects the comfort and willingness of residents to work with law enforcement on community safety initiatives. Sometimes community policing efforts in working with a community will suffer if we don't all engage in ensuring our communities are safe. By engaging with communities in efforts such as Celebrate Safe Communities Week and Crime Prevention Month, connections to deter and to prevent violence can be made between members of law enforcement and their communities in order to serve and protect the public.

This initiative spotlights communities' crime prevention efforts; it enhances public awareness of violent crime prevention and safety messages; and it recruits year-round support for ongoing prevention activities that help keep neighborhoods safe from crime. Crime Prevention Month highlights the positive effects that prevention efforts have on a community through community efforts events, public service organizations, public service announcements, and other coordinated activities.

I am pleased that the House has chosen to recognize these important community efforts while respecting the work of our law enforcement officers in their responding without hesitation to every call that comes over the radio. We'd rather receive fewer calls and see less violence in our communities. It all starts with prevention.

I urge my colleagues to support this resolution.

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

Mr. COHEN. Mr. Speaker, as I mentioned earlier, in Memphis, we've got many programs similar to these that have been discussed.

The Freedom from Unnecessary Negatives with Stevie Moore is in the community, often visited by our sheriff, Mark Luttrell, who was named National Sheriff of the Year, with District Attorney General Bill Gibbons and with others, who visit and have cookouts, who talk about crime and who get the community oriented with their law enforcement officers—where they'll be wanting to report and work with the law enforcement officers. It has been a successful program.

Crime Stoppers is a successful program where people get rewarded for turning in criminals. They get rewarded with financial incentives.

The Neighborhood Watch programs are great programs where people work together to be aware of crime.

These are all important, and this is an important effort to fight against crime, and that's why I ask everybody to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 177.

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

A motion to reconsider was laid on the table.

FEDERAL JUDICIARY ADMINISTRATIVE IMPROVEMENTS ACT OF 2009

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3632) to provide improvements for the operations of the Federal courts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3632

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 ''Federal Judiciary Administrative Improvements Act of 2009''.

SEC. 2. SENIOR JUDGE GOVERNANCE CORRECTION.

(a) IN GENERAL.—Section 631(a) of title 28, United States Code, is amended in the first sentence by striking ''(including any judge in regular active service'' and all that follows through ''was appointed)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 3. REVISION OF STATUTORY DESCRIPTION OF THE DISTRICT OF NORTH DAKOTA.

(a) IN GENERAL.—Section 114 of title 28, United States Code, is amended to read as follows:

''§ 114. North Dakota

''North Dakota constitutes one judicial district.

''Court shall be held at Bismarck, Fargo, Grand Forks, and Minot.''.

(b) CURRENT CASES AND JURIES NOT AFFECTED.—

(1) PENDING CASES NOT AFFECTED.—The amendment made by subsection (a) shall not affect any action commenced before the effective date under subsection (c) and pending in the United States District Court for the District of North Dakota on such date.

(2) JURIES NOT AFFECTED.—The amendment made by subsection (a) shall not affect the composition, or preclude the service, of any grand or petit jury summoned, empaneled, or actually serving in the Judicial District of North Dakota on the effective date under subsection (c).

(c) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect 90 days after the date of the enactment of this Act.

SEC. 4. DISABILITY RETIREMENT AND COST-OF-LIVING ADJUSTMENTS OF ANNUITIES FOR TERRITORIAL JUDGES.

(a) IN GENERAL.—Section 373 of title 28, United States Code, is amended—

(1) in subsection (c), by amending paragraph (4) to read as follows:

''(4) Any senior judge performing judicial duties pursuant to recall under paragraph (2) of this subsection shall be paid, while performing such duties, the same compensation (in lieu of the annuity payable under this section) and the same allowances for travel and other expenses as a judge on active duty with the court being served.'';

(2) by amending subsection (e) to read as follows:

''(e)(1) Any judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands who is not reappointed (as judge of such court) shall be entitled, upon attaining the age of 65 years or upon relinquishing office if the judge is then beyond the age of 65 years—

''(A) if the judicial service of such judge, continuous or otherwise, aggregates 15 years or more, to receive during the remainder of the life of such judge an annuity equal to the salary received when the judge left office; or

''(B) if such judicial service, continuous or otherwise, aggregates less than 15 years, to receive during the remainder of the life of such judge an annuity equal to that proportion of such salary that the aggregate number of years of service of such judge bears to 15.

''(2) Any judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands who has served at least 5 years, continuously or otherwise, and who retires or is removed upon the sole ground of mental or physical disability, shall be entitled to receive during the remainder of the life of such judge an annuity equal to 40 percent of the salary received when the judge left office or, in the case of a judge who has served at least 10 years, continuously or otherwise, an annuity equal to that proportion of such salary that the aggregate number of years of judicial service of such judge bears to 15.''; and

(3) by amending subsection (g) to read as follows:

''(g) Any retired judge who is entitled to receive an annuity under this section shall be paid a cost-of-living adjustment as provided under section 8340(b) of title 5, except that in no case may the annuity payable to such retired judge, as increased under this subsection, exceed the salary of a judge in regular active service with the court on which the retired judge served before retiring.''.

(b) EFFECTIVE DATE.—

(1) COMPENSATION OF RECALLED JUDGES.—The amendment made by subsection (a)(1) shall apply with respect to judicial duties pursuant to recall that are performed on or after the date of the enactment of this Act.

(2) JUDGES WHO ARE NOT REAPPOINTED.—The amendment made by subsection (a)(2) shall apply to a judge who relinquishes office under section 373(e)(1) of title 28, United States Code, as amended by such subsection, or who retires or is removed from office under section 373(e)(2) of such title, as so amended, on or after the date of the enactment of this Act.

(3) COST-OF-LIVING INCREASES.—The amendment made by subsection (a)(3) shall apply to judges who retire before, on, or after the date of the enactment of this Act.

SEC. 5. ANNUAL LEAVE LIMIT FOR JUDICIAL BRANCH EXECUTIVES.

(a) IN GENERAL.—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 at the end the following:

''(H) a position in the judicial branch that is designated as a senior executive position—

''(i) in the United States courts, by the Judicial Conference of the United States;

''(ii) in the Federal Judicial Center, by the Board of the Federal Judicial Center; or

''(iii) in the United States Sentencing Commission, by the Commission.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 6. FEDERAL JUDICIAL CENTER PERSONNEL MATTERS.

(a) IN GENERAL.—Section 625 of title 28, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) The Director shall appoint and fix the compensation of such additional professional personnel as the Board considers necessary, without regard to the provisions of title 5 governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, subject to the following:

''(1) The compensation of any person appointed under this subsection may not exceed the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, except that the Director may fix the compensation of 4 positions of the Center at a level not to exceed the annual rate of pay in effect for level IV of the Executive Schedule under section 5315 of title 5.

''(2) The salary of a reemployed annuitant under subchapter III of chapter 83 of title 5 shall be adjusted under section 8344 of such title, and the salary of a reemployed annuitant under chapter 84 of title 5 shall be adjusted under section 8468 of such title.''.

(2) in subsection (c), by striking '', United States Code,''; and

(3) in subsection (d)—

(A) by striking '', United States Code,''; and

(B) by striking ''General Schedule pay rates, section 5332, title 5, United States Code'' and insert ''the General Schedule under section 5332 of title 5''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 7. SEPARATION OF THE JUDGMENT AND STATEMENT OF REASONS FORMS.

(a) IN GENERAL.—Section 3553(c)(2) of title 18, United States Code, is amended by striking ''the written order of judgment and commitment'' and inserting ''a statement of reasons form issued under section 994(w)(1)(B) of title 28''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 8. PRETRIAL SERVICES FUNCTIONS FOR JUVENILES.

(a) IN GENERAL.—Section 3154 of title 18, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

''(14) Perform, in a manner appropriate for juveniles, any of the functions identified in this section with respect to juveniles awaiting adjudication, trial, or disposition under chapter 403 of this title who are not detained.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 9. STATISTICAL REPORTING SCHEDULE FOR CRIMINAL WIRETAP ORDERS.

(a) IN GENERAL.—Section 2519 of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''Within thirty days'' and all that follows through ''issuing or denying judge'' and inserting ''In January of each year, any judge who has issued an order (or an extension thereof) under section 2518 that expired during the preceding calendar year, or who has denied approval of an interception during that year,'';

(2) in paragraph (2), by striking ''In January of each year'' and inserting ''In March of each year''; and

(3) in paragraph (3), by striking ''In April of each year'' and inserting ''In June of each year''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 10. THRESHOLDS FOR ADMINISTRATIVE REVIEW OF OTHER THAN COUNSEL CASE COMPENSATION.

(a) IN GENERAL.—Section 3006A of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the second sentence, by striking ''$500'' and inserting ''$800''; and

(ii) in subparagraph (B), by striking ''$500'' and inserting ''$800''; and

(B) in paragraph (3), in the first sentence, by striking ''$1,600'' and inserting ''$2,400''; and

(2) by adding at the end the following:

''(5) ADJUSTMENT OF DOLLAR AMOUNTS.—

''(A) IN GENERAL.—The dollar amounts provided in paragraphs (2) and (3) shall be adjusted by an amount, rounded to the nearest multiple of $100, equal to the percentage of the cumulative adjustments taking effect under section 5303 of title 5 in the rates of pay under the General Schedule since the date on which the dollar amounts provided in paragraphs (2) and (3), respectively, were last modified by statute.

''(B) EFFECTIVE DATE.—Each adjustment under subparagraph (A) shall take effect on the same day on which the corresponding adjustment under section 5303 of title 5 takes effect.''.

(b) EFFECTIVE DATE.—

(1) INCREASE IN DOLLAR AMOUNTS.—The amendments made by subsection (a)(1) shall take effect on the date of the enactment of this Act.

(2) ANNUAL ADJUSTMENTS.—The amendment made by subsection (a)(2) shall apply with respect to adjustments taking effect under section 5303 of title 5, United States Code, after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I am honored to bring to the floor H.R. 3632, the Federal Judiciary Administrative Improvements Act of 2009. This bill will enact basic improvements to the Federal courts to ensure that our Federal court system is efficient and effective.

The first section of H.R. 3632 seeks to address an inconsistency in the law on the eligibility of senior judges to participate in court governance matters. This minor change will ensure that senior judges have the ability to participate in the selection of magistrate judges.

This legislation will also streamline the work of the District of North Dakota by eliminating references to divisions while maintaining the present situation that North Dakota constitutes one judicial district.

H.R. 3632 will also correct inequalities among the members of the judiciary. First, it adjusts the disability retirement coverage and cost-of-living annuity adjustments of four territorial judges so that these members of the judiciary will be treated like other term judges, such as bankruptcy and magistrate judges. Second, this bill will change the annual leave limit for judiciary branch executives, and it will adjust the pay scale.

H.R. 3632 also makes some minor adjustments for criminal matters. For example, it will improve the control and protection of confidential information by allowing the courts to separate the Judgment and Statement of Reasons forms. In addition, small changes will clarify the scope and authority of Federal pretrial service officers to assist juveniles.

Finally, H.R. 3632 will change the timeline for the statistical reporting of criminal wiretapping orders by extending the deadline for judges to file these orders, by several months, with the Administrative Office of the Courts. Wiretap reports will continue to be provided annually to Congress, but this change will ease the administrative burden on judges, and it will make those annual reports more accurate.

This noncontroversial legislation has bipartisan support. It has the full backing of the Judicial Conference of the United States, and the Senate recently introduced companion legislation. I ask my colleagues to join me in supporting this measure.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I rise in support of H.R. 3632, and I yield as much time as he wishes to consume to the ranking member, the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank my colleague from Texas for yielding, and I also thank my colleague on the Judiciary Committee.

Mr. Speaker, the purpose of H.R. 3632 is to implement noncontroversial administrative provisions that the Judicial Conference and the House Judiciary Committee believe are necessary to improve the operations of the Federal judiciary and to provide justice for the American people.

The Judicial Conference is the policymaking body of the Federal judiciary, and through its committee system, it evaluates court operations. The Conference endorses all of the provisions in the bill.

H.R. 3632 affects a wide range of judicial branch programs and operations, including those pertaining to financial administration, process improvements and personnel administration.

The bill incorporates nine separate items, which, Mr. Speaker, I would like to enter into the RECORD at this point.

A section that clarifies that senior judges must satisfy minimum work thresholds to participate in court government matters, including the selection of magistrates.

A section that eliminates the references to divisions and counties in the statutory description of the Judicial District of North Dakota, which enables the court to better distribute the workload between two active district judges and reduce travel for litigants in the northern central area of the district.

A section that authorizes the ''statement of reasons'' that judges must issue upon sentencing to be filed separately with the court. Current law requires the statement to be bundled with other information in the case file distributed to the Sentencing Commission, where it can be difficult to maintain a seal related to confidential information.

A section that specifies that federal pretrial services officers can provide the same services to juveniles as they do for adult offenders. An example would be drug treatment.

And a section that applies an inflationary index to the threshold amount requiring approval by the chief judge of reimbursements for the cost of hiring expert witnesses and conducting investigations for indigent defendants. The dollar thresholds are statutorily fixed and erode over time. This means chief judges must devote greater time approving what are otherwise not genuine ''high-dollar'' requests.

Mr. Speaker, H.R. 3632 is necessary to improve the functioning of the U.S. courts, which will ultimately benefit the American people. This is a noncontroversial bill, and I urge my colleagues to support it.

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

Mr. POE of Texas. I yield myself as much time as I may consume.

Mr. Speaker, as the ranking member of the Judiciary Committee has noted, Mr. SMITH from Texas, H.R. 3632 contains a number of administrative improvements to title 28 of the United States Code which will improve the operations and efficiency of the Federal judiciary. The previous speakers have highlighted many of the provisions set forth in H.R. 3632, but I would like to note two specific items:

First, section 4 of the legislation adjusts the disability retirement coverage and COLA adjustments of territorial judges, thereby reducing existing inequities between them and other term judges, such as magistrate and bankruptcy judges. The CBO estimates that this will not result in an increase in direct spending.

Second, section 5 of the bill extends to senior executives in the Federal courts, the Federal Judiciary Center and Sentencing Commission the same ability to carry over up to 90 days of annual leave just as comparable officials within the executive branch and the Administrative Office of the U.S. Courts are treated.

Mr. Speaker, such changes are obscure but necessary to increase efficiency in our Federal courts, and I urge all Members to support the bill.

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

Mr. COHEN. Mr. Speaker, I am pleased that this is a noncontroversial, bipartisan bill.

As a Tennesseean who represents the district, which over, maybe, give or take, 200 years ago was represented by Davy Crockett, who went to Texas and made sure that these two fine gentlemen weren't part of a territory or part of a foreign nation, I am proud to work with them to see that this legislation comes to the floor.

Ms. BORDALLO. I rise today in support of the passage of H.R. 3632, The Federal Judiciary Administrative Improvements Act of 2009. The passage of this bill in the House marks an important step towards addressing administrative disparities between federal judges serving under the authority of Article IV of the Constitution and Article III federal judges. Specifically, section 4 of H.R. 3632 addresses disparities in disability retirement and cost of living adjustments of annuities for territorial judges. While this bill takes a positive step in addressing these disparities, there is still work to be done on this issue. The House has previously passed this important legislation and I hope the Senate will take up this bill to improve the administration of our nation's federal court system.

I support legislation that addresses these disparities and have introduced legislation that calls for more equal treatment of territorial federal judges. H.R. 910 addresses one of the disparities in treatment of federal judges regarding the specific case of Judge John S. Unpingco, who served as Chief Judge of the U.S. District Court of Guam but due to the ten year term limit of Article IV judges, did not fulfill the service requirement to receive a full annuity. Article III judges serve for life.

I commend Congressman HANK JOHNSON, as well as Chairman CONYERS and Ranking Member SMITH for their work and leadership on improving our nation's federal judiciary and I look forward to working with them in the future to further address the issue of disparities of territorial federal judges.

Mr. COHEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 3632.

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

A motion to reconsider was laid on the table.

□ 1300

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 1694, by the yeas and nays;
H. Res. 838, by the yeas and nays;
H. Res. 784, by the yeas and nays;
H. Res. 824, de novo.

Other postponed questions will be taken later in the week.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

ALLOWING FUNDING FOR THE INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 1694, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 1694.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 819]

YEAS—420

Abercrombie	Boren	Chaffetz
Ackerman	Boswell	Chandler
Adler (NJ)	Boucher	Childers
Akin	Boustany	Chu
Alexander	Boyd	Clarke
Altmire	Brady (PA)	Clay
Andrews	Brady (TX)	Cleaver
Arcuri	Braley (IA)	Clyburn
Austria	Bright	Coble
Baca	Brown (SC)	Coffman (CO)
Bachmann	Brown, Corrine	Cohen
Baldwin	Brown-Waite, Ginny	Cole
Barrow	Buchanan	Conaway
Bartlett	Burgess	Connolly (VA)
Barton (TX)	Burton (IN)	Conyers
Bean	Butterfield	Cooper
Becerra	Buyer	Costa
Berkley	Calvert	Costello
Berman	Camp	Courtney
Berry	Campbell	Crenshaw
Biggert	Cantor	Crowley
Bilbray	Cao	Cuellar
Bilirakis	Capito	Culberson
Bishop (GA)	Capps	Cummings
Bishop (NY)	Capuano	Dahlkemper
Bishop (UT)	Cardoza	Davis (AL)
Blackburn	Carnahan	Davis (CA)
Blumenauer	Carney	Davis (IL)
Blunt	Carson (IN)	Davis (KY)
Boccieri	Carter	Davis (TN)
Boehner	Cassidy	Deal (GA)
Bonner	Castle	DeFazio
Bono Mack	Castor (FL)	DeGette
Boozman		Delahunt

DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Aderholt
Bachus
Baird
Barrett (SC)
Broun (GA)
Gohmert
Hall (TX)
Hastings (FL)
Hoyer
McMahon
Scott (GA)
Tsongas

□ 1326

Mr. DELAHUNT changed his 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.

Stated for:

Mr. McMAHON. Mr. Speaker, on rollcall No. 819, had I been present, I would have voted "yea."

(By unanimous consent, Mr. SHULER was allowed to speak out of order.)

MEMBERS OF CONGRESS VICTORIOUS OVER CAPITOL HILL POLICE IN ANNUAL CHARITY FOOTBALL GAME

Mr. SHULER. Mr. Speaker, it is a great privilege today to finally announce that after a lot of hard knocks and tries on the gridiron, the Capitol Hill Police versus the Members of Congress, we finally successfully came away with a victory last night.

Along with a lot of help, former members of the NFL certainly helped us along, certainly excluding me, Ken Harvey, John Booty and others played an outstanding game, but our Members of Congress did an outstanding job. I think it just goes to show you that, working together across the aisle, we too can succeed.

The co-captain, Mr. SHUSTER, probably had the most difficult job all night of managing who was in the game. You can only imagine; every Member of Congress thought that they were the best player on the team. So he had the most difficult job all night.

I would yield to my co-captain, Mr. SHUSTER.

Mr. SHUSTER. I thank the gentleman from North Carolina.

I want to rise also to congratulate all the participants in a game well-played last night. We had many Members of Congress. As the gentleman from North Carolina said, we had some former pro football players. It was a hard-fought battle. We won in overtime, 32–26, with a fantastic pass from HEATH SHULER to John Booty. It was fabulous.

As Mr. SHULER said, it has been four tries. This is our first victory, being able to beat the Capitol Police. But the big winner was the Capitol Hill Police Memorial Fund and the Washington Literacy Council. We believe we raised about $50,000 to be split between those two groups.

□ 1330

I would also like to acknowledge our offensive and defensive players in the game.

Offensive, it was easy. It was HEATH SHULER, five touchdown passes. He played a fantastic game. I think the NFL is going to start looking at you again, HEATH. We'd like that. Maybe that seat will come open in North Carolina if you went back to the NFL.

Also, on defense, there were two players that played the game, big surprises for our team: JACK KINGSTON, better known as Brett Favre of the congressional team, had an outstanding game. But the defensive player of the game went to ANTHONY ''Mad Dog'' WEINER, who had two key interceptions in the game and just played fantastic.

I want to thank Speaker PELOSI and Leader BOEHNER for their help and support in putting this game together. Also Roger Goodell, the Commissioner of the NFL, was there last night to flip the coin. And John Booty and Ken Harvey, two former NFL players, did a fantastic job in setting this up.

And finally, again, just to thank the Capitol Police, who do a great job day in and day out, making sure the Capitol is safe, making sure the people who come here are safe. So thank you to them.

Ms. PELOSI. Mr. Speaker, I want to congratulate our team that won so decisively last night. Mr. BOEHNER and I were there to cheer the Democratic/Republican, Republican/Democratic team on.

The good news is that they won; the bad news is they beat the Capitol Police. So I don't know what that means.

But the fact is that it was great teamwork between the Democrats and the Republicans, which was saluted in the Rotunda earlier today. Senator Edward Brooke, whom we had honored with the Congressional Gold Medal, was pleased to hear about this teamwork between Democrats and Republicans. And, indeed, it got a standing ovation from those folks who didn't even know about the game until then.

But you should have seen our guys. They were so great.

Mr. SHUSTER, congratulations. Congratulations to HEATH SHULER. The last time I saw them, they were playing baseball. They go from baseball to football, all-round athletes; great teamwork, great leadership. Congratulations to our team.

And I, too, want to join in thanking the Capitol Police. I know they went all-out last night because they always go all-out for us.

Congratulations. We were suited up, but we were not called upon.

Mr. BOEHNER. Congratulations.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

WELCOMING HIS ALL HOLINESS BARTHOLOMEW, ARCHBISHOP OF CONSTANTINOPLE, NEW ROME, ECUMENICAL PATRIARCH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 838, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CARNAHAN) that the House suspend the rules and agree to the resolution, H. Res. 838, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 8, as follows:

[Roll No. 820]

YEAS—424

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
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
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Baird
Barrett (SC)
Hall (TX)
Hastings (FL)
Hoyer
Murphy, Patrick
Tsongas
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1341

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''Resolution welcoming to the United States and to Washington, DC, His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his current trip on October 20, 2009, through November 6, 2009.''.

A motion to reconsider was laid on the table.

HONORING CONFUCIUS' 2560TH BIRTHDAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 784, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CARNAHAN) that the House suspend the rules and agree to the resolution, H. Res. 784.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 361, nays 47, answered ''present'' 13, not voting 11, as follows:

[Roll No. 821]

YEAS—361

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Butterfield
Calvert
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Engel
Etheridge
Fattah
Filner
Forbes
Foster
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
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
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—47

Akin
Altmire
Barton (TX)
Berry
Boccieri
Broun (GA)
Burgess
Camp
Carter
Chaffetz
Conaway
Davis (KY)
Davis (TN)
Driehaus
Ellsworth
Emerson
Flake
Fleming
Graves
Hoekstra
Johnson (IL)
Johnson, Sam
Jordan (OH)
LaTourette
Latta
Marchant
Massa
Matheson
Mica
Miller (FL)
Platts
Poe (TX)
Radanovich
Sensenbrenner
Shadegg
Shimkus
Simpson
Skelton
Souder
Space
Taylor
Tiberi
Walden
Westmoreland
Wilson (OH)
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—13

Brown-Waite, Ginny
Burton (IN)
Buyer
Campbell
Donnelly (IN)
Fallin
Fortenberry
Foxx
Marshall
McHenry
Neugebauer
Nunes
Roe (TN)

NOT VOTING—11

Baird
Barrett (SC)
Boehner
Bright
Eshoo
Farr
Gohmert
Hall (TX)
Hastings (FL)
Hoyer
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1348

Mr. BURGESS changed his vote from ''yea'' to ''nay.''

Ms. FOXX changed her vote from ''yea'' to ''present.''

Mr. POE of Texas changed his vote from ''present'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING NORTHWESTERN UNIVERSITY WOMEN'S LACROSSE TEAM

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 824.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. PIERLUISI) that the House suspend the rules and agree to the resolution, H. Res. 824.

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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 0, not voting 16, as follows:

[Roll No. 822]

AYES—416

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Etheridge
Fallin
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
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
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—16

Baird
Barrett (SC)
Eshoo
Farr
Gohmert
Hall (TX)
Hastings (FL)
Herger
Hoyer
King (IA)
Radanovich
Rogers (MI)
Shuster
Speier
Tsongas
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LUJÁN) (during the vote). Two minutes are remaining in this vote.

□ 1358

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BREAST CANCER AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, during Breast Cancer Awareness Month, I rise today calling for a cure for this terrible disease. Although breast cancer impacts both genders, it disproportionately targets women and even more disproportionately impacts African American and Hispanic women. It is the second leading cause of death among women.

Breast cancer is survivable if caught and treated early. Unfortunately, we all know someone who has had breast cancer, and its impact is devastating on families, on friends, and on entire communities. I have had both the honor and sorrow of knowing many breast cancer survivors and its victims. I am in awe of the women who not only survive this cancer, but use their awareness to spread awareness of breast cancer prevention. We must all work together to bring about greater breast cancer education, prevention, diagnosis and treatment, and most importantly, a cure.

Mr. Speaker, let's tell our mothers and sisters: Get tested; you can survive breast cancer.

□ 1400

HEALTH CARE TAX HIKES WILL HURT SMALL BUSINESS

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

Ms. FOXX. Mr. Speaker, some of the most harmful components of the Democrats' proposed government takeover of health care are the heavy mandates and taxes placed on business. Under the Democrat bill, small businesses are required to offer government-approved insurance or pay an 8 percent tax on their entire payroll. This is the mother of all mandates. Its effect will be wide-ranging job losses and devastation to small businesses. Small businesses cannot handle $800 billion in new taxes to pay for a government takeover of health care.

Small business people are not going to take this lying down. Groups like the Chamber of Commerce, that understand the needs of business best, have been working hard to illustrate just how harmful the Democrat proposals will be to small businesses and communities across the country.

Mr. Speaker, we need to tackle health care reform in a constructive way that does not destroy the small business people who make our economy work.

IT'S TIME FOR DEMOCRATS TO SCRAP THEIR HEALTH CARE REFORM PLAN AND WORK WITH REPUBLICANS

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

Mr. TIAHRT. Mr. Speaker, a majority of Americans have had enough with the idea of the government taking over their health care. Americans love freedom and deserve the freedom to choose the health plan that is best for their family.

This week, in the great State of Kansas, a coalition of State leaders has unveiled the Health Care Freedom Amendment that reserves the right for Kansans to manage their own health care options. As Kansans, we don't want Washington bureaucrats getting in the middle of medical decisions that should be made by patients and their doctors. We believe Kansans and the American people deserve better. That is why I am pleased to be a cosponsor of the Empowering Patients First Act that allows Americans who like their health care coverage the freedom to keep it, and gives Americans the opportunity to choose the health plan that best meets their needs.

Our bill also ensures medical decisions are made by patients and their physicians and improves Americans' lives through effective prevention, wellness and disease management programs. This is the only bill that won't dampen the development of new treatments that cure life-threatening diseases.

It's time for the Democrats to scrap their current plan, stop the backroom dealing, and start working with Republicans on real health care reform that ensures all Americans have the right to manage their health care options.

WITHOUT FOX NEWS, YOU MIGHT NOT HAVE HEARD . . .

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

Mr. SMITH of Texas. Mr. Speaker, the White House plays favorites with the media. They attack one cable news network for telling the truth and reward another for giving the President a free pass.

The White House recently said Fox News won't get equal access to administration officials. Just days later, the President invited liberal news hosts from rival network MSNBC to the White House for a private, off-the-record meeting. The reason for the double standard is that while MSNBC acts as a shill for the President, Fox reports the stories that the national media ignore.

For example, without Fox News, you might not have heard about the recent ACORN scandal. You might not have heard about the troubling political associations of the President's former green jobs czar, which eventually led to his resignation. And you might not have heard that the President's communications director said Chairman Mao is one of her favorite political philosophers.

The White House should treat all news organizations with professionalism, not just the ones that give them a free pass.

AMERICAN PLAN VS. DEMOCRAT PLAN

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, on health care reform, we hear too much about Democrats versus Republicans. I would like to talk about the American plan versus the Democratic plan.

The American plan stands for transparency; the Democratic plan, secret agreements behind closed doors. The American plan: True, free competition; the Democratic plan: Government-controlled health care. The American plan: Medicare Advantage; the Democratic plan: Massive cuts in Medicare. The American plan: The primacy of the doctor-patient relationship; the Democratic plan: Government-determined courses of treatment.

In other words, the American plan stands for freedom. Unfortunately, the Democratic plan stands for government-imposed conformity.

We should listen to what the American people say, that's the American plan. Ignoring what the American people are saying is the Democrat plan.

ROBUST PUBLIC OPTION IS THE BEST OPTION

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

Ms. WOOLSEY. Mr. Speaker, I would like to speak in favor of the robust

public option. I would like to point out that it costs $85 billion less than the next positive public option, that it covers more people, it keeps middle-income workers from either ending up on Medicare or in a situation where they can't afford health care in the health care exchange.

The robust public option, Mr. Speaker, is based on an established rate structure of Medicare plus 5 percent and an existing provider structure. So it is available, it is affordable, and it will be providing quality health care to all Americans.

Mr. Speaker, I am here to say the robust public option would be the best option for the people in the United States of America.

NOW IS THE TIME FOR HEALTH CARE REFORM

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here in the name of a film producer named Noelle, who, in the midst of trying to show the tragedy of Hurricane Katrina, was succumbed by breast cancer—did not die, but became very ill. During the midst of that time, her insurance was dropped.

I come in the name of Eric, a young lawyer who did pro bono work, who had a cold and was treated by an emergency room, given medicine for a pain in the neck, but yet died a few days later of a bacterial virus.

I come in the name of sick people across America to say that H.R. 3200, which will bring down the cost of premiums, which will provide a robust public option, will get rid of preexisting conditions that keep you from getting insurance—which is wanted by over 70 percent of Americans, Republicans and Democrats. I come in their name to say it is time now to pass a robust health care reform package with a vigorous public option that addresses the needs of Americans and brings down the cost of premiums for all Americans, those with employer-based insurance and those who need the public option. It is time now. Martin Luther King said, ''Now is the time.''

HAITI

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

Mr. PAYNE. Mr. Speaker, I am very disheartened to hear that in our sister country, Haiti, there is brewing a move to impeach the current prime minister, Prime Minister Pierre-Louis.

Prime Minister Pierre-Louis has recently gained a tremendous amount of confidence from the international community. The U.S. President and former President and U.N. Special Envoy Bill Clinton made a historic special trip to Haiti that held out the promise of new investment both to create new jobs and to help the people of Haiti. I would hope that the government officials of Haiti will consider continuing to move the country along in a positive way and move to support the prime minister.

SPECIAL ORDERS

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

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

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

THE HAWKS ARE SQUAWKING FOR WAR AGAIN

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

Ms. WOOLSEY. Mr. Speaker, the Nation's war hawks are unhappy. Their feathers are ruffled. They accuse President Obama of dithering when it comes to sending more troops to Afghanistan. They want the President to shoot first and they want him to ask questions later, but committing our Nation to war is the most important decision that any President can make. The Commander in Chief must think long and hard before doing any such thing. President Obama is making a careful review of the situation in Afghanistan, and he is right to do so.

I've had some disagreements with the President about some of his policies so far, but I strongly support his desire to think things through and consider all of his options before proceeding. So far, the only option the United States has tried for the past 8 years is the military option, and it is painfully clear, Mr. Speaker, that it has not worked. A story in today's Washington Post makes that point. It describes a U.S. official in Afghanistan who resigned his job because he opposed American strategy there. This man is a patriot, and a tough former marine who fought with uncommon bravery in Iraq. But he believes that the presence of American troops in Afghanistan is making the insurgency grow.

I made a similar argument when I voted against the Supplemental appropriations bill for Afghanistan back in May. I warned that continuing the military-only strategy will fuel anti-Americanism, and that's what is happening.

More and more, the Afghan people see America as an occupying force that cares only about itself. Meanwhile, the Taliban is doing a much better job of winning hearts and minds. We've got to turn that around. The best way to do that is to devote most of our resources in Afghanistan to meeting the civilian needs of the Afghan people. That means humanitarian aid, jobs and economic development, education, agricultural assistance, better infrastructure, and protection from disease.

That doesn't mean we should be ignoring the violent extremists in Afghanistan—far from it. We can go after them aggressively by using the highly effective tools of SMART power. SMART power includes better intelligence and surveillance work.

The extremists in Afghanistan can be found in many small networks of individuals and groups who are spread out over the countryside. You need good intelligence to track, penetrate, and disrupt their activities.

□ 1415

We must also build up the civilian police force so they can arrest the extremists. Strong policing is a highly effective counterinsurgency tool because it's right there in the villages where the extremists live.

We must also step up our diplomatic efforts. We've got to do a better job of engaging all the nations in the region that have an interest in stabilizing Afghanistan.

These strategies will work, but they won't satisfy the war hawks. President Obama is right to ignore them. He must also ignore the voices of his own administration, calling for an escalation of the war.

As he rethinks America's role in Afghanistan, I urge him to produce a strategy that relies on the tools of smart security and improves the lives of the people. That is the only real path, Mr. Speaker, to success in Afghanistan.

INDIAN HEALTH CARE—MEDICAL MALPRACTICE

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. Mr. Speaker, it's nothing new for the Federal Government to try to run health care. The Federal Government has been committing medical malpractice against the Native American Indians for over 200 years. It's a miserable failure. Just ask those folks that live on Indian reservations. They are treated under a system called the Indian Health Service program, a universal government-run health care system for, specifically, Native American Indians. There are long waiting lines for service; doctors are scarce; the quality of medical care is poor; it costs too much, and it results in rationed health care. When the government is running health care, people get inferior treatment.

There has been a lot of talk lately about changing the name of ''public option'' to call it ''Medicare part E'' so that will sell with the American public, or the ''consumer option'' is another

new politically correct phrase. I would like to suggest that we call it the ''Public Indian Health Care Option for Everybody.'' The Indians have no option. They're forced to take the public plan.

Now let's look at the American government-run health care as it has worked out for them for 200 years. We have a lot of history taking care of the American Indians—or, shall I say, not taking care of them.

When Stephanie Little Light took her daughter, Ta'Shon Rain, to an Indian health service clinic in Montana, which she is required to do since she is under the universal health care Indian program, the doctor said that her little 5-year-old girl was just depressed. She had stopped eating and stopped walking. The little girl kept complaining to her mother that her stomach hurt all the time. After going back to the government-run health care clinic 10 more times, Ta'Shon's lung collapsed. She was then airlifted to a private, nongovernment hospital in Denver where they told her mom she had terminal cancer. The little girl who loved to dance and sing and dress up in Indian costumes always wanted to see Disney World, specifically Cinderella's Castle. So a charity sent the whole family there, but Ta'Shon didn't get to see that castle when they got to Florida. The little girl had died in a hotel room. This is a tragic example of universal medical health care run by the United States Government.

There is a big difference between good intentions and what really happens in the real world. When there are no doctors left and the taxpayer money is gone and when the bureaucrats control health care, people die. Is this what we are to expect under the new nationalized health care system?

They're trying to tell us that this new, improved disaster on Americans is going to be different. Yeah, right.

Mr. Speaker, they say on those Indian reservations, Don't get sick after June because that's when the Federal money runs out. So they ration health care. The Federal Indian Health Service agency calls itself—get this—a ''rationed health care system'' for Indians. How's that for truth about socialized medicine?

On another Indian reservation, Ardel Baker went to the reservation government-run clinic. She had chest pains. They sent her to a private hospital in an ambulance and put a note on her chest. The note read, ''Understand that Priority 1 care cannot be paid for by us at this time because of funding issues.'' So they put a note on her and sent her on her way to a private hospital because the government would not take care of her. Ardel managed to survive that ordeal, thanks to private medicine.

Victor Brave Thunder was not so fortunate. He felt real bad and went to a government clinic on the reservation. They misdiagnosed the fact that he had heart failure and gave him Tylenol and cough syrup and said, Get better. He later died.

Then there is Harriet Archambault. She tried five times to get an appointment on a reservation to get her hypertension medicine refilled, but government bureaucrats were nowhere to be found. So she died before she was able to get that sixth appointment at the government clinic for her medicine.

Mr. Speaker, these are examples of government-run medical malpractice against American Indians right here in America. Government-run health care never works. It never has. Even in America, we've proven it doesn't work.

The health care bill being pushed on the American people is not really about providing better quality at an affordable price. The government cannot do it better or cheaper. It's really about government control and intervention in the lives of the American people. It's about oppressive government.

So let's address specific issues of health care and solve them, like being able to buy insurance across State lines, allow businesses and associations to pool employees to get a better insurance rate, provide for a safety net for preexisting conditions and catastrophic injuries and illnesses. But we should never turn our health over to the United States Government. Just ask the American Indians.

And that's just the way it is.

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

(Mr. EDWARDS of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE 6-YEAR HIGHWAY AUTHORIZATION

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

Mr. DEFAZIO. I hope the gentleman who spoke before me in the well would be willing to accept one minor thing. I hear a lot from the Republicans about they want competition, they want the free market, but the problem is that insurance is exempt from antitrust law. Unlike any other industry or business, small or large, in America, except for professional baseball, they are exempt. They can and do get together and collude—collude to drive up the price of premiums, collude to stay out of one another's markets and not compete, collude not to exclude people with preexisting conditions, collude to do a whole host of anticompetitive things to stick it to the American people. So before I hear any more from that side of the aisle about supporting the private insurance industry, let's hear about having them play by the same rules as every other industry in America. But that's not why I came to the floor this afternoon.

I came to the floor because there seems to be a little disconnect downtown at the White House with the President's economic team, yet, once again. Big surprise.

The GDP, gross domestic product, is growing, so the economy is recovering. We're out of the recession. Whoops. Well, it's a so-called jobless recovery, and we're still going to lose about 250,000 jobs a month. But they're down there celebrating.

We need to take concrete steps—not to make a bad pun—here in the House of Representatives, in Congress, to put people back to work. And one of the things that we could do best would be to ignore the President and his advisers who want to delay a new transportation policy for America, one that will deliver projects more quickly and with less expense, getting people out of congestion, giving people more transit options, fixing some of our 160,000 bridges that are either structurally deficient—there was a little problem yesterday with the San Francisco Bay Bridge—or functionally obsolete, building made-in-America streetcars, made-in-America modern buses, like the fuel cell bus I saw yesterday. But guess what? It's going to take some investment and some money.

This White House, after cutting a deal with Republican Senators for $340 billion in tax cuts in the so-called stimulus, which isn't putting anybody back to work—ask your neighbor, ask your friend, ask anybody, What did you spend your $12 on last week, your tax cut? How did you invest it for the future of America?

We need something that is not consumer-driven. We need a recovery that is investment and jobs-driven in this country, and a 6-year highway authorization could get that job done. The difference between the Obama plan—do nothing, extend current law and current levels of expenditure for a crumbling Third World-like infrastructure in this country—and what we're proposing here in the House of Representatives Transportation and Infrastructure Committee is 1 million jobs next year.

Now, apparently, the President's economic team thinks that they can tell those 1 million people who won't get jobs, Well, don't worry. The GDP's up, and we are losing less jobs than we were losing before. Or maybe they could get on board with us, help us write that 6-year bill, wake the Senate up from its nap, and put 1 million more Americans back to work next year rebuilding America's transportation infrastructure.

And, by the way, it meets another one of his goals. It will help him with his goals of reducing pollution, reducing carbon emissions because we'll get people out of sitting in traffic as we expand the system, deal with congestion and giving them more transit options.

I recommend that the President look for a new economic team and help us to

do things that will benefit the real American people, not pointy-head economists and not Wall Street.

ACORN

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. Mr. Speaker, I rise today to again call attention to the group Association of Community Organizations for Reform Now, or ACORN. As Congress proceeds later this week with appropriations, we must be mindful of the risk of allowing this group's funding to be restored.

ACORN's funding was stripped last month, thanks to quick action on the part of some of my colleagues here in the House. However, if we do not ensure that that funding is permanently eliminated, ACORN could again resume their questionable activities, subsidized by the American taxpayer.

Recently, 11 former ACORN employees were arrested for suspicion of voter registration fraud. In the past several weeks, more than five videos have been released to the media showing ACORN employees advising individuals of methods to illegally evade taxes by masking prostitution under an IRS code, among other questionable things.

We have no way of knowing if these were isolated instances or basic procedure, but I've heard from many Kansans who have voiced their displeasure with ACORN. They demand that ACORN be investigated, possibly criminally, as well as completely defunded, and I agree with those Kansans.

I recently wrote a letter demanding an investigation by the House Committee on Oversight and Government Reform. In the enclosed letter, I cited ACORN's unresolved issues with past elections and the recently released videos as evidence to block any further funding.

While ACORN has launched an internal investigation and fired offending employees, this string of events sheds light on the lack of institutional control within ACORN's management ranks. This is a perfect example of misappropriation of taxpayer dollars.

The American people should not be expected to subsidize ACORN's activities. That is why I called for this investigation in the beginning of September, and that's why I again call for an investigation now, a month and a half later. Congress must look at its own procedures when it comes to allocating money with little or no accountability.

Congress has been complacent with the money entrusted to us by the taxpayers. The House of Representatives owes an explanation as to why ACORN has been deemed fit to receive any Federal assistance. Congress has the opportunity to deny Federal funds to ACORN when we consider legislation later this week. It is necessary to deny those funds now and in the future until ACORN can dispel its long history of questionable practices. I cannot foresee a scenario where it would be appropriate to reinstate ACORN funding. Their previous track record, coupled with their stonewalling of legislative efforts to review them, gives me the impression that they are unwilling or, even worse, unable to play by the rules.

Let's end this corruption and stop wasting the money.

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

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 5 minutes.

Ms. EDWARDS of Maryland. Mr. Speaker, we are closer than ever to achieving health care reform for the American people. I think it's really important for us to step back and examine the reasons that we want health care reform.

Every day, every year premiums for Americans are going higher and higher, deductibles and copays higher and higher. Millions of people without health insurance, some 47 million people without health insurance, 14,000 people a day who lose their health care coverage. It's really unthinkable. And here we have an opportunity to do something that's very special and right for the American people.

Now, Mr. Speaker, I haven't been in this Congress for six decades, but I do know that the idea of health care reform has risen and fallen for six decades. So it's time for us to make the kind of changes the American people thought they bought onto in November 2008. We are closer than ever to achieving that kind of comprehensive reform. We need to take a look at why we want reform.

The American people want reform because they want to lower their health care costs. They know the cost of their premiums. It's not affordable for their families. Americans want health care reform because it's not fair that millions go without health insurance and many millions more are in danger of losing their health insurance. Our small businesses are struggling each and every day. They want to provide health care for their employees, but they just can't because they can't operate with a profit margin and provide quality, affordable, and accessible health care for their employees.

So I am really struggling here with why my friends on the other side of the aisle have so resisted reform. I don't really believe that it's because they're such allies with the health insurance industry. I don't really believe it's because they're more driven by what works for the private market than what works for the American people, but I have to believe that all of us can get on one page about what's right for the American people.

□ 1430

So, as we move into these days following many town hall meetings and meetings at senior centers with our seniors, as we talk to young people about the need for reform and as we meet with our business leaders, it's time for some real decision-making. If it's not going to come from my friends on the other side of the aisle, then the leadership and that decision-making has to come from Democrats. It doesn't matter to me, frankly, about one election or another, because it's about doing what's right for the American people.

Now, I, along with hundreds of others of my colleagues, happen to believe that a robust public health option is important for the American people. I guess the question is: How many more are going to step up and have the courage to do the right thing? How many more are going to step up and say, You know what? Not only do we want to eliminate preexisting conditions and strengthen insurance provisions for everyone, but we want to lower costs, we want to create competition, and we want to make sure that there is real accountability in the system.

Now, earlier this month, we had an opportunity to see the insurance companies and insurance industry completely unmasked. I mean their goals are very clear to the American people. Their goals are about maintaining the status quo because it works for them. Their goals are about maintaining the status quo because it satisfies their profit margins, and it satisfies their shareholders. The problem with that is that it doesn't satisfy the American people. So I'm ready to act.

I know that, from the year 2000 until 2006, the Republicans controlled both chambers of the Congress and the White House, and yet we didn't do health care reform. So the opportunity for those of us in the majority today is actually to do the right thing by the American people. I'm excited about that. I know the American people are excited about it.

If you look at the polls, and although polls may not be everything, they do give us a picture of where the American people are and of how they've moved. What those polls suggest is that, despite being beaten up and beaten up for months and weeks at a time, the public option has survived. The reason that it has is that I believe, like many of my colleagues, that the American people are smart. They get it. They understand what health insurance means to them.

They know that, for children who are coming out of college and who are ready to strike out on their own, those children are no longer on their parents'

health insurance plans, so there has to be affordable and accessible health care for those young persons as they strike out on their own in the workplace.

For our small business owners who want to provide health care, they know that, in fact, the opportunity is there if we do it in the right kind of way, if we make it affordable for them and if we allow the small businesses to do what they want to do to invest in their communities.

We also know that, for those Americans who don't have health insurance, we can't pass them up anymore. We can't pass up the 47 million people a year who are without health insurance.

So, Mr. Speaker, I will close and say it's time for us to get on with the business of decision-making and to bring real health care reform with a robust public option to the American people.

THE RULE OF LAW

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

Mr. CARTER. Mr. Speaker, this past week, I discovered I made an error on my House financial disclosure forms for 2006 and 2007. Let's get this clear.

I properly reported my stock dividends, stock sales and capital gains on my Federal tax returns, and I paid all the taxes in full. I properly reported dividend income on my stocks and the sale amount of my stocks on my House financial disclosure forms in both of those years. My error was in leaving the amount of the capital gains from the sales off the forms. I have amended both of these forms to reflect these amounts, and this has not changed my net worth one penny.

There was a good editorial on this in the Roll Call this week, and I urge my fellow Members to read that editorial.

To make the point on this issue of my amending my House disclosures, today, I have posted online my Federal tax returns for 2006 and 2007 so there can be no question about whether or not I paid my taxes as they were due. I do this because I intend to continue my discussion of the rule of law, and I think it's important that I do that.

Yet I'm not the first one to take this step. In one of the same years that we're discussing here, then-Senator Barack Obama made the identical, same error that I made on my House disclosure forms. When he discovered that he made that omission, the same as the omissions I made, he did the same thing as I am doing. He corrected his return, and posted his Federal tax return online. I have followed the lead of the President of the United States in correcting this issue.

It's now time for House Ways and Means Committee Chairman CHARLES RANGEL and Treasury Secretary Tim Geithner to pony up. Could it be that the only reason these two hold back is that, maybe, they have something to hide?

Chairman RANGEL failed to pay income taxes for over a decade on his Caribbean resort property while Secretary Geithner evaded withholding taxes on income from the International Monetary Fund over multiple years. Neither of these gentlemen has paid any penalty on their violations as would a normal American taxpayer.

The American public needs to know that Chairman RANGEL has not again failed to report or pay Federal taxes while still not paying penalties and interest on his previous evasions, all while overseeing the IRS on behalf of the House of Representatives.

They also need to know that the Secretary of the Treasury is not using his high station to avoid complying with the same IRS rules as his fellow citizens. While Secretary Geithner is asking his fellow taxpayers to pay a 20 to 50 percent penalty for failing to report and to pay income taxes on foreign deposits, he has failed to pay a nickel on multiple years of evading Federal taxes on income from the International Monetary Fund.

My opinion is that anyone who fails to disclose income or to pay taxes should pay a reasonable penalty with interest. If not, our Tax Code becomes unenforceable.

I also believe there is a higher law here, which is the equal protection clause under the 14th Amendment of the Constitution of the United States. Secretary Geithner cannot and should not legally charge his fellow Americans penalties when he has paid none himself. That would seem to be a violation of the Constitution.

Next week, I will introduce legislation dealing with the Secretary of the Treasury's failure to abide by the same laws as the rest of the country. If anyone thinks that I will slack off defending the rule of law because of a House disclosure error, they obviously have got another thing coming.

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.)

FLORIDA'S PREPAID COLLEGE TUITION PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to encourage all Florida residents to consider enrollment in Florida's Prepaid College Tuition Program.

I am a strong advocate of having parents and students get an early start on saving for college. As a mother and as a grandmother, as well as a former educator, I know the struggles working parents face when their children apply to college. Even in the best of times, parents and young adults can have trouble paying for tuition.

As a coauthor of the Florida prepaid plan, when I was a member of the Florida legislature, I knew that we could help make paying for college education easier on all of Florida's families. We created the Florida prepaid plan so that parents could lock in their children's tuition costs early and could ensure that they would be able to receive quality educations when their time came.

This plan has been extremely successful. Even as similar plans across the country are struggling, Florida's prepaid plan has a solid future. More than 206,000 students have attended college in Florida with the assistance of our State's Florida Prepaid College Tuition Program. With college tuition rising at about 6 percent each year, there is no reason not to take part in this program. There is flexibility in this program to allow parents to find the right plans and the right payment schedules which best fit a family's needs.

In addition to locked-in tuition rates, Florida's Prepaid College Tuition Program offers a tax-free investment fund—an account where money can be saved for tuition and additional college expenses. This program is truly helping families afford college for their children. Tuition plans vary depending on a child's age and a plan's options, but in most cases, the savings for a family can be incredible.

Prepaid plans can be bought by non-Florida residents, but the child for whom the plan is purchased must be a resident younger than 18 and not yet in the 12th grade. If the child decides not to go to college, the money is refunded or it can be transferred to a brother or to a sister. Also, that plan is good even if the child and the parents move out of State. Many States apply and accept Florida's prepaid plan.

The future of America lies in the hands of the next generation, and our children must be provided with the intellectual opportunities that they need to succeed. As a Nation and as a community, we must work together to improve the educational opportunities for all of our children. With the help of programs such as Florida's Prepaid College Tuition Program, we certainly have a valuable tool toward accomplishing this noble goal.

For anyone signing up before January 31, tuition rates will be locked in at the 2009–2010 tuition rates. Florida's public universities, Mr. Speaker, have been given the authorization to raise tuition up to 15 percent for next year. So, with these possible increases looming, there is no better time than now to make sure that our sons and daughters are afforded the education they rightfully deserve.

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

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

AFGHANISTAN

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

Mr. FORTENBERRY. Mr. Speaker, Congress is currently engaged in a very important debate on health care. It's complex, and Americans deserve an informed and transparent debate. Yet while this discussion continues, there is a country roughly 7,000 miles from here where nearly 35,000 American lives are on the line every day, and Congress has yet, given the changing circumstances there, to fully engage in a focused discussion with our military leaders on a comprehensive strategy for Afghanistan.

Since I was elected in 2004 and like so many of our colleagues, I have attended the funerals for fallen Nebraska soldiers. I've stood next to widows, whose young children were not of age, to comprehend the magnitude of the family loss. And yet when the time came, I did make the difficult decision to support sending more troops to Iraq in what was called a ''surge.'' It was the right call.

I have continually met with those who have served in Iraq and Afghanistan, and I recently met with those who are preparing to redeploy. Their dedication to service and their commitment to our country continues to inspire me and the families they leave behind. The solemn responsibility for their lives continues to weigh very heavily upon us all.

Mr. Speaker, Afghanistan is facing complex security and governance challenges, and the situation demands engagement by this legislative body now. Although the administration developed a strategy for Afghanistan in March of this year, there is still a lack of clarity, some seeming uncertainty and certainly a hesitation to fully engage Congress in order to move forward in a decisive manner.

Many Afghan people have braved threats of brutal violence in order to vote. Our troops are courageously fulfilling their duties, and there is concern that their resources are stretched to the limit. None of us wants our soldiers at risk nor the opportunity for stability in Afghanistan to slip away.

The administration's top field general and the national security adviser are reflecting differently on the security situation in Afghanistan. General Jones stated on October 4, ''I don't foresee the return of the Taliban, and I want to be very clear that Afghanistan is not in danger, imminent danger, of falling.''

□ 1445

Yet our senior military commander, General Stanley McChrystal, assessed that ''the situation in Afghanistan is serious; neither success nor failure can be taken for granted. Although considerable effort and sacrifice have resulted in some progress, many indicators suggest the overall situation is deteriorating.''

We in Congress need to know, which is it? While we are responsible for funding and equipping the troops, the administration needs to define the next way forward, and this House needs to challenge the decision paralysis that threatens our mission in Afghanistan with each passing day. Until recently, the war in Afghanistan was the other war, the forgotten war, said by some to be the right war.

Mr. Speaker, as much as anyone, I would like to wait and to make sure that all is in order, but Afghanistan is slipping. According to General McChrystal, ''Failure to gain the initiative and reverse insurgent momentum in the near term (next 12 months)—while African's security capacity matures—risks an outcome where defeating the insurgency is no longer possible.''

In his initial assessment of the security situation, General McChrystal requested up to 40,000 additional combat troops. This is going to be a very tough call for all of us. Clearly, General McChrystal's judgment is based on keen insight about what it will take to prevail.

The American people deserve to know the unvarnished truth about the situation in Afghanistan and the fundamental purpose for our being there. Military families deserve to know the truth about the challenges facing their loved ones. Americans need to know that the administration is committed to a plan for success that minimizes our casualties, stabilizes the country, and brings the main contingent of our troops home quickly.

Let me venture to say that this is not just an American problem. The situation in Afghanistan and, for that matter, in Pakistan poses an international security threat, one that demands a shared response from the members of the international community. Pakistan has exhibited a stronger will of late to engage in the ungoverned tribal regions bordering Afghanistan.

Yet we have witnessed a curious range of responses by other governments. Some who see the urgency join us, others sit back hoping that we will save the day, and yet others exploit international tensions for economic and geopolitical gains. While it may be difficult to engender the will to send combat troops, our partner nations must help provide resources to stabilize Afghanistan.

Just as General Petraeus returned from Iraq to testify about the impact of the surge, I believe it would be helpful for President Obama to instruct General McChrystal to forthrightly articulate before this House his views, concerns and professional judgment.

Eight soldiers, Mr. Speaker, were killed yesterday. We need to develop adequately informed conclusions about the resources needed, Afghan capabilities, and international will.

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

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

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

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

AFGHAN WAR

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

Mr. JONES. Mr. Speaker, I want to start by reading from the October 27 front page of the Washington Post: U.S. Official Resigns Over Afghan War.

''When Matthew Hoh joined the Foreign Service early this year, he was exactly the kind of smart civil-military hybrid the administration was looking for to help expand its development efforts in Afghanistan.''

Mr. Speaker, I want to say to Captain Hoh, retired marine, thank you for having the courage to speak out and to speak out on what you believe is the right policy for this Nation in Afghanistan.

I want to read parts of a letter that he wrote to Ambassador Nancy Powell when he resigned his position:

''I have served 6 of the previous 10 years in service to our country overseas, to include deployment as a U.S. Marine officer and a Department of Defense civilian in the Euphrates and Tigris River valleys of Iraq in 2004–2005 and 2006–2007. I did not enter into this position lightly or with any undue expectations nor did I believe my assignment would be without sacrifice, hardship or difficulty. However, in the course of my 5 months of service in Afghanistan, in both Regional Commands East and South, I have lost understanding of and confidence in the strategic purposes of the United States' presence in Afghanistan. I have doubts and reservations about our current strategy and planned future strategy, but my resignation is based not upon how we are pursuing this war, but why and to what end. To put simply: I fail to see the value or the worth in continued U.S. casualties or expenditures of resources in support of the Afghan Government in what is, truly, a 35-year old civil war.''

He further writes in the letter to Ambassador Powell, Mr. Speaker:

''This fall will mark the eighth year of U.S. combat, governance and development operations within Afghanistan.

Next fall, the United States' occupation will equal in length the Soviet Union's own physical involvement in Afghanistan. Like the Soviets, we continue to secure and bolster a failing state, while encouraging an ideology and system of government unknown and unwanted by its people.''

Mr. Speaker, I want to again say to Captain Matthew Hoh, this took courage for you to speak out, as it took courage for you to fight for this country in Iraq. I hope that our colleagues here on the floor of the House will debate this issue, not only about tomorrow, what are we trying to accomplish in Afghanistan, but in the years ahead, what are we trying to accomplish?

Mr. Speaker, with that, before I close, as I always do, I will 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; I will ask God to please bless the House and Senate that we will do what is right in the eyes of God; and I will ask God to give wisdom, strength and courage to the President of the United States that he will do what is right. And three times, Mr. Speaker, I will ask God, please, God; please, God; please, God, continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

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

HONORING MAJOR TAD HERVAS

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

Mr. PAULSEN. Mr. Speaker, I rise before the House today to remember an American hero, Major Tad Hervas of Coon Rapids, who died in Iraq on October 6.

It's so easy for us in the hustle and bustle of life to focus on our own challenges and our own concerns, and it's only natural for us to seek as much comfort and security as we can get in our own lives. But then something happens that comes to remind us that whatever success, security or hopes that we have depends on the sacrifice and the service of those who offer their lives in defense of our Nation.

Everything that we have as Americans was built on such a foundation over many generations. Every privilege that we will enjoy in the future will be bought with the heroic way our military performs its essential duty.

In the community of Coon Rapids, Minnesota, we continue to mourn the death of Major Hervas, who truly embodied the sacrifice that makes America what it is today.

Tad graduated from Coon Rapids High School in 1979. He went on to attend the University of Minnesota-Duluth, where he began a successful career in the military.

Major Hervas served in the Air Force in the very first Gulf War. After 9/11, he enlisted in the Minnesota National Guard, joining Minnesota's great 34th Red Bull Infantry Division. He was serving his second tour in Iraq when he lost his life in Basra just a few weeks ago.

Mr. Speaker, I have never worn our country's uniform myself, but one of the greatest honors of this job is all the opportunities I have to spend with those who do so. Hollywood movies tend to glamorize military folks and portray them as super men or super women, but what I have found to be so truly amazing is that they are just regular people who achieve super things. What makes them special is their drive to answer to a higher calling and truly put service to country above everything else.

As the Scriptures affirm, there is no greater love that a person can show than to lay down their lives for their friends. Major Hervas, over a period of decades, laid aside his own comfort, security and personal plans for his family, friends and neighbors, including millions of people who never, ever knew him. We owe him a debt of gratitude that we can truly never repay.

We stand with his father, Ned, and his mother, Barb, and his whole family in grief, and we assure them that we will do everything we can to try to help ease their pain in his passing.

Basra, Iraq is a long way from Coon Rapids, Minnesota, in every conceivable way. I know that the inspiration for Major Hervas' service was a love for his country and a desire to see freedom grow around the world so that others can enjoy the same freedoms that we all do. By creating a safer place for freedom to grow, Major Hervas gave a gift to future generations of Iraqis who may be able to live better than their predecessors were able to do.

Mr. Speaker, as we get back to debating health care and other important issues here like the economy, I want to make sure, and I hope that we will all take a moment to remember Major Tad Hervas and his sacrifice for all of us. He and thousands like him make our freedom possible and our future bright. Let us do everything in our power to make this a Nation that is worthy of the ultimate sacrifice that he made.

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 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 California (Mr. HUNTER) is recognized for 5 minutes.

(Mr. HUNTER 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 Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

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

30-SOMETHING WORKING GROUP

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

Mr. MURPHY of Connecticut. Mr. Speaker, I am glad to join my colleagues on the floor this afternoon to talk about the final stages of our push to complete what has been a very long journey to bring health care to the millions of Americans that don't have it, to lower the cost of care for the millions of small businesses and families that can't afford it, and to start finally doing something about the great burden to taxpayers in this entire economy of the cost of a system that outpaces all of our competitive neighbors across the globe by a two-fold margin. We will hopefully be joined here on the floor by some other Members who are just as interested in reform this afternoon.

Let me start out by saying that this really should be a bipartisan issue. Health care reform, which touches individuals no matter whether they are a Republican or a Democrat, whether they are a liberal or a conservative, should be a bipartisan issue. We should be sitting here working together to try to pass reform. Because when it comes down to it, there is, I think, broad bipartisan agreement, both in this House and out in the public, about what the problems are out there.

We have too many people that are playing by the rules, doing everything we ask, getting the job, being employed, putting food on their table for their family and their kids but they can't get health care insurance. Five out of six of the uninsured in this country are part of a family that have at least one full-time worker.

We agree that it doesn't make sense that there are so many people who are doing everything we ask and simply can't afford to have health care insurance. We also agree that it doesn't make too much sense that doctors have seen a lot of the joy be taken out of the practice of medicine as they spend more and more of their time filling out paperwork, hiring claims managers and fighting with insurance companies.

□ 1500

We need to get physicians back to the practice of medicine and get the

practice of medicine away from the practice of arguing over reimbursement.

We agree that the cost of our current system cannot be sustained, whether it is for an individual business that has seen its health care insurance premiums increase by 120 percent over the past 10 years or whether it is for the employees, the families that make up that small business or that large business who have seen their share of health care insurance costs increase by a similar percentage.

We all should agree that the current trajectory of costs for this government is unsustainable as well. The reason that Medicare is on a path towards bankruptcy is not just because you have an enormous amount of individuals, the baby boomer generation, entering Medicare age. It is also because we have constructed a system which pays far too often for volume of care that has nothing to do with quality of care, and we are paying for a lot of medicine out there, billions of dollars worth of medicine, that isn't adding any actual value to the health care that people get.

I bet you if we got together a random sample of Republican and Democrat Members of Congress or Republican and Democratic voters or liberal and conservative voters, I bet you there wouldn't be too much disagreement that we as a society and as a government should step up to the plate and do something about the fact that we have got too many people playing by the rules who don't have insurance, that we have too many businesses that are bearing the cost of an unsustainably high system, that we have too many physicians that are spending too much time arguing for reimbursement and not on providing care, and this government is spending too much money on medicine that doesn't add value.

The difference, though, comes in our commitment to doing something about the problem. That is where the rubber hits the road. It is one thing to go out into the public as an elected official and say that you understand people's problems, that you feel their pain when it comes to health care. It is another thing to have the courage to come down to this House floor and put your vote and put your advocacy where your mouth is.

That is the problem that we have in the House of Representatives right now, that it is only one side of the aisle that is proposing real, sustainable, transformational reform to our health care system which provides answers to those businesses, those families and those taxpayers who know in their hearts that the status quo is unsustainable. It is unfortunately the Republican minority here in the House of Representatives and in the Senate which has decided to be the Party of No, which has decided to stand in the way of health care reform.

Now, I want to take my Republican friends at their word. I want to believe them when they say that they are for reform as well. But it has been about 135 days since the Republican leadership announced that they were going to put a plan with real words and text and ideas behind it so that the people out there could compare the proposal for health care reform that has been proposed by President Obama and the proposal put before the American people by the Republican minority. Well, it is 133 days later, over 4 months later since this declaration was made, and we are still waiting. We are still waiting.

Now, I don't know why that is. There are some out there that will say that the objective of the Republicans is to stop reform from happening for political reasons; that they think they can do damage to the Speaker or to the Senate President or to the President by stopping health care reform from happening. And those critics look back to the years when President Clinton tried to address this issue, and it was widely understood that then-Minority Leader Gingrich decided that his path to the speakership laid in destroying the President's plans to try to reform our health care system.

I hope that is not the case. I hope that our Republican colleagues here are not opposing health care just because they see political gain in it.

There are some out there that say that the opponents of health care reform are allied with the status quo, are allied with the insurance companies and drug companies and other industries that may not have an interest in reform. That is certainly the emerging case, that the major health care industries that certainly have a lot to lose from a system that transfers the profits they are making and turns it into help for middle class families are going to try to stop reform from happening.

I will say I think a lot of people have been pleasantly surprised that there has not been as much opposition to this debate as maybe one would have expected from the insurance and drug industries. Frankly, I congratulate them on making an honest attempt to be part of this process. But, as we have seen over the last few weeks, those industries are starting to inch away from the table, potentially starting to prepare to bring the full weight of their money and influence down on stopping health care reform.

I hope that my Republican colleagues aren't stopping health care reform from happening because of their alliance with some of those industries. But if it is not because they have something to gain politically, if it is not because the Republicans have an alliance with the status quo industries, then we are sort of left at a loss to figure out why, if we agree on the problem, if we agree that something has to be done, why we can't come together on trying to fix it. We are now entering the final stages of this debate, but it is not too late for us to be able to come together here and get behind some common solutions to what is undeniably a common problem.

So we are going to continue to come down to this floor and call out our Republican colleagues who seem to be out there saying they are for reform, but when it comes to the actual process of coming up with a bill are nowhere to be found, and when they say they are going to come up with their own bill, leave us waiting for over 4 months to find it.

We are going to continue then, in absence of real alternate solutions or cooperation from the Republicans, to press our ideas forward, to talk about how we can bring together this Nation around some basic principles of fairness; that insurance companies shouldn't be able to kick you off your insurance when you get sick; that insurance should actually go back to being insurance so you don't have to be charged 5 times, 10 times as much just because you have cancer; that we should be able to pool together the purchasing power of individuals and small businesses so that they no longer are negotiating with the insurance companies just based on behalf of their one family or their 10 employees; that we can still base reform off of the free market, but we can try to structure the free market in a way to give a little leg up to all the people getting the short end of the stick in the existing market, small businesses and individuals.

We can reach out a helping hand to those people that I mentioned at the outset who are playing by the rules, who are doing everything we asked them to do, and help them buy insurance. Not by buying it for them, not by handing them a government-run insurance program, but by helping individuals with tax credits that will partner with their own money to try to buy insurance for themselves and giving them the option to buy into the same type of plan that every Member of Congress, every veteran, every soldier, every Medicare beneficiary has, a government-sponsored health care insurance plan.

We are going to talk about those ideas, because those are unifying ideas that bring together businesses, individuals, families and taxpayers, to try to get insurance to people that don't have it, to try to lower the cost of insurance for businesses that are being crippled by our current system, and to try to put back some fairness into the insurance markets for American families.

I hope we are in the final stages. I hope it is not too late to get bipartisan cooperation on this. But we can't wait any longer.

I am so glad to be joined on the floor by my good friend from Ohio, Mr. TIM RYAN.

Mr. RYAN of Ohio. Just to continue on as you were saying, one of the key components of this legislation is to help small business people, and I think in the long term this is going to be part of long-term strategies in the

United States. We are working on the stimulus package and other job-type programs, but if we don't have and put in place long-term, systemic changes to health care, we are going to continue to impede long-term growth in the United States.

What we are saying here is, why are all of these small businesses putting so much of their budgets into health care when that money should be going back into buying new machines, hiring new employees, paying their employees more? It is because the cost of insurance keeps eating up more and more of their budget, so wages have been stagnant. So what we need to do is continue to reinvest back into these companies, and that is what this bill is all about.

Over the course of the last couple of days, we heard our friends on the other side, Mr. Speaker, time and time again continue to talk about we are removing choice. That couldn't be further from the truth. We are trying to increase choice. The idea of the public option is to increase choice.

Our friends on the other side, boy, if it came to a trade agreement, if you would pull up the CONGRESSIONAL RECORD and you would listen to these folks talk about trade, choice, increased competition, lower prices, it will have all these great effects throughout the market. But now when we say we want to introduce choice into the health insurance reform package, giving more options, maybe even a public option, a Medicare-style option for people to be able to go into and buy into, all of a sudden they are against it, Mr. MURPHY. They are against choice.

The fact of the matter is that this bill in the long term has a human rights component to it, as you stated, with eliminating preexisting conditions, making sure that people don't go bankrupt. I think those two in and of themselves would be transformational reforms to the health insurance program.

Our friends yesterday in their long line of speakers, they were all talking about being scared. I think at the end of the day, our friends on the other side are going to be most scared when in November or maybe even early December we have a vote on health care for America, and when they are really going to be scared is when they vote against health insurance reform and they wake up the next morning and they look in the mirror and they say, I just voted against eliminating preexisting conditions; I just voted against having a cap on how much an American can spend per year as a percent of their income so they don't go bankrupt. I voted against it. I voted against subsidies to make sure that people could afford health insurance.

That is not going to be a good holiday season for a lot of folks, waking up realizing they did that. I think it sounds good now to be against this and appeal to the radical fringe of the Republican Party, to appeal to the tea baggers, to appeal to those people who are completely anti-government. It may sound good. It may be comfortable right now to be in that position. But at the end of the day, history will look back and say who was pushing this reform to make health care more affordable and to address these human issues, and there are going to be folks on the wrong side of that.

Mr. MURPHY of Connecticut. Mr. RYAN, what comes with that is a defense of the current system, and whether it is part of their 1-minute remarks when they come down to the floor or not, for the party who had control of this House for 12 years, who for eight of those years had the White House at their disposal as well, they had plenty of time when they had control of the House, the Senate and the presidency to do something about health care, and they didn't do it. So you combine that inaction along with their opposition to this reform effort and you get a party which is the party now that is defending the existing health care system as it stands today.

Listen, we don't govern by polls here, but I think some polls give you a little idea on where the American people are coming down on this fight. All the polls that I have seen that ask this question, if health care reform fails, who will you blame, make it pretty clear that they know that if health care reform falls apart, which I don't think it will, that it will be the Republicans who sent it down.

That is not what people want, because they know the status quo doesn't work. They understand that this mythology of competition just isn't for real; that in half the States in this country there is one insurer that controls 50 percent or more of the business, and in three-quarters of the States there are two insurers that control almost two-thirds of the business. If you are a small businessman right now, because you are only bargaining on behalf of a few of your employees, you are paying about 120 percent or more than what some of your bigger competitors are paying.

□ 1515

The competition just doesn't work today.

So, listen, if you want to talk about what to be scared of, the real thing to be scared of is doing nothing, is allowing for the cost of this system to continue to explode for families and for small businesses to get the short end of the stick when it comes to their inability to bargain with insurance companies. What we really should be scared about is for politics to drive a wedge into the heart of doing what's right for this economy and our families, Mr. RYAN.

Mr. RYAN of Ohio. I love when our friends on the other side, oh, my God, they're going to start rationing care. Like, are you breathing in 2009 and hearing and seeing what's going on with the current private insurance market? It's unbelievable the rationing that's going on. And what we're saying to the insurance companies is no longer will you be able to tell an American citizen you can't cover them because they have a preexisting condition. Now, that is a transformational step in the private insurance markets. But right now we have our friends on the other side of the aisle and across the dome saying that somehow this system is okay.

And you know what? This will be a Democratic bill when it passes, and we're all going to have to live with the consequences. But I will tell you, I'd much rather be in Niles, Ohio, in December telling my constituents that they will never be denied because of a preexisting condition, the 1,600 families that went bankrupt in the 17th Congressional District in Ohio, that that won't happen anymore. That's a pretty good holiday gift, a pretty good Christmas gift for a lot of people in my district. And to go to a small business person and look them dead in the eye and say, You know what? Last year your insurance went up 15 percent and now they're projected to go up another 15 or 20 percent as far as the eye can see. And that's the thing we forget to talk about is this isn't, Oh, my insurance went up 15 percent in the last 5 years. No. It went up 15 percent a year every year for the last 5 years, or whatever the case may be, and the projections are, in 30 years, $1 of every $3 in the United States of America will be spent on health care. Now, to me, we have a responsibility to do something.

And when folks say, well, you're going to bust the budget, we're not going to do anything. The budget is on its way to getting busted. We're trying to fix it. That's what this is all about. And when you have 45 million people a year without health insurance, and the numbers can be disputed, 10 million, 15, 20, 30, 40, we all hear, there are millions of people in the United States of America who go into an emergency room and call that their health care plan. And then you follow in after with your insurance card and you wonder why you're paying $10 for an aspirin. Well, because three people just walked in and didn't pay anything for an aspirin, so you've got to pay for it, and the people with insurance. So those costs get pushed off. That is unsustainable.

Let's get these people in the tent, get them preventative coverage. We can give them a $20 prescription, Mr. ALTMIRE, instead of letting them 2 weeks later show up in the emergency room and spend a week in the hospital costing us $10,000 or $15,000. Now, this is not rocket science, but the trick is taking on the special interests that have controlled this town over the past 8 years and trying to wrestle control away from them and trying to give it back to the American people.

Now, just think about it. Since the Democrats have taken over, we've taken on the oil industry. We've taken

on the banking industry and got them out of the student loan business. Now we're taking on the insurance industry. Whose side are you on? These are the people we're taking on, and the American people, I think, once they hear the story, are on our team, recognizing we're taking on these big interests.

Mr. MURPHY of Connecticut. I yield to Mr. ALTMIRE.

Mr. ALTMIRE. I appreciate the opportunity to be here to talk about the importance of why we need to do health care reform. And the gentleman from Connecticut has heard me talk many times about an experience that I had which alludes exactly to what the gentleman was talking about, where a woman in my district came to me and she said all the reasons that she was unhappy with the Democrats in Congress, she was unhappy with the President. And she said to me, Don't you dare take my money to pay for those people who don't have health insurance.

And I said to her, Well, the problem is you're already paying for them. As the gentleman articulately said, if you go to the hospital and you don't have insurance, you get treated. They cover you; right? You get whatever the health care you need. It's the least efficient, most costly setting. But they're going to transfer those costs to the next person who comes through the door that has insurance.

And this woman said to me, It's interesting that you say that, because I just had a procedure done at the hospital and I had to pay $18,000 out of pocket because the insurance denied part of my claim, and I asked the hospital, she said, why does everything cost more than it should? Why does an aspirin cost $10? Why does everything cost five times more than you would think it costs? And she was told, as the gentleman talked about, well, that's because of the cost shift that takes place to pay for the people who don't have coverage, a cost shift to the people who do have insurance. And that's the crux of the whole thing.

I hear all the time you guys agree on 80 percent of this; right? Everyone agrees we should do the insurance reforms, no preexisting exclusions, no caps on out-of-pocket expenses, lifetime or annual caps. The insurance companies will have to take all comers. They won't be able to drop you if you get sick or injured. They won't be able to deny you coverage for any reason. And everyone does agree on that. Yes, we should do that. The problem is we can't do that by itself.

And the reason health care reform has never happened before is because of the hard decisions that have to be made, the decisions that we're going to make in this Congress and the decisions that for a hundred years since Theodore Roosevelt, literally a century ago, first started talking about health care reform we've failed to do as both Congresses and administrations, both Republican and Democrat. And those decisions include: How do you get people into the system who aren't insured? How do you do that?

The only way that works, the only way that you can tell the insurance companies you have to take everybody no matter how sick they are and you can't use their health status to set their rates, the only way that works is if you get the young and healthy people into the system, the 24-year-olds who are currently offered insurance by their employers but they turn it down because they think there's something they can do better with the $200 monthly premium than buy health insurance. And they say, Well, I'm young. I'm healthy. I feel good today. I'd rather do something else with that money.

Well, we have to find a way to get the young and healthy people into the system. If you're going to require people to have health insurance, you have to find a way to help them afford it as individuals and as businesses. Because if you're a small business—and almost half of small businesses are unable to offer health insurance now because it costs too much. If you're a small business that can't do that, it's not because you don't want to. It's not because you're a bad person. It's because you can't afford it. And this bill is going to help small businesses find a way to offer health insurance to their employees. It's going to offer tax credits, if we do this right, and small businesses will be able to offer health insurance. Individuals who are required to have insurance that can't afford it are going to receive some assistance to help them do that. And what that does is it offsets the risk pool. It balances out what we all know needs to be done on the insurance side with the preexisting conditions and the exclusions.

So that's what we've never done. We've never made the hard decisions on the 20 percent that we all know needs to be done but we can't agree on how to do it. But there is 80 percent that is easy. But you can't do one without the other. So that's what we're going to try to do is do both.

Mr. MURPHY of Connecticut. Reclaiming my time, I think, Mr. ALTMIRE, that our Republican friends know that, because there's a reason they didn't do the 80 percent while they were here and in control of the House and in control of the Presidency, because it does necessitate the other 20 percent being done at the same time.

We all agree that preexisting conditions shouldn't be a reason for exclusion from health care, but as you said, you have to make a tough decision to get there, and that's that we have to ask all individuals to participate in health care. And then you have to be prepared to do the things necessary for those that don't have the means to be able to comply with that mandate. Those are the hard things that have prevented health care reform from happening.

But you know what? If this job was just about the easy things, there would be a lot more people that would want to be Members of Congress. But this job is about doing the hard stuff. This job is about making some decisions that aren't easy regarding how you get to universal coverage, regarding how you expand the life expectancy of Medicare.

I mean it's worth talking about that for a moment, Mr. RYAN. We get all sorts of Republican Members coming down here decrying the fact that this bill starts to slow the rate of growth of Medicare, but they're the same exact people who come down here and talk about how Medicare is so broken and how it's going to go bankrupt and how Congress has to come and do something about it. Well, guess what? There are only two ways that you can fix Medicare. You've either got to send less money out of Medicare or you've got to bring more money in.

So our solution is, before we ask workers and employers to pay more in Medicare taxes, let's make Medicare efficient first. Let's get rid of the waste and the fraud and the abuse that's in Medicare today so that we don't have to ask more people to pay into the system or that we don't have to raise the age of eligibility.

Yet we have people out there trying to scare seniors, telling them Medicare is going to be cut without telling them that all that's being cut are the payments to insurance companies and the drug companies and the money that goes to health care systems that are performing a lot of extra treatments and procedures without any extra value and that their benefits actually get better, Mr. RYAN.

Mr. RYAN of Ohio. And the idea with Medicare, as well, is now we have in many areas across the country where people are 55 or 60 years old. They lose their job. They don't have health insurance, or they don't have very good health insurance. So I hear a lot from people in northeast Ohio that say, Well, I'm going to wait until I get into Medicare. I'm not going to get anything now. I will get some real basic coverage, if anything at all. I'll wait until I get into Medicare.

So we have people who now basically don't have insurance that are 60 years old and wait years before they go into the Medicare program who end up with very small problems not getting addressed and they become very big problems, and sometimes chronic problems by the time they get into Medicare, which is very, very expensive. But if everybody has health insurance, then you will get the kind of preventative care, the kind of screenings that you need, the kind of preventative treatments that you need to prevent you from going into Medicare and costing a lot more money.

So, overall, when we talk about slowing the rate of growth to Medicare, it's because there will be a healthier consumer, a healthier patient going into the Medicare program, which is going to have significant savings over time.

But that's not brain surgery. That's just a smart way to run it.

I mean, I think that if you would ask somebody to draw up the worst possible health care system for costs and efficiency, they'd say, Well, let's wait until you get really, really, really sick and then you go to the emergency room and get in line with everybody else who waited until they got really, really sick or had a major accident and you get in line with them. That's the worst way to do it. So we're trying to fix that.

Mr. MURPHY of Connecticut. I yield to the gentleman from Maryland.

Mr. SARBANES. I appreciate it.

I want to just echo what my colleagues are saying in terms of strengthening the Medicare program.

The savings that we're going to get out of the current program which come from being smarter—one way to do it is to be smarter on about how we deliver care and how we manage care, and we can realize savings that way.

The other way, and I'm sure this has been addressed in part already, is to go after some of the fraud and waste and abuses there. I mean, ''60 Minutes'' did a story recently where they talked about that. Well, you've got to put some resources in to crack down with enforcement.

There was an article a few weeks back about the producer of these motorized wheelchairs that cost them $1,000 to make these things. They're selling them to the Medicare program for $4,000. Well, that doesn't make any sense. That recalls the imagery of the $600 toilet seat that the Pentagon used to buy before we cracked down on that kind of thing.

So there are things that we can do, very legitimate things we can do to find savings in the Medicare program.

But what's important to understand, and seniors need to understand this, is that much of the savings we're taking, we're not taking that and putting it somewhere else. We're actually reinvesting it back into the Medicare program. So, in other words, the savings we get from these important steps that we take, we can take the benefit of that and we can invest it in things like closing the doughnut hole. We can invest it in things like more preventative services on the front end so people stay healthy instead of getting sick and then it costs more to treat them later in the process.

□ 1530

There is plenty of research that shows that if you cover preventive services, if you get rid of that copayment, which we plan to do for things like the initial exam, for glaucoma screening, and for other preventive services, and you provide that to our seniors, it is going to benefit them and it is also going to save a lot of money in terms of the system in the long run.

So it is very important for our seniors to understand that when we go looking for savings in the Medicare program, we do that with the goal of taking those savings and reinvesting them back into the Medicare program to make it stronger. And why wouldn't we want to make it stronger at a time when we have this baby boomer demographic wave that is coming into the country. Every 11.5 seconds, somebody turns 60 in this country. So we know that infrastructure has to be strong, and we have to do everything we can to invest in it going forward. That is what this bill does. That is why if you are a senior, you ought to be behind it 100 percent because it does all of the things that make sense for our seniors out there.

Let me yield to my colleague from Florida.

Ms. WASSERMAN SCHULTZ. Thank you so much.

Mr. Speaker, I am glad to be able to be here with my colleagues, both of whom are members of the 30-Something Working Group.

Mr. MURPHY, one of the things that has really stricken me when it comes to thinking about some of the devastating statistics that are out there in terms of describing what our uninsured population looks like are our older Americans. Not senior citizens; they are obviously covered by Medicare. But there was a 36 percent increase in the number of older Americans without health insurance between 2000 and 2009. We are literally at 7.1 million uninsured people as of just 2007, which means you know now there are more than that who are between 50 and 64 years old. It is really startling to me that there are that many. That is a gap in coverage.

I know my own mom, who has a preexisting condition, if she didn't have a job, would be in that same category. She is 63 years old. She is not Medicare eligible yet. The job that she has provides health insurance, but she is a cancer survivor. As a cancer survivor, she is absolutely uninsurable. I have tried to get her insurance. She needs to be winding down her working years; but, unfortunately, there is no insurance company on the individual market or anywhere else that will insure her if she is trying to buy insurance privately. That is what health care reform will solve, for someone like my mom, for the more than 7 million people who are older in this country, who are either working Americans or who need to be winding down their working years, it will provide them with insurance that they don't have to worry about losing, that they don't have to worry about it being taken away because they have a preexisting condition, that will be tied to them and not their job.

Those are essential reforms. And it just continues to boggle my mind that our friends on the other side of the aisle who promised 133 days ago that they would have a health care proposal, a health care plan, an alternative to ours, the one that they are out there trashing every day, and yet they still don't have one. They point to this bill and that bill that is maybe pieces of reform. I don't know. When I look at my children's puzzles that they have, the only time I think of it as whole is when all the pieces are together. You can't call a plan 40 different pieces of the puzzle and say, Oh, there's our plan. We've thrown out some suggestions. That's our version of reform.

That is not reform. That is just a whole bunch of broken pieces laying all over the floor. That is not leadership. Not only have they not exercised leadership, they have simply been an obstacle. The American people see through it. It is transparent. That is why every week that goes by, we pick up more and more support for health care reform. That is why 57 percent of the American people, when asked, support a public option, support a competitive option to provide more choice and more competition with the private market.

I will stop for now by just giving you my frustration from personal experience, because I have to tell you, over the last few months I have had an opportunity to talk about my own personal health care experience. In doing that, I felt very fortunate after going through breast cancer last year, that I had insurance. I had coverage through my job here as a Member of Congress. But I am 43 years old, and if I left employment with the Federal Government, I would be uninsurable because I had cancer. And this is what breast cancer survivors go through for the rest of their lives after a diagnosis, no matter how unlikely it is that we would have a recurrence.

For me, as a breast cancer survivor, I took steps to make it less likely even than the average woman to have a recurrence. So I am at like 96 or 98 percent likely to never have to deal with breast cancer again; but I would be uninsurable. That is wrong. Health care should be a right, not a privilege. It is just unconscionable. They are lacking in conscience, our opponents, and that is all you can call them right now is opponents. The opponents of reform have no conscience. They clearly don't care about making sure that people like me, people like my mom, people like the constituents that I represent who don't have insurance but deserve to have it, that they can get it.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, the awe and esteem you were already held in before the announcement that over the last year and a half you have been battling with this has only increased knowing that you were able to keep up the pace of your work schedule while going through that ordeal.

Ms. WASSERMAN SCHULTZ. Thank you.

Mr. MURPHY of Connecticut. You also know there are a lot of people out there who when they get sick can't continue working.

Ms. WASSERMAN SCHULTZ. Right.

Mr. MURPHY of Connecticut. I have told the story on this floor at least once or twice before about a gentleman who I met not more than a few weeks ago who contracted gallbladder cancer. He was an hourly worker at a factory in New Briton, and he was going to have to miss a number of weeks of work to get the initial treatment. That wasn't okay by his employer and his employer let him go because of the work that he was going to miss and might miss in the future. He is now unemployed because of his illness, and he is collecting unemployment benefits, but almost every dime of his unemployment is going to pay for the health care costs that he still has to bear.

And so everyone I think out there, now more than ever, as this economy puts more people in economic peril, realize that they are not just one paycheck away from potentially losing health care, but they are one diagnosis away from losing their job and the health care that comes with it.

Ms. WASSERMAN SCHULTZ. If the gentleman would yield, the point you are making can't be stressed enough. There are countless individuals in this country, countless people. We are talking about people. The 46 million, when you talk about the 46 million that are not insured, it is very easy to glaze over and think about them as an amorphous blob rather than 46 million human beings.

One of those human beings, like your example, the person who went through gallbladder cancer, was a woman who came into my office a few weeks ago, and she said this to me. She said, I am happy, Debbie, that you survived, that you got through your breast cancer. You were very fortunate when you were diagnosed. The only thing you had to think about was fighting your cancer.

A day after she was diagnosed for the third time, she lost her job, and then she lost as a result her insurance. So at the same time as getting a third diagnosis of breast cancer, she also had to battle for coverage and has not been able to get the access to care that she should have been able to get. That happens to breast cancer survivors and people who are victims of disease every single day in this country because their insurance is tied to their job. If they don't have a job, very often they don't have insurance and they can't get insurance. That is just, in this country, in the wealthiest country in the world, in the country that people always throw around the comment, we have the best health care in the world, no, we don't. We are 29th in infant mortality, and 37th in life expectancy. The statistics that Americans are dealing with in terms of their likely survival and their health is just abominable, because we have a sick-care system, like the gentleman from Ohio said, not a preventative-based system, not a well system.

I yield to my friend.

Mr. SARBANES. I want to just pick up because when we talk about the uninsured, we are talking about 1 out of 7 Americans, and their plight is more obvious than the plight of the underinsured, which is another whole group of Americans. These are people who have purchased an insurance policy. They have been paying their premiums, month in and month out. Then they get sick, and it is at that point that they discover that the policy they have doesn't come anywhere near covering the treatment that they need because there may be a cap on how much the insurance company is willing to pay in terms of the medical expenses. Or it has high copayments and deductibles associated with it. So there you have a situation where people actually purchase coverage. They thought that they were in pretty good shape if an illness came into their family. But then when that situation confronts them, they discover that they are still at severe economic risk. And there are thousands of examples of families out there who had insurance and then somebody got sick and they have to go into personal bankruptcy because they can't afford to make the payments.

Now, if you were to add together the people who are underinsured with the people who have no insurance at all in this country, you are starting to get up to about one out of three people in America who are at risk in this way. So that means close to 100 million people are getting up every morning and they have a knot in their stomach because they don't know whether some illness is going to hit them in a way that will pitch them over the economic brink. You can't function as a society that way.

What I marvel at is look at how much we have achieved as a Nation, even while carrying around this broken health care system on our back. Think about what we could accomplish in terms of productivity and other things if we could fix this system once and for all. That is what this reform effort is all about. There is an industry out there that has got to be pushed to do the right thing. The health insurance industry has asserted that voluntarily they will change their practices when it comes to preexisting conditions and coverage exclusions for that, when it comes to rescinding policies based on some technicality that occurred at the time somebody was applying, when it comes to making their rates more reasonable and pocketing less profits by recognizing that they should put more into the medical expenses on behalf of their enrollees than they should into their own profits.

They have told us time and time again, we can fix this problem on our own.

Ms. WASSERMAN SCHULTZ. But they don't.

Mr. SARBANES. But we have seen, and coming in every day is evidence that they can't restrain themselves, they can't really discipline themselves. At precisely the moment in this debate when you would think they would want to demonstrate restraint and show that they can forgo some of those sizable profits, I'm going around my district and hearing from businesses and employers who just now have gotten the notices on what next year's premium increases are going to be. They are looking at premium hikes of 20 percent, 25 percent, 30 percent. Now if a company that is only spending 75 cents of the enrollees' dollar on medical expense is turning around and sending out a premium notice that says we are going to raise your rates by 25, 30 percent next year, something is wrong with the picture.

This shows that left to their own devices, they cannot help themselves. That is why we have to move forward and put in place these best practices and put competition in place for that industry.

I have said a number of times, and I will repeat it again today, to me this is all about whether we are going to go on living in the health insurance industry's world, by their rules, or whether they are going to start living in our world by our rules—and they will live in our world, they'll do just fine—because we need health insurance in this country.

□ 1545

But they have to start getting with the program in terms of what ordinary Americans need and deserve with respect to health care.

Mr. MURPHY of Connecticut. And Mr. SARBANES, we've got to remember, health insurance is a business, it's a for-profit business. There used to be a lot of nonprofit insurers out there, including in Connecticut, but they're disappearing. In Connecticut, I'm not sure that we have a nonprofit health care insurer that's a viable alternative for folks in our State.

And so as a business, I guess you can understand that what we perceive as payments for necessary health care insurance companies term ''medical loss''; that's what they call the money that they pay out for health insurance claims, ''medical loss.'' Because to them it's a loss; any money that they pay out to pay claims is less money that they can keep for profit or as a return on their investment to shareholders.

Now, it's a business, so I'm not going to begrudge them the fact that in the end their motivation is often profit investment return, but it speaks to the fact that the interests of the insurance industry are not always perfectly aligned with the interests of their beneficiaries and of patients out there, and it is up to a fair-minded, commonsense government to try to even out that playing field. That is why this health care reform bill has to have all of those provisions that you talked about.

Now I want to just talk for one second about the debate here that we're having because we would like to think that there is consensus around these

issues. We talked a little already about the fact that the tough decisions are the ones that Republicans were unwilling to make for a very long time. But there was a 27, 28-page memo that was going around Washington about 6 months back written by Frank Luntz, the sort of pollster-in-vogue for the Republican Party. It was a 28-page memo on how you kill health care reform. It wasn't an analysis of what the bill actually was, it wasn't a summary of the proposals the Democrats had put forth and a critique of those proposals, it just said, Here are the words and the phrases that you need to use in order to kill health care reform without evaluating whether it was a good or bad thing to kill health care reform. The supposition from the beginning was of course we're going to try to kill health care reform.

It is no coincidence that the phrases in that memo are the phrases that you will hear over and over again uttered on the House floor by Republicans, by many of their allies in talk radio, ''government-run health care,'' ''socialist takeover of health care.'' The same phrases that polled well to people who were willing to stop health care reform are the same phrases that are used on this House floor—no connection to the bill we are actually debating, the bill that the Congressional Budget Office actually says over a 10-year period will expand the number of people who have private health care insurance, not contract it, but will expand the number of people that are insured by private insurance companies.

But this debate doesn't seem for one side of the aisle to be about really the merits here; this debate seems to be about certain catch phrases and sound bites that will stop reform from happening.

Ms. WASSERMAN SCHULTZ, as you mention, every day, as we sort of emerge from the heat of August, it seems that more and more people, whether it be in the public opinion polls or in the calls to our office, are getting behind the idea of health care reform happening. I think that is due to the simple uncovering of these distortions and sound bites. People are realizing that the phrases they hear on TV—it's not all from Republican Members of Congress, a lot of it is from the folks who are in the news entertainment industry—they're figuring out that there is a very big difference between rhetoric and reality.

Ms. WASSERMAN SCHULTZ. Well, you're absolutely right. As we came out of the ''August of fear'' and were progressing through the fall, every day that goes by, with every passing day—add the bogus report that was released by AHIP, the Association of Health Insurance Plans of America, that tried to scare seniors and scare people into believing that their costs were going to go up and that government was trying to take over their health care. As Mr. SARBANES alluded to, forgive us if we don't trust the health insurance industry to do the right thing on their own; they've had many, many years to do that. For at least some of this debate they have been helpful—or at least not obstacles, which is progress. And we will hitch our star to any progress that we can make when it comes to expanding access to health care and making sure we can cover everybody.

But at the end of the day, the fearmongering isn't working anymore. I mean, opponents of reform were singularly focused on scaring seniors, on scaring people into believing that the health coverage that they had now was going away, that they weren't going to be able to get access to quality health care, that somehow we were going to begin rationing. And you know what? The American people see through that. They can see the transparent attempt to derail reform because their real priority is politics. Their real priority is that they are unhappy that they are not in power, they have been disrobed, revealed to be essentially the frauds that they are because they say now that they want reform, but they had 12 years, 12 years that they ran this place—they were in charge for 12 years and they did nothing. They controlled everything and they did nothing about health care reform.

So that is why the American people are not responding to their distortions and their exaggerations and their fearmongering. The American people have had it, and they want health care reform.

I yield to the gentleman from Connecticut.

Mr. MURPHY of Connecticut. And the consequences of standing in the way of reform, as we've talked a little bit earlier in this hour, is defending the status quo. I think that there has been an awakening out there that that is just unsustainable. Mr. SARBANES talked about 20 percent, 30 percent increases in insurance in Maryland, the same thing in Connecticut. Our main insurer that covers more than half of the individuals in our State announced just this year a 30 percent increase in premiums.

People have woken up to the fact that the status quo cannot work. Whatever the objective is of people who are trying to stand in the way of reform, if the result of that is another year of double-digit increases of premiums, if the result of that is another year of millions of Americans being denied care simply because they're sick, if the result of that is another year of the Medicare program being on a trajectory to bankruptcy, that just doesn't work for people.

So I think we have seen this momentum towards reform, in part because people have discovered that the catch phrases and the slogans out there from the opponents of reform don't have much grounding in the text of the bill. And the consequence of going with the people who say, do nothing, preserve the existing system, is disastrous for families and potentially ruinous for this government.

Mr. SARBANES.

Mr. SARBANES. Well, in August, when we had all this noise and commotion that was going on, the other side began to predict the demise of the health reform effort. But then September came and October came, and a funny thing happened on the way to that demise, and that is that people started asking the public again, what do you think, and discovered that they weren't about to let go of this thing, that they've waited too long to see these reforms.

If you look at what's in the health reform proposal that we have developed in the various committees in the Senate and the House, it's almost a checklist of all the things that need to be done to address decades of grievances on the part of the American people. I mean, it's all there—strengthening Medicare, dealing with the problem of those who have no insurance coverage or are underinsured, creating a better health care delivery system, focusing on our health workforce and making sure we're getting people in the pipeline, improving the public health system in this country—which we understand oh so well today we have to strengthen when we look at the H1N1 outbreak and the infrastructure that we need to put in place. These are all things that for decades people have been calling about, and we've never been able to achieve the reform. Finally, now it is within our grasp.

When we were that close to it and the story line began, the narrative started to be put out there that this isn't going to happen, that's when the quiet majority out there, the American people, said, No, no, no, wait a second; we're not giving up on this thing. We've come too far to turn back.

That is why you see, as was mentioned by our colleague, you see in every single survey that's conducted that the American people want us to act. Only 20 percent of Americans when asked say that the Congress should not act on health care reform. Only 20 percent say we should just leave things the way they are, because they know that it's time to be liberated from the current system and to embark on a system that looks after people, that keeps people healthy, that doesn't confront them at a moment when they least should be thinking about whether they can pay, whether it will bankrupt them. At that moment, when they get sick and they need the care, that's when they should be able to rely on it. And so many millions of Americans can't do that.

So when I hear this discussion about, Let's hit the reset button, let's start over again—the American people don't want to start this process over. We started back in January of this year with hearings, and we did hearings in three committees in the House and two committees in the Senate. We gave the public a chance to understand what was in this bill and get their input. And here we are 10 months later, it's

within our grasp, and if we keep pushing, we're going to deliver this for the American people.

Mr. MURPHY of Connecticut. If this was easy, Mr. SARBANES, it would have been done under President Bush. If it was easy, it would have been done under President Clinton. If it was easy, it would have been done under the first President Bush, President Reagan, President Carter. If this was easy, it would have been done already. It's not easy. This is one of the most complicated, convoluted health care systems in the world, which is part of the source of the problem that we find ourselves in today. And so the solution is not one sound bite, the solution isn't 10 pages; the solution is tough to come to.

I have faith that the American people are going to get what they've been asking for—as we've mentioned here today—for over 100 years, a system of health care which guarantees that they get coverage not just when they're very sick, but throughout their lives, and gives it to them at a price they can afford.

With that, Mr. Speaker, we thank you so much for granting us the time, and we yield back the remaining time.

HEALTH CARE

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

Mr. AKIN. Welcome to this debate that's been going on now for a good number of months, a debate that has caught the attention of Americans everywhere, Members of Congress, Members of the Senate, the question about health care. It's something that's big, it's as big as 18 percent of the entire U.S. economy.

We have seen in the last number of weeks the involvement of the government in new and expanded ways in this economy, not just the 18 percent, but we have seen czars setting the salaries of people in the insurance and banking industry, firing the president of General Motors. So we've seen quite a trend of the government getting involved in the private sector. But this involvement in the area of health care is certainly the biggest of all; this is 18 percent of the entire American economy.

I had the pleasure of being able to sit here and listen to quite a number of the Democrats talking about health care. It was like coming from a different planet. I thought it was interesting that they talked about pet phrases and slogans and things. I guess there have been quite a lot of different words bantering about and different phrases and things, and I think it's important for us to be very precise with our use of words. Otherwise we fall into very serious mistakes.

One of the things that has been talked about is will there be a public option? That's kind of an interesting choice of words, a public option. What that really means, in political talk, is not a public option, but a government solution. A government solution.

So when you talk about a public option, really the public doesn't have anything to say about who's going to get treated or what price it's going to cost or how it's going to work. The public has no say in that; the government is the one who does that.

And in terms of options, you can talk about how bad health insurance companies are—and certainly they do some things that we don't like—but there is one thing about health insurance companies: If you don't like one, you at least have some option to try and find something else. If the option is the U.S. Government, your only option is to go to another country.

□ 1600

So there's not much option and not much that is public about the public option. Another phrase that sounds just wonderful is ''every American has a right to health care.'' Hmm, that's an interesting phrase. Let's think about that a little bit.

There was once a country that doesn't exist right now that had the idea that everybody had a right to certain basic things. For instance, if it gets really cold outside, you should have a right to housing, because if you don't have a warm place to live, you'll freeze to death. So they said that everybody should have a right to housing. If you don't have food to eat, you'll starve to death. So everybody should have a right to food. They said that everybody should have a right to education, that you should be able to read. So in each of these cases, the government was going to provide housing and food and education. The government said that you also needed to have a right to have a job. So the government was going to provide the job. And the government, of course, said that you had to have a right to health care, so the government was going to provide your health care.

This idea that because it's essential for your survival to have housing or food or education or a job or health care, to say, then, or to assume that, therefore, it's a right is to make the same assumption that was made by the Union of Soviet Socialist Republics. We used to call them commies when I was younger. How well did their system work? It didn't work very well. Lots of people got lousy health care, starved to death, froze to death and were persecuted and killed by their government because they had an assumption that you had a right to all these different things.

But I think that when our Founders started America, they talked about a right to something else, a right to life, a right to liberty, a right to pursue happiness. What's the difference between those things? Well, the right to life, liberty, and the pursuit of happiness is something that is granted by God to each and every individual citizen. Nobody else gives you that. Only God himself.

When you talk about a right to food, does that mean that the farmer has to be your slave and give you food, which is the product of the sweat of his brow? I don't think so. We call that stealing. So we need to be a little careful when we talk about rights a little bit too quickly. Because when you assume you have a right, then it's the government's job to enforce it, and pretty soon you end up with public option or essentially one choice, and that is the government running everything.

So let's take a look at when the government does too much. What happens when the government does too much? Well, one of the things we can see by other departments of the Federal Government is that we have some sense of rationing, inefficient allocation of services, degraded quality, and excessive expense. These are things that are not uncommon in government departments.

You can think about the postal department. The postal department is not known for its efficiency. There are a lot of private operations that are more efficient than the postal department. It was necessary when America first got going. But the government can do too much. That is the point of many of us on this side.

It's not that we want to have people not have health care, but it's also a reality on our side, as a Republican, that there are things called the law of supply and demand. And as much as we might like to repeal those basic laws, like the law of gravity, the laws of physics, the laws of economics and supply and demand, we can't do that. We cannot have the government guarantee everybody to get absolute first-class health care at absolutely no cost. It just doesn't work mathematically. You can't do it.

So the promise is that you're going to get Cadillac-quality health care at no cost, and don't worry because the government's going to take care of it. That's a great proposition. And if you believe that, there's probably some swampland in New Jersey that you could buy.

What happens when the government does too much? Well, we've taken a look at the Democratic health plan and tried to put 1,000 pages—because it's got to be complicated to take over 18 percent of the economy. So we came up with this chart. Every colored box here is a new agency or something created. Now, if you think of yourself as a consumer and you've got the doctors on the other side, you've got to somehow get through this maze to get your health care.

Obviously, the first thing that you note about this chart is—and as you can imagine, a 1,000-page bill, if it's as limited as that—I'm sure it's longer than 1,000 pages—is not going to be simple. Another thing that you know

about it is that the more the government takes over, it's going to be kind of difficult if you don't like the quality of your care to change. What is your option? Where can you go?

Now, one of the things, when Americans start thinking about whether or not they really want to go this distance, whether they really want to fundamentally change all of American health care—you know, the proposition that I heard here in the last hour was pretty much the concept that, hey, American health care is broken, so burn the whole thing down and rebuild it entirely, have the government run it, is essentially where it's going. They're not doing that in one step. They are having the government option, which then takes over everything, and every other insurance plan has to be like the government one. And pretty soon, guess what? Just like student loans started out 15, 20 years ago, the government was just one player, now they're 80 percent and they've absorbed almost everything.

So what's going to happen in this kind of a complex scenario? Well, how do you answer that kind of question? What you have to do is you take a look historically at who else has tried it. One of the people that have tried it has been the Europeans, Eastern and Western Europe.

I have a letter here that was sent to me personally by a lady. She doesn't want me to give her name out because she is involved with some government things and that would be some very sensitive information. She has family that has lived in Western and Eastern Europe and looked for health care. She said, in the different governments where she has been involved with government-regulated health care, which is most of the European countries, she says, The first thing I note about the system of health care is that people who want really good health care travel to the United States if they can. If you're a well-to-do sheikh from Bahrain, and you have got a serious health care problem, guess what happens? You take your millions of bucks and you hike over to the USA to get your health care.

I was just hearing people saying that our health care is just terrible in this country, but an awful lot of people vote with their feet, coming to America to try to get their health care. This is a person who has a family that has had surgeries, transplants, various tests, medical maintenance checkups and facilities in these countries where medicine has long been regulated by the government. This is what was said. My first introduction to this was hearing a national friend express her joy to others by this statement. ''God has been so good to my mother. She got in a hospital where the staff mops the floors and changes the sheets.'' For an American used to even community health clinics that surpass some of the westernized specialty clinics that she saw when she went to Europe, she said this was a very, very shocking first impression that she got.

Later, as she talks about elderly people, she says, Later, as I became a regular visitor in middle class hospitals, I saw firsthand how very fortunate we are in America. The hospitals and the clinics, to speak of, care for the elderly is almost too sad to describe. But I can tell you that, whereas, once I was incensed by a low-budget nursing home my aunt was placed in, now that I have ministered to elderly people lying on narrow beds in the back corner of dingy two-room apartments because nursing homes or assisted-living programs are beyond the hope of the people who supposedly have free access to their nation's health care plan, I think of my aunt, and I'm grateful she had a comparably luxurious environment.

There are other stories, too. Here is one for women. No woman enjoys her annual gynecological annual checkup. I would ask American women to imagine a scene where, in one of the best clinics, you sit in a stark, icy cold room, naked from the waist up as folks walk in and out until you learn to bring your own cover-up while awaiting a mammogram.

Imagine that one of the best clinics in your city cannot give you more sophisticated testing for a suspicious spot, and after seeking a clinic in a neighboring country, you end up in another stark clinic where attitudes and expectations are demeaning to a woman's dignity. Eventually, you're sent where for reliable testing? To America.

Those are examples of Europe, Western and Eastern Europe. But we have examples that are a lot closer to take a look to see if this is a very good idea. We could look much closer, to Massachusetts and to Tennessee, where similar programs of government takeover of health care was tried in those States, both abysmal failures.

What else did we learn from those States? Well, one of the things that has been going on here in this debate about health care, you're getting a lot of conflicting statements and opinions. What I am going to do here, with a couple of the charts that I have, is to give you some that have come directly from our President, and we're going to take a look at them here in the next few minutes and just see what really seems to be the truth.

Most of this plan can be paid for by finding savings within the existing health care system, a system that's currently full of waste and abuse. It's as though our current health care system has got line items on the various budget tabs that say ''waste'' and ''abuse,'' and we can just take money out of those accounts. It's not quite as simple as that. He is saying that this plan can be paid for by savings. Well, when you take a look at the fine print, you find out where the savings are coming from. We're taking it out of Medicare. That is one of the places it's going to be subtracted, and in other places there will be major tax increases. So that is going to be part of where this cost is coming from.

Now, you could also take a look at America and say, well, what has our experience been with government-run health care? We have two programs. One is called Medicare and one is called Medicaid. We had the Office of Management and Budget which, in the days that these programs were proposed, made estimates about how much they're going to cost. The only trouble was their estimates were a little bit low. The politicians didn't want those people to say it's really going to cost this much, because if they saw how much it was going to cost, people would have said, Baloney, that's too expensive. We can't afford that. So the estimates on each of these were many, many, many times lower by orders of magnitude—not by percentages, but by orders of magnitude—less than what these programs cost.

Now you take a look at what's going on here with Medicare and Medicaid and the expensive increase going on over time, and what you've got going with these three major entitlements programs—Social Security, which is not as much medicine, but the other two—what you have is basically an economic crash that's going to happen to America.

It's going to happen somewhere, because when you get—these programs have absorbed so much of our budget that you're getting into this near 20 percent line of taxation. At about 20 percent, what happens, if the government raises taxes, they don't take in any more money. Doesn't that sound like a weird thing to say? If the government gets taxes too high, they don't actually get in more money. The way that works is that when you run taxes too high, eventually you just stall the entire economic system in America, so you get less revenue.

Think of it a little bit like this. Let's say that you were king for the day and you had to tax a loaf of bread. So you think to yourself, well, I could charge a penny a loaf and collect some revenue from bread sales. Then you think, well, maybe I could charge $100 for a loaf of bread. You say, No, no one would buy a loaf of bread for $100. So somewhere between a penny and $100 is some optimum tax that you could charge for a loaf of bread if you were the king for the day, and anything above it, if you run the taxes up, you actually get less revenue.

There is a certain height that the government can run taxes, and then it just doesn't work. So these government-run medical programs are increasing in cost to such a degree that they're going to create a crisis economically in out-years.

So, if these programs—which were done very carefully, and we have good people trying to administer them—are making the country go bankrupt, is it so easy for us to take the whole enchilada, to take all 18 percent of medicine in America and have the government

run it? Well, I'm not so sure we can do it by just waste, fraud, and abuse and taking money out of Medicare. It seems like the experiences in Massachusetts, the experiences in Tennessee, even our own experiences with Medicare and Medicaid don't give us a lot of confidence.

Here is another statement by the President. Here is what you need to know: First of all, I will not sign a plan that adds one dime to our deficits, either now or in the future, period. Boy, that made me feel good when I heard him say that. The President is just letting us know that he's not going to get on any plan that's going to spend too much money or put us in any kind of debt, except for the fact I started asking some questions.

Let's see. Well, what's happened since the beginning of the year? Well, at the end of last year, we had half of the Wall Street bailout, and then we spent the other half of the Wall Street bailout. Special deals for Wall Street. Now that's not something that's exactly good for our budget deficit.

Then we've got this economic stimulus bill that was really not a stimulus bill whatsoever, but it was basically a big expansion of welfare. That's $787 billion. This is a big sucker. We were told if we didn't pass this, by golly, unemployment would get over 8 percent. Well, we passed it, and unemployment is now over 9 percent.

□ 1615

So they're talking about maybe doing another stimulus bill. Then we've got this SCHIP, and we've got the appropriations bill and the IMF. So this amount of spending totals about $3.6 trillion, and we don't have that money. So, when I'm told that we're not going to spend a dime to do this health care thing, it makes me a little skeptical.

How do you sort this stuff out? With some of it, you can't always believe exactly what you hear or the sound bites.

The assumption that we've seen, particularly in the proposals of the Democrat Party, have been what they call ''comprehensive.'' That means they're going to basically redo the entire system. The Republican Party has suggested quite a number of different changes that could be made without entirely burning down the barn. Those changes are now, I think, 50 some different, separate bills. I could name just a few, and I think it's important to clarify the record because sometimes people come on the floor and say that the Republicans don't have any ideas. That's not true, of course. Let me just list a few different things that Republicans are very comfortable with. They are ideas that will reduce the cost of health care in America, and they will make it so that it's more affordable for many, many citizens.

The first would be that we have a problem with trial attorneys and tort reform. In various States, there has been legislation to reduce what trial attorneys can do in terms of suing doctors. The result has been that doctors are still accountable for the medical procedures they perform, but you can't come up with outlandish kinds of punitive damages, which really run the cost of health care up. So medical malpractice reform is something that a great number of Republicans support, and in States like Texas, it has resulted in massive decreases in the cost of insurance and health care. So that's one proposal.

I have not seen much as to that in the different proposals from the Democrats in the House or in the Senate. Although the President mentioned it, there is a question as to whether or not he was very serious about doing anything legislatively.

There are other kinds of proposals. Another is the way the Tax Code works. Right now, if you work for a great big company, you get to buy your health insurance with pretax dollars, but if you're self-employed or work for a small company, you can't do that. Republicans believe in justice. We believe that the Tax Code should be applied consistently and uniformly, so we believe that people should be able to buy their medical insurance with pretax dollars all the way across the board whether you work for a big company or whether you are self-employed or whether you work for a small company.

Another proposal that the Republicans would make which makes a lot of sense—and this isn't something the insurance companies necessarily like, but it does make sense, and it prevents some of the monopoly situations that can occur with the insurance industry when they have heavy control in one geographic area. It is the idea that you'd be able to buy medical insurance across State lines.

To give you an example of how that might work, I'm from the State of Missouri, and we have, for instance, in Missouri a city which is Kansas City. We have Kansas City, Missouri, but the other half of the city is in Kansas City, Kansas. They're both sides of the river. So you have one city, and that city has a group of medical providers, but it is in two separate States. This legislation would allow you to do some shopping. If you lived on the Missouri side and if you could get medical insurance less expensively in Kansas, you could buy your insurance across State lines. What this does is it increases the amount of competition. Therefore, it helps to drive down costs.

We are not trying to repeal the law of supply and demand. We are not going to promise that everybody in America can have Cadillac care at no cost. That's just an empty promise, and it's deceiving people to try to create that impression, but there are many things we can do to improve what's going on.

If you stand back at a distance and look at health care in America and ask, Well, what really is the problem? one way to look at it, which I think is particularly helpful, is to say, look, you've got the provider system—that is the actual medical care that we're giving people in America—and then behind that you have the pay-for system. The pay-for piece is what's broken, not so much the provider side. Certainly, there can always be improvements to the care that we give. Some hospitals give better care. Some doctors do a better job than others, and you can always make improvements, but in general, American health care is pretty good. It's the way that we pay for it which is increasingly problematic. The reason for that is that two-thirds of Americans are paying for another one-third who isn't paying anything, and that just inherently, economically, causes problems. So there are some things that we can do.

Many Republicans support these ideas, again, of lawsuit reform so that we don't have these tremendous punitive damages where doctors have to practice defensive medicine. We like the idea of allowing health insurance to be purchased across State lines, and we think that, when you purchase medical insurance, taxation should be consistent across the board.

There are a lot of other ideas we have. Another one is the problem with the fact that you lose your health insurance if you change jobs or something. That's not a good deal. You're a responsible person; you're working hard for some company; you have medical insurance; you have a wife and some kids; they're covered under your policy. Then if you lose your job, all of a sudden, my goodness, now you have a child or a wife with a preexisting condition, and you're really up a creek without a paddle. That's not the way health insurance should work. We think insurance should be changed so that it's portable and so that you can continue to carry your insurance with you from job to job. So those are just a few ideas.

There are many ideas that Republicans support, but we don't think, when you have 100 million Americans with good health insurance and who like the relationships with their doctors, that you need to scrap that whole thing to try and address—whatever it is—the 10 or 20 million who don't happen to have insurance. We don't think you need to burn down anything in order just to treat the few. These are some concerns.

When you hear, Oh, this isn't going to cost too much, $3.6 trillion is an awful lot of money in the hole. The Republican President who preceded our current President may have spent too much money, but he is a mere piker by comparison to what has been spent here even in the last 9 months.

Here is another statement. First, if you're among the hundreds of millions of Americans who already has health insurance through your job, Medicare, Medicaid or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor

you have. Well, that sounds pretty good. It sounds pretty darned good. The only trouble is it isn't necessarily so.

First of all, if you happen to have Medicare, we already saw that the plans that are being proposed by the Democrats are going to take, depending on which plan you look at, somewhere in the range of $100 to $500 billion out of Medicare. So, obviously, if you're somebody who is having part of that money as part of your Medicare, that's going to change.

There are other changes that will occur with this proposal. These are other opinions as to whether or not you can really keep what you have.

Here is one. Jonathan Gruber. He is an MIT health economist: With or without reform, that won't be true, speaking specifically of this statement. His point is that the government is not going to force you to give up what you have, but that's not to say that other circumstances won't make that happen.

So, in other words, what happens is, if the government does this sort of public option idea and then they say everybody has got to change their insurance to be the same as the public option, well, essentially what has happened is what you had before is going to change underneath you whether you like it or not. It's going to be changed because the government will be getting into this 18 percent of the health care business. So that was his perspective on, ''if you like it, you can keep it.''

One of the huge things which, perhaps, frightens me the most about this whole health care debate is the problem of rationing. You see, there are really only two ways to control the costs of health care. There are really only two ways. One is that people take money that they earn and pay for it. The second way is that the health care is rationed by somebody, and somebody says you can get it or you can't get it. Guess who makes those decisions when the government runs health care. It's not an insurance company. It's not you. It's not your doctor. You guessed it. It's Big Brother. Big Brother decides who gets the insurance and who gets the health care.

The question then becomes: Well, how do they decide? Well, they've got to come up with some sort of a fair way, so they get their calculators out, and they start calculating: Well, if you're this age, you can get this, but if you're this age, you can't get it. We don't think it's appropriate for someone this young to get this kind of test. You can't get it. So you have the government, essentially, rationing health care.

Now, we can hear the Democrats say, Oh, no, no, no. That's never going to happen. We wouldn't have that happen. So we simply did a little test. We offered this amendment, which was Dr. GINGREY's. It's a simple, little, one-sentence amendment. These are not amendments that happen here on the floor. These are amendments that happen in committee because they won't let us do these amendments here on the floor. Here is his sentence:

Nothing in this section shall be construed to allow any Federal employee or political appointee to dictate how a medical provider practices medicine.

In other words, this amendment is saying your doctor-patient relationship is sacrosanct. They're the ones who make the decisions. The doctor and patient determine what your health care is going to be. We're not going to let any—what does it say?—Federal employee or political appointee. That means bureaucrat; that means czar; that means commissar. They're not going to tell you. It's going to be you and your doctor making the decisions. That's what this amendment says.

Well, when this amendment was offered in committee, as you can imagine, they took a vote on it. Well, how did the vote go? This is the Gingrey amendment. The Republicans voted for it, the 23 of them who were there, and none of them voted against this amendment. They said, No. As for this doctor-patient relationship, we need to keep that. No matter what we do in health care, keep the doctor-patient relationship. In fact, the Democrats voted 32 against it, with only one voting for it. So guess what happened? This amendment failed.

Does that give you any source of confidence that you're not going to get rationed health care if Big Brother government gets into the act? I think not.

Here is another statement. Again, this is our President: ''There are those who claim that our reform effort will insure illegal immigrants. This, too, is false. The reforms I'm promising would not apply to those who are here illegally.''

Well, you know, we've got a recession going. There are a lot of people without jobs. You've got an unemployment rate at 9.7 percent. The idea of saddling the American public with having to pay for illegal immigrants to come to this country for health care is a hard sell, and it may be asking an awful lot of the American public to say we're not only going to have to pay for all of our own health care as well as for the people from other countries who want to come here for free health care.

So the President recognizes that this is kind of a hard sell. He said, ''Now, there are those who claim that our reform effort will insure illegal immigrants. This, too, is false.'' Well, is it really false? Let's just check this out. Exactly what does the Pelosi bill say?

This is the Congressional Research Service. It's not Republican. It's not Democrat. Their job is to read the bills and to render an opinion on basic questions. Here is what they say:

Under H.R. 3200—that's the Pelosi health care bill—a health insurance exchange would begin operation in 2013, and it would offer private plans alongside a public option. H.R. 3200—that's PELOSI's bill—does not contain any restrictions on noncitizens, whether legally or illegally present or in the United States temporarily or permanently, participating in this exchange.

□ 1630

Now, this is not a Republican, these are staffers that work for the U.S. Congress, and they are saying that this bill here does not, when people go to get insurance or when they go to get health care through this exchange, which is one of those boxes on that chart, there is nothing to say whether you are here legally or illegally, or if you are just simply visiting, anybody can get this. This Congressional Research is saying that the President is just flat wrong.

Well, is there any other way of checking this thing out? Yes, there is, as a matter of fact. It was done with another amendment in committee, a Republican amendment. Here it is. This is the Heller amendment.

In order to utilize the public health insurance option, an individual must have had his or her eligibility determined and approved under the income and eligibility verification system and the systematic alien verification for entitlements. What this is saying essentially is if you are going to get this health care paid for by the public, paid for by the American people, if you are going to get that, you've got to prove that you are a citizen here. So this is an amendment. It's offered in committee. What happened in committee? Well, here it is. Heller amendment.

The Republicans, in this particular committee, 15 voted for it, none of them voted against it. The Democrats, 26 voted against it. So, guess what happened? The amendment failed.

Well, it's pretty hard to believe the President when he says we are not going to have illegal immigrants coming here to get health care, and that that's false when the Democrats vote down an amendment to specifically prohibit that. That's a very, very hard thing to understand. In fact, I don't believe what the President said was true, and neither do other people.

One more misunderstanding I want to clear up, and this is the President: Under our plan—the Pelosi plan—no Federal dollars will be used to fund abortions and Federal conscience laws will remain in place.

That seems like a pretty reasonable thing to me. You know, America is very divided on the abortion issue. Some people think that people should have the right to have an abortion. Other people think it's killing a child. Americans don't agree on that subject. But is it reasonable to force every taxpayer to pay for abortions? That's a different question than whether you approve of abortions or not.

So the President says this is a misunderstanding. No Federal dollars will be used to fund abortions. Well, how do you test something like that? I know. We've got some astute people paying attention here today, and you are going to understand, yes, there is a

way to test whether this is true. The way to test it is, of course, with an amendment in a committee. Was an amendment offered? Yes, it sure was offered. Here's the amendment. This is Stupak. This is a Democrat Congressman who offered this amendment: No funds authorized under this act may be used to pay for any abortion or to cover any part of the costs of any health plan that includes abortion.

Well, that's a pretty good amendment, offered actually by a Democrat this time. Let's see. How did this one come out in terms of how the committee voted? Twenty-two Republicans voted for that amendment and one voted no. Here's the Democrats: five voted for it, the guy probably, and four others; 30 voted against it. What's the total? The total is that this amendment, like the other ones, failed.

What does that mean? Well, it means the bill doesn't say what's going to happen with abortions, and yet you know what will happen. Because if the real intent were to make sure that we don't get in the point where American tax dollars are being used to pay for abortions, if the intent were there, we would simply have language like this in the bill. Language like this is not in the bill, and there is a reason for that. It's because the intention is to be doing taxpayer funded abortions. What the President again says does not stack up with reality.

Now, all of these questions come back to something that for all of us is very, very personal. Health care is the care of our own bodies. We have to live inside these bodies. That's the situation with it. If we are going to be tampering around with 18 percent of our economy, you think, boy, oh boy, we need to be careful and give a little bit of thought to what we are going to do. In fact, one of the things that you would want is you would want as many smart people as possible paying attention and giving input to what the bill should look like. There should be copies of the bill that are available. Before a bill comes to the floor for any kind of vote, it should be out for at least several days so people have some kind of chance to read the legislation. Yet we have seen over the period of the last 9 months that a number of major pieces of legislation have come to this floor without time for the Members to read them. In fact, I recall not so many months ago being right here on this floor, and it was almost comical if it weren't, in fact, true, and that was another Congressman from Texas stood up and inquired of the Speaker and said, is it traditional that when we are debating and voting on a bill that there is a copy of the bill in this Chamber?

The young lady who was Speaker at that time inquired of the Parliamentarian, and he said, Yes, it's customary for there to be a copy of the bill in the Chamber. Pretty soon the same guy stands up again and says, Another point of inquiry. I am having a little trouble finding the bill, and you said there is supposed to be a bill in the Chamber. If you could direct me to where I might find that bill.

After some talking up at the dais, he was told that you find the bill up behind me on the dais. So a third time he comes to the floor and he says, I still can't find the bill. Well, the bottom line, the fact was that the Clerk was still putting amendments that were passed at 3 o'clock in the morning, 300 pages of different amendments that were being shoved into this 1,000-plus page bill, and there wasn't a copy here on the floor and we were voting on it.

One of the great concerns that we have if we are going to go in and basically tear apart the system that 100 million Americans are using for health care today and re-create that whole thing with this particular government proposal, if we are going to do that, there are an awful lot of people that want to have a chance to take a good look at this proposal and say, is this really something that we want to be doing, and do we really want to go the route of Massachusetts and Tennessee and the European countries that went to a government-run system? Do we really want to go there? Or are there other proposals and alternatives that could be done that would be a little less radical and drastic?

As I mentioned before, the Republicans have got quite a number of ideas and proposals that don't tear the whole system to pieces but at least allow us to make some selective changes which will make health care less expensive and more available to many people.

I have talked about what a few of those were. One of them, of course, is tort reform, so we are not practicing defensive medicine. Another one of those is the idea that you could buy your health insurance with pretax dollars, not just if you work for a big company but if you work for a small company or even self-employed. We have also talked about the idea that you could buy your medical insurance across State lines, creating more competition between insurance companies.

There are other kinds of ideas. One is called associated health plans. That would allow small businesses to get together with other small businesses, pool their employees and buy health care in bulk. In other words, it's a little bit like going to Sam's Club or some place that buys products in large quantities in order to get a discount.

That kind of proposal was passed a number of different years by Republicans, it was blocked by Democrats in the Senate, but that's another possible idea. Certainly we believe that if you lose your job or decide to change jobs, that the insurance that you are paying for should be something that you could take with you. We call that portability.

So when you go from one job, and let's say you are going to be self-employed or a small business, you are going to get in a situation where you are uninsurable. We do not support the idea of making a raid on Medicare. That's what's being proposed to pay for about half of some of the Democrat proposals, is to take a large portion or a significant amount of dollars out of some of the Medicare proposals and health care. That doesn't seem to make sense.

We have a grave concern because of the tremendously high costs of what we have already tried with Social Security and Medicare, a grave concern that really what's being proposed with this kind of a government-run system is way beyond the limits of what we can economically finance. We don't believe that you have to take the whole thing apart just in order to make some important changes.

There are many other kinds of proposals that are out there in health care. In my home State of Missouri we have a phrase, if it ain't broke don't fix it. We have a very large part of our health care system that ain't broke, and so I am not really sure that we want the government to take it all over, but, rather, that we make selective changes in certain places where there are problems.

Like some of the previous speakers, I have had some experience. My body is getting a little older now, I am 62, and have had a little bit of situation and experience with doctors and hospitals and things. In my case, I came here to Congress just about 9 years ago feeling fit as a fiddle and still felt in my early fifties bullet-proof and everything was fine, I thought. But I had also had some insurance that wasn't very good, provided courtesy of my own State, the State of Missouri, so it had been hard for me to get in to see the, quote, gatekeeper that they had.

We came here to Congress, and it turns out that there is a place where I could get a physical and kind of fit it into my job of going to the different hearings and all, and they gave me the results of my physical. They said, yes, Todd, you are fit as a fiddle except for one little detail: You have cancer. That, of course, sort of gets your attention.

As it turned out, after a series of tests and different things, within the first couple of months I was a Member of Congress, I had a radical prostatectomy, that's prostate cancer, and it's sort of the equivalent in men of breast cancer in women. It's the most common kind of cancer. So I have a particular sensitivity to people who have been diagnosed with cancer and for those who struggle to survive cancer.

You take a look at what happens when you have government-run systems in terms of cancer care. Here's some of the statistics for men and women. Here it is in the United Kingdom and here it is in the United States. Now, these numbers can be calculated in kinds of different ways, but the point of the matter is that when you have a government-run system, one of the effects of that is you have got waiting lines, and waiting lines are not

good deals if you have got cancer. If you've got cancer or you've got heart disease, which are the two leading killers of Americans, you don't want waiting lines. You want to be able to move immediately on your situation.

In England, they have waiting lines. If you've got cancer, they do this test and that test, that waiting is deadly, as these statistics show. Your chances of survival overall in England is maybe 50 percent and these numbers show, well, 10 percent better. Other numbers show even more.

U.S. companies have developed half of all the new major medicines introduced worldwide over the past 20 years. Why do you think that is? Do you think the countries that have the government running all the health care are going to develop new ways of doing things? What's the incentive? Why is anybody going to take the risk? Why would the government develop things?

No, what happens here, because America still has a free system of health care, our companies are developing a great number of worldwide different changes. One out of every three Canadian physicians sends a patient to the United States for treatment each year. The Canadians have a government-run system, but guess where they go when they have to wait too long in line. You go south. You go to America to get our health care.

The bottom line of the matter is that the quality of care in America, when you take a look at things like cancer, is significantly better. I am thankful for it.

□ 1645

I had another experience which I wish I had not had last summer. My own father is 88-years-old. He was going to a doctor who had developed cancer himself, so the doctor retired and my father had to look for a new cardiologist. So we found the name of one who we had heard was a pretty good doctor. He went to see the cardiologist. The cardiologist took a look at him and said, Let's see, you are on these and these and these medications. What else has been done lately for your heart?

My dad said, well, nothing.

He said, we are going to get you in here tomorrow and get you a chemical stress test.

I had never heard of it. But the bottom line was he didn't do very much walking on the treadmill. The doctor said, Stop, that will be all we need. Thank you. He said, You need to come in for an angioplasty-type thing, which turns out at 88-years-old, you are given anesthetic, they knock you out, and they come in from a vein or artery in your leg and look around inside and see what is going on.

So he survived that okay. And I was there at the meeting on a Monday morning, and the doctor said, Well, the bad news is that there is nothing we can do with stints. Your heart is all clogged up and you are going to have to have a bypass. Well, at 88-years-old, that gets your attention. So we said, What are the numbers?

The doctor said, Well, you have got about a 10 percent chance of a major complication at 88 from a bypass. But if you don't do it, you'll have a 50 percent chance you will have a major heart attack in the next year.

Well, we took a look at the numbers and the decision was easy. The next day my father was in for a seven-way heart bypass. That was on Tuesday. He was home from the hospital on Friday, and he is home now—this was last July—he is home now and he is doing fine.

That time period in the United States, in St. Louis, took less than three weeks from his seeing a new doctor to being home from a seven-way bypass. That is not waiting lines. That is not government-run. That is not socialized medicine. That is free enterprise. And that is what I have heard people on this floor running down, saying American health care is lousy and it is no good. And I am simply saying, I don't know about other people, but if I were in another country, I would want to come to the good-old-USA to get my health care, and there is a whole lot of people voting with their feet to come to this country.

So the idea of torpedoing our whole system and saying we are going to throw everything upside down and basically turn it over to a government kind of run system doesn't seem to make sense.

Are there changes that should be made? Yes, there are. Have the Republicans proposed a number of those changes? Yes, they have. Are a number of those changes widely perceived by the American public as being necessary, such as tort reform? Yes, they are widely perceived. Are those changes part of the Democrat bills? Many of them are not.

There are things that we can do, but I'm not sure that the government takeover and this kind of system is where we really want to go. I think a lot of Americans are coming to the same kind of conclusions. They are saying, yeah, there are some things we need to do, but let's just wait. We have 100 million people insured and doing reasonably well. Do we want to scrap all of that for another 20 million or 10 million that may not have it?

So, you get to the bottom line, the bill that the Senate has come up with is not dissimilar to ones that we think may come out of the House. Of course, we don't know. We are not part of those backroom, closed-door meetings. I am a Republican. We are not included in the discussion. But we can guess somewhat from what we are hearing in the media and what the Senate has done, and we can say that the proposals that we are seeing are, first of all, going to raise people's premiums.

Who is going to be paying more? Well, first of all, seniors on Medicare are going to have less money in Medicare, because the Senate version has got Medicare cuts at $500 billion. I don't know if the House version is as high as that or not.

There are going to be higher premiums. Who is going to be paying for those? Well, some of the people that are going to have to pay for the higher premiums, aside from the average people on the street, are going to be small business people.

Now, small business people right now are pretty important to us. Small business people, people with 500 or fewer employees, employ 79 percent of the jobs in America. And we have got, whatever it is, close to 10 percent unemployment. So you want those small business people, you want those small businesses to be strong. You want them to have extra liquidity. You want them to be investing in new equipment, in new processes, and you want the innovators and the people who are inventors to be spending money to get new ideas going. And that is what gets the new jobs going.

So, how is it going to help? First of all, if you tax them a whole lot on energy, which we voted to do, but now you are going to tax them some more to raise premiums, and you are going to say, We are going to tax you even more to provide insurance for your employees. That is going to make them want to get rid of some employees, not hire more employees.

The other thing that happens is, when the government jumps into a market it reduces your choices. And eventually, over a period of time, and even the liberal Democrats who propose the government takeover of all health care—the more liberal Democrats want the government to take it all over; the more conservative say no, we don't want that, but we think if the government did a little bit, it is okay—well, the people who are pushing more for the government to take it all, they all say the government option is going to ultimately lead to the government being more and more involved in health care. What that does is it reduces your health care choices. So you don't have options; you have one option.

You know, I can think of something a whole lot worse than some insurance agent or person working for an insurance company getting between the decisions you and your doctor need to make about health care. There is something worse, and that is a bureaucrat. Because with the insurance person, if worse comes to worse, you can move to some other insurance. If it is a bureaucrat, you have no choice in these other foreign countries.

The delays and the slowdowns to health care, of course, are deadly with heart disease and with cancer. So that is a bad thing. And then, of course, the old standard, billions of dollars in new taxes. Is that what we want to do to a struggling economy, to add billions and billions of dollars in additional taxes on an economy that is struggling with

a 10 percent unemployment rate? Is this the time to be doing something like that? I think not.

I think that these kinds of costs say that what we need to do is take the system we have now, selectively look at certain specific problems, and let's put solutions together that address those problems. But let's not try to reengineer all of civilization and all of society, saying that we now have this fundamental right to health care and the government has got to provide it for everybody. It sounds really good, but when you see the cost, this has led to that kind of amusing phrase: If you think health care is expensive now, just wait until it is free.

This has been the effect. And these effects here are what we would predict and project if we make the mistake of following the Europeans, the Soviet Union before them, and Massachusetts and Tennessee, that have all played with these highly complicated government takeovers of health care. This is not the way that we think we should be going.

It is interesting that the polling data suggests that the American public, when you ask them what you want to do, they say, Yeah, we ought to make some reforms to health care. Everybody agrees to that. But they don't agree they want it all done with a government system. So that is pretty much where we are at this time.

I am joined by a colleague, a friend of mine from Louisiana, if you would like to make a comment or two. I think we are running close on time.

Mr. SCALISE. I want to thank my friend from Missouri for your leadership on this issue. This is an important issue.

As we are discussing health care, I think what is frustrating so many American people is that they are seeing what is happening here in Washington. Right now there is a back-room deal being cut where literally the liberals running Congress are rewriting this government takeover of health care, and the American people deserve and want to know what is actually in the bill.

I think what frustrates the people the most is they look at all this massive spending, $1 trillion in new spending. How many people really think the $1 trillion spending with this government takeover of health care is not going to add another dime to the deficit?

People clearly know not only is this going to be a massive spending bill, but it is a massive tax increase, over $40 billion of new taxes, most of which is going to go on the backs of American families and small businesses. And then the cuts that senior citizens know are coming, $400 billion in cuts to Medicare, including programs that people like, like Medicare Advantage.

This is not the way to do health care reform. We need to fix what is broken, but we don't need to break what is working in health care. Unfortunately, their bill is nothing more than a government takeover with taxes and mandates that the American people don't want.

Mr. AKIN. I appreciate your perspective. It seemed to me almost that one of the dangerous things to do legislatively is to have an agenda and then just try to figure out some excuse to give you a chance to do what you wanted to do before you even started. And it almost seems as though, instead of taking a look at the system, selectively saying, Hey, let's take one of the hardest things, say preexisting conditions. That is a tough nut to crack. Let's just focus on that. Let's get everybody, Republicans and Democrats together, to take this one nut, define what we want to do, and see if we can't fix that one problem—instead, it was like, we don't need your opinion at all. Our staffers will write the bill. We will talk about it. We will cut some deals. We have to cut some deals, because we don't have enough votes to pass it. So we are going to have to do something for the insurance companies so that they don't have any liability in certain situations. We got to do a deal.

And you start putting the deals together so you get enough votes to try and pass it, and you cobble something together in the dark of night, bring it to the floor and hope nobody reads it too closely, because if you look at the details you are not going to like it.

Instead, maybe it is a little bit more deliberate, but you define what the problem is. You say, okay, let's put all of our resources on doing this the right way. Any idea is okay, and let's just have a good and open debate. The American public can be part of it and see what that is.

We didn't do that in this big bailout bill, and we didn't do it in this stimulus bill. That is what really made people mad. Then that huge cap-and-tax bill over here, to have a 1,000-page bill with 300 pages of amendments passed at 3 o'clock in the morning, not a copy on the floor and we are voting on this thing, the biggest tax increase in the history of the country the House just passed a number of months ago, that makes people upset. They say, wait a minute. You guys at least could read the bill.

No, we couldn't read the bill.

What do you mean, you couldn't read the bill? It gets them mad.

You say, well, there wasn't a copy on the floor.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3854, SMALL BUSINESS FINANCING AND INVESTMENT ACT OF 2009

Ms. PINGREE of Maine, from the Committee on Rules (during the Special Order of Mr. AKIN), submitted a privileged report (Rept. No. 111–317) on the resolution (H. Res. 875) providing for consideration of the bill (H.R. 3854) to amend the Small Business Act and the Small Business Investment Act of 1958 to improve programs providing access to capital under such Acts, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. PINGREE of Maine, from the Committee on Rules (during the Special Order of Mr. AKIN), submitted a privileged report (Rept. No. 111–318) on the resolution (H. Res. 876) providing for consideration of the conference report to accompany the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE TRUE COST OF NOT HAVING HEALTH INSURANCE

The SPEAKER pro tempore (Mr. POLIS). Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes.

Mr. GRAYSON. Mr. Speaker, I reserved some time tonight for myself, but what I am going to do is yield it to America. I am going to yield it to you. I am going to yield it to the people who sent us here.

As Abraham Lincoln said in the Gettysburg Address, ''The world will little note nor long remember what we say here.'' Sometimes I feel the same way. So I think it is time to give somebody else a chance.

What I am going to do tonight is give a chance to the part of America that isn't often heard from, the people that have lost their jobs, the people who have lost their homes, and tonight the people who have lost their lives; the people who lost their lives because they had no health coverage, they had no health insurance, and so they died.

There are 44,789 Americans who die every year for lack of health insurance. There are 122 who die every day. In the course of my speech tonight, there will be five more. I wish we would act quickly to end this national tragedy.

So I am going to yield my time tonight to the people who wrote to us and told us the stories of ones they loved and lost at this Web site, NamesOfTheDead.com. Hundreds and hundreds of people have written since last week when we established this site, and they have told us stories about the people who they loved and lost because they had no health insurance. So let's begin.

Stephen Martin wrote to us as follows concerning Thomas Martin of Santa Cruz, California. Steve wrote:

''Tom had a hernia, but also thought something else might be wrong with him down there. He had no insurance, so he kept putting off the hernia operation. After he finally did get the hernia operation, out of total necessity, he realized that indeed something else was going on. He had little money, so he put off having it looked into, until his bowels were totally blocked. It was a tumor. Colon cancer. He still didn't get treatment for months until he could get medical help from a government program. He died a year later.

''The biggest problem is all the delays that happen if someone doesn't have health insurance; not having the money, not knowing how to get help, hoping the problem isn't serious, and trying to ignore it until it is too late.''

This is the first of several real live stories we will be hearing tonight from the people who Jesse Jackson used to call the dispossessed, the despised and the dammed; the people who never get any help.

□ 1700

The people who never get any help. All we can do for them now is simply remember them and honor them with these stories.

David Clark wrote regarding Christopher Gordon Clark of Key West, Florida:

''My brother Christopher died of colon cancer. He lived with symptoms for years because he was poor and didn't see a doctor. He was an actor and worked low-paying retail and service jobs that never offered health insurance. By the time he was in too much pain to work and he went to the emergency room, it was too late. Tumors had grown too big and it spread throughout his body. Colon cancer is, of course, nearly 100 percent avoidable through early detection and polyp removal.''

But that never happened for Christopher Gordon Clark, dead at the age of 33.

Lynn Long wrote to us about Jim Bowles at the Web site namesofthedead.com. She wrote as follows:

''Jim was a longtime friend and the best electrician around. He could fix anything. Most of the time he worked for small companies and repaired small appliances. The small firms never offered him health insurance. Jim was my neighbor. This time of year we would get out the lawn decorations, the fog machine and really do it up big for Halloween. But Jim died 2 years ago. By the time he was diagnosed with bladder cancer, it was too late and the cancer had spread. Had he had yearly checkups and screenings through regular health care, he would be here today. I miss Jim terribly and so does his daughter.''

Let's hear now from Sally York writing about Ricky Ramsey:

''Ricky was on his mother's health insurance until he turned 19, and because he was unable to find a job that offered insurance or one that he could afford to buy insurance, he went without. It was December, 5 years ago. He had been complaining of not feeling well for a few days. His mother finally told him to go to the hospital emergency. They said it was the flu and sent him home. It was Christmas Eve and he called his mom and said that he was so sick; he could not get out of bed. She went over to his apartment and took him again to the hospital emergency, and he died. They said it was from the complications of the flu. But Mother was not satisfied with that answer. After an autopsy, they discovered that he had one of the killer bacteria that is antibiotic resistant. Nineteen years old and dead because he was being shuffled in the system because he had no insurance.

Let's hear now from Jane Alexander about Tim Crowder of Saint Charles, Missouri:

''Tim was our neighbor's son-in-law. He was having chest pains for a couple of months. He would not go to the doctor because he had no health insurance and could not pay out-of-pocket medical expenses. Tim died 2 days before his 49th birthday. We will never know for sure, but it's likely that Tim would have benefited from cardiocare. His death was preventable. He left two children and many family members and friends who grieve for him and his untimely death.''

Let's listen now to T.C. Smythe about Dale Dickerson, 42 years old, of Houston, Texas. Smythe writes:

''Dale was a full-time musician and part-time photographer. He died of a heart attack that was caused by arterial sclerosis at the age of 42. As a musician, he did not have access to health insurance or health care. I personally know more than a thousand musicians in Houston who have no health insurance because the cost just can't be paid for out of a tip jar. Musicians pay 100 percent of the retail price at the doctor's office, the emergency room, and the pharmacy because we do not make enough money for health insurance. There is no minimum wage for musicians, and none of us has the $300 a month necessary to get into the most basic plans available. America, our truly gifted songwriters deserve better.''

And, for sure, Dale Dickerson deserved to live.

Let's hear now from Linda Kozloff regarding Lacretia Ann Crowe, 58 years old, Lyons, Colorado:

''My dear friend Lacretia found out in 2005 that she had 'something' wrong with her. She originally thought that she had some type of stomach problems. Lacretia was independently employed and she had no health insurance. As she got sicker, she could no longer work, and she could not make her house payments. Because she had no insurance, no institution would take her seriously. They just bounced her back and forth from one office to another. She was then too sick to get a job that offered health insurance, even though it might have saved her. The computer I have here today has letter after letter saved, first pleading and then begging for someone to hire her so that she could get some health care. By the time she was nearly disabled by ovarian cancer, her fate became inevitable. She tried desperately at the end to get on some type of Medicare or Medicaid, but because she owned her house and several old vehicles, she could not qualify. As she suffered beyond imagination, she tried to sell everything off, her house and all her possessions, and ended up in hospice, where I witnessed her gradual overdose by morphine until she died. Her house was foreclosed and all her possessions were gone. She died on March 7, 2007, at 2:51 a.m.''

Let's hear now about Vicky Johnson from David Trotter:

''Vicky had been bleeding for 2 years. When I made a trip to see her, she told me she was afraid to go to the doctor because of the potential costs. By the time she was diagnosed, she had lung, brain, and ovarian cancer. She only lived about 3 months after that. To see the terror in her eyes as she dealt with this is something no civilized person could watch and then deny her the help she needed.'' David adds, ''I am ashamed of my country.''

Let's hear about Cindy Rhea from David Twiggs:

''Cindy was a custodian who worked for Southeastern Custodial Services in Knoxville, Tennessee. They had Knox County Government custodial contracts. I worked for the Election Commission in Knox County, and Cindy was assigned to our building. The contractor, nonunion, of course, did not provide insurance for its workers at Cindy's level. I know this because one of the employees who works in the HR department of this company was my daughter's best friend in high school. Cindy had a heart condition and she had to take medication regularly to survive. She did a good job and she was always friendly. One day she didn't come into work. We found out later that day that her teenage son found her dead in bed. He was a senior in high school. Cindy couldn't afford her medication as it was prescribed, so she just alternated her medications to make them last longer. She was not educated enough to realize that this made the medication not work as intended. Not having health care killed Cindy and left an indelible impression upon her son. I cry every time I think of her.''

Let's hear now from Sandra Chung about Michelle Marie Pavlak, 23 years old, Norwich, Connecticut:

''Michelle was the working poor with a cardiac condition: mitral regurgitation. She couldn't get insurance for one reason: She was denied for a preexisting condition. She tried to find other insurers but couldn't afford the premiums that would be more than three-quarters of her income. She could barely afford the medication, and she

often had to choose between food and her medication. She tried to get State aid, but she earned $15 above the poverty level, so was denied. She was 6 months pregnant. She caught bronchitis. She went to the ER because she couldn't get a doctor to take her on as a new patient because she didn't have insurance and she was a 'high risk' patient with a preexisting condition. She made it clear she was in cardiac alert. She even had a medical alert bracelet. People with a cardiac problem, when they get an infection, no matter how minor, they are supposed to be given massive dosages of antibiotics and consult with a cardiologist and be monitored to make sure the infection didn't spread to her heart and other organs. The ER doctor listened to her lungs, pronounced she had bronchitis, gave her some Sudafed, a cough medicine, over-the-counter. No antibiotics, no consult with a cardiologist, no EEG monitoring. Without a prescription for her much-needed antibiotics, the infection spread to her heart, her kidneys, and her liver. She gave birth almost 3 months premature. My nephew, Andrew Michael, died at 10 days old, and she died from an aneurysm caused by the infection passing the blood/brain barrier. In the space of 1 week, I became an aunt and then an only child.''

Suzanne McKnight writes to us about Gregory Scott in Franklin, Tennessee, 42 years old:

''Two and a half years ago, my 42-year-old son died of coronary artery disease. He had been downsized 3 years before and he had lost his insurance. Since he had diabetes, he could not afford insurance and he couldn't get a job either because of a terrible job market. He stopped getting regular checkups because his money was running out and he was embarrassed to ask his family for help. He died 2 days after Christmas of 2006, and his doctor spent many nights going over anything that he had missed in the records. Greg might have been saved had his insurance followed him when he lost his job or he might have been saved if he could have afforded insurance. He was the middle of my three sons, and we have never gotten over his sudden loss and probably never will.''

John Godwin writes to us about Roger Godwin, 70 years old, of Andover, New Hampshire:

''My father, Roger Godwin, died this past summer due to problems with our health care system. He did have insurance, but he was a victim of a system that is focussed more on the bottom line than care. He experienced severe pain in his back, but he was denied access to an MRI and physical therapy was prescribed instead. Physical therapy is not effective when the problem is a tumor growing next to your spine and, worse, does nothing to detect this threatening condition before it begins to spread. And spread it did, eventually leading to tumors in my father's lungs, brain, liver, and, most painfully, in his bones. He fought hard, but he died after a painful struggle lasting almost a year. My father was a veteran of the Korean War, active in local government, and he gave to his community in a myriad of other ways. He was greatly beloved by his family and those in his community. He deserved better.''

And John Godwin says, ''We deserve better.''

Joel Witherspoon wrote to us about Louis Bruce Witherspoon, 61 years old, of Anaheim, California:

''For 17 years, my father worked for a major utility here in southern California. At the age of 51, he was laid off and he spent 6 years looking for work and surviving on help from me and a meager retirement. He finally found work at 57 working for Tenet Health Care as a computer technician. It was humiliating work but it was work. In order to cut costs, Tenet Health Care kept him on part time for 6 years without benefits. He was given favorable reviews, but when he applied for full-time positions with benefits, they were given to younger and less costly employees. In the middle of his 6th year, he began to develop respiratory issues that became progressively worse until he finally collapsed in the parking lot of the hospital where he worked.

□ 1715

After a week of testing, it was discovered he had terminal prostate cancer. The cancer had metastasized to his lungs, liver, and his brain. The doctors gave him only a few months to live. No doctor at the hospital would treat him. When pressed for answers, his boss and higher ups clammed up. We couldn't get any information out of any of them. After 3 months, he passed away in a hospital in Inglewood.''

Let's hear now from Cortney Helmick of Port St. Lucie, Florida about Chris Ilijic. She wrote as follows:

''The love of my life and my dear best friend took his own life on May 9, 2009. He had a long-term drug abuse and mental health problem. He and his family tried to get him help over and over again with no luck because he had no health care insurance. He could not afford mental health care on his own, living on unemployment and unable to find new work due in part to the economy and in part to his mental health issues. On Tuesday, May 5, 2009, he and his mother went to a local mental health clinic asking for help because he was becoming worse. They were turned away due to an inability to pay and a lack of insurance. That Saturday, 5 days later, my friend took his own life. After many attempts for help and being rejected over and over, he felt there was no way out of his own mental health misery. Something needs to be done. My friend has just as much right to health care as anyone.'' And then Cortney writes, ''As we all do.''

And now from Jasmine about Rebecca Jane Delgado of Lampasas, Texas:

''I found out my mother had cancer on August 23, 2007, my first day of classes at St. Edwards University. We were told it was ovarian cancer in the final stage, but some treatments were still available so we started with the standard, which was chemotherapy. I missed several classes going to sit with her while she sat amongst the other cancer patients at the oncology center. The first chemotherapy didn't work, so we tried a different one that required a special port implant. Blue Cross/Blue Shield didn't approve the implant, so I used what was left of my financial aid for school to pay for her. That didn't work either, so we started going to special oncology hospitals looking for alternative treatments. We got a nutrition plan and some pills, but everything else was experimental. The treatment centers wanted upwards of $100,000 for some new treatments that were available, but we didn't have that kind of money. I don't know whether the experimental treatments would have worked or not, but I sure would have liked to try. My mother died last November. I lost my mother, and I am only 23 years old. I have no other family. I spent Christmas alone. I will do anything to ensure this never happens again to anyone else, ever.''

Let's hear now from Julie Nichols about Frankie Nichols, 41 years old in Copeville, Texas:

''My husband Frankie didn't have health insurance and rarely went to the doctor. He was a relatively young man without any health problems. He came down with what we thought was pneumonia in March of 2006. I got him to a doctor because I had coverage through my job, but we couldn't afford the additional $500 monthly premium to include him. He went to the doctor in April 2006. After treating him for 3 weeks because he didn't have coverage, we were out of pocket $2,000. A CAT scan was done which determined he had lung cancer. The doctor advised us to go to a public county hospital because they were not equipped to provide treatment. The county we live in does not have a public hospital, so we went to a different county hospital elsewhere in order to get him seen. He was admitted through the emergency room and he stayed in the hospital for 2 weeks while the doctors determined the origin of the cancer. He received one chemo treatment and he was sent home. His next chemo treatment was scheduled for May 25, 2006. He died on May 24, 2006. I think that if he had access to treatment when he first became ill, he would have survived a bit longer. Perhaps not, but any additional time he could have spent with me and our kids would have been precious to us. Now I am unemployed and uninsured myself. I worry how I will cope if I get ill and need extreme medical treatment. I have two kids who depend on me and have access to regular health care only through me. If they had access to regular health care and I knew they could count on it, it would lift a worry from my mind.''

Let's hear from Andrew Latzman regarding Allen Latzman, 65 years old, in

New Rochelle, New York. Andrew wrote to us:

''My father, Allen Latzman had juvenile diabetes since he was 27. He was a successful marketing executive who lost his job in 1980. After that, he drove a cab in New York City for 13 years. He did not have health insurance because he had to support a family of two boys after our mother died and he simply couldn't afford it. His endocrinologist for years had to sneak him insulin. Over time, his complications of diabetes worsened, but he could not afford the proper treatment as he had many retail jobs, after he drove a cab, and he went without insurance. Despite the challenges, he was still in pretty good shape—thin, healthy and active—until January 2003. He was walking back to his apartment at his job at Workbench and he slipped on the ice and shattered his ankle. At this point, he did have insurance through his employer and he went to surgery and repaired his ankle. But soon after that, Workbench filed for Chapter 11 and while they said that they would pay for their employees' health insurance up to 6 months after the termination of employment due to bankruptcy, the owner instead took all of the money he promised to allocate to insurance and he pocketed it. During this time, my father thought he was covered, and then he found out that his employer had not fulfilled his commitment. While this was occurring, my father's leg on which he had surgery in 2003 began to worsen. His circulation became poor and he had difficulty walking. The limited mobility had made him put on weight, and he had become increasingly unhealthy. But he no longer had any health insurance. The predicament he had been put into forced him to wait over a year for needed surgery to turn a vein into an artery and improve circulation, until he was 65 and was eligible for Medicare. During this time related to his poor condition, he had a heart attack. This heart attack was found in a stress test prior to his leg surgery, but the endocrinologist never disclosed he had a previous heart attack before the leg surgery. My father went into surgery not knowing the seriousness of his situation, and after his surgery he had a heart attack post-op and he never recovered. He was hospitalized for 3 months in extreme pain. He might have been able to fully recover had it not been for a series of secondary infections that he picked up from the hospitalization. He died in May of 2005 at the age of 65. I was able to tell my father while he was still slightly lucid that he was going to be a grandfather for the second time. Unfortunately, my son Nate, never met him. My father is the signature case of a man who needed to be better monitored because of a chronic condition, and the lack of insurance and proper care killed him. Dead men tell no tales, so I will tell his story for him. I love you, Daddy.''

Now let's listen to Clifford Theiss about Charles Theiss, 62 years old, Plant City, Florida:

''Carl, as we called him, was a kind and passionate brother whom we all loved greatly. He had spent 25-plus years employed by a trucking company in Tampa, Florida. One morning he arrived at work to find the gates had been padlocked, and a handwritten note alerting all employees that the company had folded. No other warnings were given. And in what seems like the fashion today, there was no compensation for anyone. He had enough 401(k) money, enough to survive on, but health insurance was at best a dream for him then. Being in his late fifties, he found it rather hard to secure employment, so he opted to retire on a minimal SSI. He had spoken to me occasionally about the high cost of medical care, but never mentioned that he was a living time bomb because he had a dangerous heart condition that required treatment. Carl was found dead in his apartment on February 3, 2008, by his daughter, a daughter for whom he had scrimped and saved to put through college. Ironically, she is now a doctor. He died in his sleep of massive heart failure. During the following days, his family found several unfulfilled prescriptions dating years back that if filled would have certainly saved his life or at least extended it. But due to the cost, he could not afford the medication. He had paid for doctors' visits out of his pocket, only to discover that he was doomed to die.''

Ladies and gentlemen, I could go on and on and on. We have received hundreds upon hundreds of stories like this at this Web site, *NamesoftheDead.com*. These are the stories of America. These are the stories of people who are suffering, and people who sent us to Washington, D.C. to solve their problems for them. Not to debate, not to delay, but to keep them alive.

The reason why I read these stories is this: Again as Lincoln said, in talking about these people, it is their loved ones who speak best for them. As Lincoln said in the Gettysburg Address, It is far beyond my poor power to add or detract. Rather, it is for the living to be dedicated here to the unfinished work for which these people have died. That, my friends, is the unfinished work of universal health care in America. That is our unfinished work.

I look forward to a day I hope will come very soon, not soon enough for all of these people, all of these people who have died, but a day to come very soon when there will be no more stories like this, when there will be no more names to add to the Web site *NamesoftheDead.com*. And for God's sake, I look forward to the time when we will have finally done our jobs.

HONORING SECRETARY JOHN McHUGH

The SPEAKER pro tempore (Ms. PINGREE of Maine). Under the Speaker's announced policy of January 6, 2009, the gentleman from New York (Mr. KING) is recognized for 60 minutes.

Mr. KING of New York. Madam Speaker, I proudly rise on the House floor tonight to manage a Special Order on behalf of our former colleague and the present Secretary of the Army, former Congressman John McHugh, now Secretary John McHugh.

Madam Speaker, before I begin my formal remarks, I would like to yield to the gentleman from Illinois (Mr. SHIMKUS) who does have to leave, and I would recognize him for 2 minutes.

Mr. SHIMKUS. Madam Speaker, I thank my colleague from New York for giving me this time and allowing me to go promptly.

Everybody loves John McHugh, an honorable man. We have a great history in this country that a lot of people take for granted which is civilian control of the military. That is honorably being served by Secretary Gates as Secretary of Defense, and we are honored to have our colleague and friend, John McHugh, accept and hold the position of Secretary of the Army.

John is no stranger to being involved in military affairs, especially the Army, serving as I know people will talk about in Upstate New York and the Fort Drum area, the 10th Mountain Division, where some of our best military fighters are stationed, in a tough environment, and have been deployed, like many U.S. Army forces around the world, in difficult environments.

John has always been concerned not just about their training and morale and welfare, but the post issues, housing issues, morale and welfare. You name it, John McHugh was a leader in that area.

□ 1730

So it was a great pleasure, and many of us were thankful that President Obama looked down to the ranks of the Republican minority to find a highly qualified individual who would ascend to the position of the senior civilian leader of our Army.

John also served many years on the West Point Board of Visitors, a position now that I get to take and assume his spot on that board, but I know a position that he loved, at West Point where we are training our young men and women of the future to be future leaders of the Army. He took that job very, very seriously.

I thank my colleague and friend from New York, PETER KING, for allowing me this time to come down and congratulate John, to put some words into the RECORD, to say we miss him here, and that we know he will serve our country well in the position that he is so well trained and prepared for.

And with that, I thank my colleague.

Mr. KING of New York. I thank the gentleman from Illinois.

Madam Speaker, I now yield to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for taking this time tonight for our colleague, Mr. McHugh.

John is not only a nice guy, he really is a hard worker. I think he has earned

his place in the administration with the Secretary of the Army position.

When I was chairman of the Government Reform and Oversight Committee, he was a subcommittee chairman that dealt with the postal service. He did an outstanding job. It was a very thorny issue, solving a lot of the problems that we had with the private sector and the postal service, and it was John who got the job done. It took several years, but I've never seen anybody work harder than he did.

I would just like to say as I depart tonight that we miss you, John. You were a heck of a Congressman, and I know you're going to do a great job as Secretary of the Army.

I thank the gentleman for yielding.

Mr. KING of New York. I thank the gentleman from Indiana.

Madam Speaker, I yield to the gentleman from New York, who actually served in the State legislature with John McHugh back when John was a senator and the gentleman was an assemblyman, Mr. TONKO from Upstate New York.

Mr. TONKO. Thank you, Representative KING.

The opportunity to share some thoughts about Representative McHugh here this evening is something I relish.

Our work partnership goes back several, several years, starting back in 1984 when Representative McHugh—then as State senator McHugh—was elected to serve for four terms. He obviously understands the needs of the North Country. He was returned to office several times over, not only in that role as State senator, but then to go on here to the House of Representatives and serve with distinction many terms over.

The importance of interacting with people in a bipartisan fashion was something that was always easily done with John McHugh. He understood that we in government have the opportunity to empower our communities, various organizations, and individuals. Certainly, in his role in the North Country, he represented several higher ed institutions, like the SUNY center at Plattsburgh, the SUNY campus at Potsdam, St. Lawrence University, the Ag and Tech Campus in the North Country in Canton, and then the campus of Clarkson University, my alma mater. So we always had opportunities to work on great things for these campuses, and in particular, to focus on some of the science and tech activities over at Clarkson University.

Here in the House, John McHugh had served for over 16 years as a Member of Congress representing that northern and central portion of what is deemed Upstate New York. During his service, he forged these very strong ties with Fort Drum, and it's there that I think he created this strong record of staunch advocacy on behalf of veterans and on behalf of soldiers and their families, working tirelessly to ensure that they had the necessary resources for proper facilities for training and for quality of life to carry on with their mission, and then to also make certain that he provided for those loved ones who remained at home.

As a Member of this august body, John McHugh served as the ranking member of the House Armed Services Committee, which has been mentioned here this evening. I think it is there where he earned the opportunity to now be appointed as Secretary of the Army, by having worked with the Department of Defense and each of the Armed Forces. Certainly, his love for the North Country is very much defined by the work that he has done.

In closing, I would like to just cite two of the accomplishments that I thought spoke near and dear to my heart because of my work on science and tech as a committee and my work as the former Energy Committee Chair in the New York State Assembly. And being over at NYSERDA, being president and CEO of the New York State Energy Research and Development Authority, I was happy to include John McHugh as one of those eight from the minority ranks in this House who voted for H.R. 2454, the ACES Act, the American Clean Energy and Security Act.

As we know, H.R. 2454 still looms out there as a measure to be completed by action that's required in the United States Senate, but there is no denying that if we can go forward with this legislation, it will help create millions of clean-energy jobs and save billions of dollars for consumers with utility bills that are ever on the rise.

This new economy and the new jobs generated by H.R. 2454 can spark that innovation economy, which would be key and premiere to New York State's economy and this Nation's economy. I have to applaud Representative McHugh for his work in that regard.

Secondly, as a senior member of the House Committee on Oversight and Government Reform, and after serving as Chair for some 6 years, I believe, of the Subcommittee on the Postal Service, John had done tremendous work on H.R. 22. I had the pleasure to help cast a vote in favor of the United States Postal Service Financial Relief Act of 2009. H.R. 22 will provide that sort of stability for our Postal Service system. And this House, with some 388 votes, voted in favor of the legislation that Representative McHugh had worked on so diligently.

In final comment, I just want to wish Representative John McHugh—former New York State Senator John McHugh—the very best as he assumes his new duties. I have no doubt that he will serve the President's administration with distinction, and that he will provide a great service in a new capacity to this great country and to the military.

As we go forward, I know the partnerships with John McHugh will continue as we work in this House to make certain that those needs, those essentials are there as he continues in this new capacity.

So John, we wish you well and Godspeed as you serve this Nation now in yet another capacity.

I yield back to Representative KING.

Mr. KING of New York. Madam Speaker, I thank the gentleman from New York for his very gracious remarks.

In your remarks, you demonstrated the same bipartisan spirit that personified John McHugh's career here in the House of Representatives, and I thank the gentleman for his remarks.

Now I recognize the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. I thank my good friend for the opportunity to join you tonight to recognize Congressman John McHugh.

Unlike my colleague from New York, I didn't know Congressman McHugh when he served in the State legislature, nor previously prior to January, at my arrival here in Congress.

I got a chance to know Congressman McHugh since January—and his leadership record. And I stand today not just as a Member of Congress to mark all of his contributions, but, frankly, as a father of a United States soldier in the U.S. Army. I am so appreciative of what Congressman McHugh's service has been as now he has been sworn in as the 21st Secretary of the Army, that swearing-in occurring on September 21.

Today, in his new role, being responsible for the Army's annual budget, more than $200 billion, what a tremendous responsibility that is, a workforce of more than 1.1 million active duty Army, National Guard, and Reserve, that includes 221,000 Army civilian employees and 213,000 contracted service personnel.

Additionally, in his new role, Secretary McHugh will be a steward for more than 14 million acres of land under the jurisdiction of the U.S. Army.

He served more than 16 years as a Member of Congress representing northern and central New York. Over those last 8 years, McHugh had made 10 official visits to Iraq and four visits to Afghanistan and other deployed locations to visit U.S. forces. And quoting at his confirmation hearing about wounded warriors, ''I've been so struck how these heroes, facing pain and loss and uncertainty, ask one question, 'What else can I do to serve?' ''

He served as the ranking member of the House Armed Services Committee and previously was chairman of the House Armed Services Committee's Military Personnel Subcommittee. As chairman of the Military Personnel Subcommittee, Congressman McHugh exercised leadership on overseeing our military forces, personnel policies, compensation, health care, morale, welfare, recreational activities, dependent schools, and other benefits. He advocated for the military's people and programs.

When Congress passed the fiscal year 2006 National Defense Authorization

Act, H.R. 1815, Congressman McHugh had a role in developing a bill that does so much for the members of our Armed Forces. The measure provided the basis for our Nation's defense policies and programs. This legislation relieved the tremendous pressures placed upon our military services, active Guard and Reserve alike.

The military personnel provisions aim to improve quality of life for active duty and Reserve troops through pay and bonus increases, improvements in living and working conditions, and enhancements in health care coverage. This legislation reflects Congressman McHugh's commitment and dedication to serving not just his constituents in New York, but the men and women serving as our heroes in the Armed Forces.

During his nine terms in the United States House of Representatives, Representative McHugh has been a champion of fiscal responsibility and lower taxes, protecting Social Security and Medicare, providing stronger and better schools, and protecting America's farmers. We wish him well in his newfound role as the 21st Secretary of the Army.

I thank my good friend for yielding.

Mr. KING of New York. I thank the gentleman from Pennsylvania for his remarks.

Madam Speaker, as the gentleman from Pennsylvania referenced, Congressman McHugh did go on a number of congressional delegations to Iraq. I was privileged to go on one that he led in 2004. But just to show that Congressman McHugh is not perfect, he did have one person on the trip who really didn't fit in at all, but Congressman McHugh, being the wonderful person that he is, brought him along with a sense of charity and compassion.

With that, I recognize the gentleman from Michigan, the chairman of the Republican Policy Committee, Mr. MCCOTTER.

Mr. MCCOTTER. I thank the distinguished gentleman from New York. In fact, all truth be told, one of the reasons that I'm here is a conversation we once had. The gentleman, Mr. KING, said to me, If John McHugh and I left Congress tomorrow, you probably wouldn't have a single good thing to say about either one of us. And I said, No, I would have a lot of good things to say about John McHugh, and I do.

When you first come to Congress, it's a very daunting experience, and as you go on you find out that you are rightly daunted. This is a town where everything is a crisis, everything has to be done in a hurry. And yet there was always one person you could rely on to exemplify Hemingway's definition of grace under fire, which is, ''keeping your head when all those around you are losing theirs.''

John McHugh is the type of person who always could keep his composure and was always open to give you counsel, especially as a young Member of Congress, as to what was going on, why it wasn't always the end of the world, and the way that you could work in a principled, bipartisan fashion to get the job done.

It was sad to see John go, we all know that. But we have all been enriched by our ability to work with him. Our country is certainly going to be well served by him as Secretary of the Army.

As he left, I was reminded of something my father said—I can't say it's an Irish saying; my father was Irish, and he said it, but I don't know that anybody else ever did—he said, Son, as an Irish Catholic, there are three things you usually wind up: You can wind up a priest, you can wind up a teacher, or you can wind up a soldier, but under no, no circumstances should you ever wind up a politician. It is nice to see that at this late stage of his life, John McHugh has improved himself and gone on to leave this Congress and serve with the men and women who defend us.

In closing, I would just like to say, Johnny, we did know ye. We will daily miss you, and we dearly love you. Godspeed in your new role serving our country.

Thank you.

Mr. KING of New York. I thank the gentleman from Michigan for his remarks.

Now I will yield to the gentleman from New York (Mr. HINCHEY), who served in the New York State legislature with John McHugh when John was a senator and Mr. HINCHEY was in the New York State Assembly. And I believe that Mr. HINCHEY and Mr. McHugh came to Congress in the same year, in 1992. It was quite a year, Mo.

With that, I yield to the gentleman from New York.

□ 1745

Mr. HINCHEY. Well, thank you very much for yielding to me.

I also want to express my deep gratitude to you for doing this event because John McHugh is a very good friend of all of us, and we very much appreciate the opportunity to be here and to say a few things on his behalf and on behalf of ourselves, for the opportunity that we have had to work with him and the benefits that have flown to all of us as a result of his experience, his insight, and his wisdom.

I can say that as someone who has worked very closely with him for a long, long time, as just was said a moment ago by our leader here today, he and I were elected to the House of Representatives in 1992, and we have been serving here now for about the last 16 years. In the context of those 16 years, he and I have become even closer together in spite of the fact that we were close enough to begin with because we had both served in the New York State Legislature for a good period of time.

John McHugh was in the New York State Senate from 1985 until he was elected to the House of Representatives in 1992, so he had a great deal of good, solid experience when he came here. He was nominated to be Secretary of the Army in June of this year, and he was sworn in as the 21st Army Secretary of the United States on September 23, 2009. When he was sworn in, we were very happy about that and deeply respected it because we understood that he was going to be a very good leader of the military, and we say that because of the fact that he has been directly involved in military operations in many ways for a long time.

John McHugh brought with him a great deal of the experience that he had with regard to that Army. First of all, his district included Fort Drum, which is the home of the Army's 10th Mountain Division. He worked very hard for those military forces, representing that 10th Mountain Division, and he stayed in very close touch with them. Of course, as a result of that, he learned more and more about the military operation, how significant it was and what kind of assistance that he could bring to them. So he has been known for some time as an authority on the military here in the Congress. Included in that, of course, is the fact that he served on the Armed Services Committee here in the House of Representatives for many years. When he was nominated and then sworn in, just as he was sworn in to be the new Secretary, he had served as the ranking member of the Armed Services Committee.

As I say, he and I have worked together on a number of issues and in a number of areas over the course of many years, including the fact that we both served on the West Point Board of Visitors. His service on the West Point Board of Visitors is just another example of his dedication to the military and the way in which he did everything that he could to serve the American military in the best way possible.

So I am very pleased to be able to extend to him my deep congratulations as being the Secretary of the Army and also to express to him my deep appreciation for all the things that he has done over the course of his dedication to public policy, whether it was in the State legislature in New York, here in the House of Representatives, or now as the leader of the American military in the Army.

So, John, all the best to you, and thank you for everything that you have done and everything that you will do in the future.

Mr. KING of New York. Madam Speaker, I thank the gentleman from New York for his remarks.

I now yield to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

I want to reflect just a moment, as we all have, on our mutual friend John McHugh. Obviously, I didn't have the opportunity to know him in New York. I first got to know him as a politician in 1992, about the same time I got to

know you, Mr. KING. I was the executive director of the National Republican Congressional Committee. John was running in what was a tumultuous year, a very challenging year for incumbents in both parties, an era of very low trust in the institution of Congress and in the politicians who engage in civic activities. And what I remembered was how effortless John McHugh made his victory appear. He was able to do that simply because the people in his district knew him from long years of public service, and they recognized the quality, the integrity, and the character of the man. The fact that he's been reelected eight times since that first election without ever having a serious contest in a very competitive district is a testament, frankly, to the excellence with which he represented his constituents and the high esteem in which he was held, frankly, not only by the people he represented, but by the people here in this institution.

We all know John as a Member's Member, somebody who is incredibly thoughtful, incredibly thorough, incredibly bipartisan, and incredibly gracious while still being amazingly effective in presenting an argument and a point of view. I had the privilege of getting to know John not as a candidate but as a public official when I arrived in Congress in 2003. I went to the Armed Services Committee and found myself—because I, too, represent a military district—his vice chairman on the Personnel Subcommittee. What impressed me about John's performance as the chairman of that subcommittee was his incredible depth of knowledge about all military issues but, particularly, his commitment to military families.

I remember, John taught me what is a very common saying on the Armed Services Committee, ''You recruit a soldier, but you retain a family.'' He thought about those soldiers very deeply. He understood the sacrifices they made. His intimate acquaintance with the great 10th Mountain Division at Fort Drum and his wide travels and interaction with military personnel made him understand that it was a social unit as well as a fighting unit, and how you retained the quality of life in an era of an all-volunteer army was really crucial to attracting and retaining soldiers and their families.

I grew up in a military family, and I remember my father leaving the military after 20 years, largely because it was the right thing to do for his family. He didn't want to, but there simply weren't the benefits available to the families that we now provide. John was a big part of moving us toward the kind of support systems for families that make it possible for our soldiers to perform so effectively in the field.

I, too, have had the opportunity travel with John abroad, and I just have to say this as an American, not just as his colleague—I can't think of anybody that I would rather have representing us in a foreign locale and in front of other nations than John McHugh. He exemplifies the very best traditions of public service in this country, and he always handles himself with such incredible grace and incredible wit, and he is so remarkably articulate when he's expressing his points of view.

I think the fact that he was chosen by President Obama to be Secretary of the Army speaks incredibly well of both of them. It tells you the manner in which John is regarded by members not only of his own party but the other party, and it tells you, frankly, that the President has thought profoundly, in a bipartisan sense, about foreign policy and certainly about the military, where he's tried to recruit the best people he could find to provide the civilian leadership for our forces at a time of war. I can't think of anybody better to fulfill that task than John.

Now, I have to say, there are a lot of reasons I will miss John McHugh, but probably, selfishly, the best is he smokes a mean cigar. Not only that, but he always looked like I always thought I would like to look as a Congressman. John looks the part. He could be a movie Congressman. You know, he is a handsome guy. He is extraordinarily well dressed, and when he smokes that cigar, he is so amazingly sophisticated. And by the way, he knows a lot about them.

I just want to close by saying that it's been a great personal privilege and an honor to serve with somebody like John McHugh, and I wish every American had the opportunity to know that Congress is, indeed, populated by people like John, that they come here, they're not flamboyant. He is not the sort of person that, you know, is ever going to lose his temper or create a scene. He just does his job with excellence, professionalism, decency, and courtesy every day, and I can't think of an individual who is as knowledgeable or as suited to lead the United States Army as a civilian Secretary in a time of war than John McHugh.

So I want to thank my friend for his years of splendid service in this House and to, frankly, thank him a little bit early for his service to our country, because I have no doubt he will discharge his duties as the Secretary of the Army. I also want to express my appreciation to the President of the United States for making such a wise and bipartisan choice.

With that, I yield back to my friend.

Mr. KING of New York. I thank the gentleman from Oklahoma for his remarks. I must say, I agree with him completely that Congressman McHugh had a level of sophistication and sartorial splendor which you and I certainly lack. We all try to emulate John but come nowhere close.

GENERAL LEAVE

Mr. KING of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. KING of New York. Madam Speaker, I now yield to the gentleman from New York (Mr. ENGEL), who also served in the New York State Legislature, in the assembly when Congressman McHugh was at that time a State senator. I yield to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Thank you very much. I thank my friend from Long Island for yielding to me.

I, too, want to say very, very nice things about our colleague John McHugh. You know, I hope he's listening now because one of the things that's so nice—I received an award a couple of weeks ago, and all these people got up and said such nice things about me. I was wondering who they were talking about. But I said the nice thing about hearing this is that it is almost like being at your own funeral, except you're alive to hear it. John can hear all the wonderful things we're saying about him from the heart. We mean it, and I think everyone can see the bipartisan feelings of affection that we have for John McHugh.

John and I both served in Albany, New York, in the State legislature. I served in the State assembly for 12 years, and John served in the State senate for 8. Our careers sort of went along the same path. John and I are about the same age, and we served in Albany and in Washington at the same time; although, I always remind him that I was senior to him in both Albany and Washington. But one of the things that you always know about John is that he is one of the nicest people you ever want to meet.

You know, the House gym is where you really get to meet people, talk, relax, and know them. John and I, as it turned out, had lockers right next to each other, so we often chatted there as well. I never heard him say a nasty word about anybody. He always had a smile on his face, was always pleasant, and was always caring. As some of my colleagues have said, he looked like the stereotypical Member of Congress, what a Member of Congress should look like, should act like, should be like—that was John. And I'm sorry to lose him, but I'm happy to lose him at the same time, because I think that the President couldn't have picked a better person to be Secretary of the Army.

Our colleagues have talked about some of his accomplishments and some of the things that he's done. He's had many accomplishments and has done many things, but the thing that I like most about John is that he is just a plain nice guy, down to Earth, caring about people. Actually, everything that a public servant should be, John is. We miss him already here in the House, but we know he's doing great work for our country as Secretary of the Army.

John is a quiet person. He is not someone who is going to toot his own

horn and tell you how great he is or get up and give a rousing speech, telling someone off. That's not John. John is quiet, mild-mannered, caring, smart, the kind of person that we all know should be in public service. So I wouldn't for the world miss this opportunity to say my words of tribute to my good friend who we're going to miss, as I said, but know he's going to do a great job. John McHugh, whatever he does, he'll do great, and I know that he will be a great Secretary of the Army.

I thank the gentleman for letting me say a few words.

Mr. KING of New York. I thank the gentleman for his remarks.

I now yield to the gentleman from Ohio, a good friend of Secretary McHugh, Mr. LATOURETTE.

Mr. LATOURETTE. I thank the gentleman for yielding.

Mr. Speaker, it's my privilege to be here during this Special Order, talking about our friend John McHugh. You know, when somebody retires or leaves or goes on to something else, you miss him. People talk about the gym. I remember, and I miss, that on a pretty regular basis you would go out to the fireplace out here in the Speaker's Lobby and John would have the biggest cup of something with ice in it. He was a constant fixture out there, and you could talk to him on a regular basis.

People will talk about his service on the Armed Services Committee, but that isn't how I knew him. I'm going to talk a little bit about the Oversight and Government Reform Committee and his work on postal reform.

□ 1800

I know John's office, for some reason in the last three Congresses, has always been either next to or across from mine.

His commitment to the military was always evident. He always had more brass in his office than a Sousa band. They were always coming and going, and they wanted to make sure that John McHugh understood where they were coming from.

I met John when I came here in 1995. Our service was on the Government Reform and Oversight Committee. John's post, when we were in the majority at that time, was as the chairman of the Postal Service Subcommittee, which no longer exists, but it was the Postal Service Subcommittee. The hot topic was postal reform. Postal reform hadn't been accomplished in about 25–30 years in this country, and there was a reason for that—it wasn't an easy thing to do, but John stayed at it in Congress after Congress, and suffered mightily because all of the stakeholders had a different view; you had the private shippers; you had the postal unions; you had the people with the postage meters. Everybody sort of had a dog in that fight, and it was John's job to sort of guide that through.

I'll never forget. I was a member of that subcommittee, and I wasn't so crazy about his first draft. I think it was called H.R. 22, his first piece of legislation. I sent him a strongly worded letter, reading, You know, how could you do this on postal reform? Well, John sent me a letter back, and just about took the skin off the back of my hand. It was the most pointed letter I'd ever received, and so I trotted right over to his office because I wanted to make sure he wasn't mad at me. We all send letters. We make points, but I wanted to make sure John wasn't upset.

In the end, H.R. 22 did, in fact, become law, and John modernized through postal reform and helped take the United States Postal Service into the 21st century, and that was no small feat. I know that he will do the same for the President as the Secretary of the Army.

You know, I happen to belong to a group of moderate Republicans. Some of us have sort of suspected that the President and Chief of Staff Rahm Emanuel have devised a scheme to completely denude the House of Representatives of moderate Republicans. You know, first they started with my classmate, Ray LaHood, and they made him the Secretary of Transportation. Then they took McHugh, and made him the Secretary of the Army. At the time that they made that choice, I said—and I'll say again during this Special Order honoring John—that the President couldn't have made a better selection. We are the poorer here in the House without the benefit of his wisdom, experience and guidance, but I know he will well serve the men and women in uniform, and he will well serve his President of the United States.

Lastly, I would say that John and I also parked near each other. John did have a really sweet parking space in the Rayburn garage on G–3, and if there's only one good thing that has happened in the House as a result of his departure, it's now that I get to park in his parking space.

So I thank you for organizing this Special Order, Mr. KING, and I yield back to you.

Mr. KING of New York. Mr. Speaker, I commend the gentleman from Ohio for always managing to get something good out of whatever happens. He gets John McHugh as Secretary of the Army, and STEVE LATOURETTE has a good parking place, so all is right with the world.

Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore (Mr. TEAGUE). The gentleman has 25 minutes remaining.

Mr. KING of New York. Mr. Speaker, I proudly yield to the distinguished gentleman from Texas, the chairman of the National Republican Campaign Committee, Mr. SESSIONS.

Mr. SESSIONS. I appreciate the gentleman, Mr. KING, for not only yielding me time to talk about our former colleague and the great Secretary of the Army, John McHugh, but I also thank the gentleman for his leadership on behalf of the State of New York. He really cochaired that responsibility and leadership in so many respects with the gentleman John McHugh.

As we see John's friends who have come to the floor this evening to talk about this great man John McHugh from New York—our former colleague, the gentleman from the 24th District of New York—and as his colleagues come to the floor to tout the attributes of service and respect and admiration that we have for John McHugh, I think it's important to note and to amplify how we believe that the men and women of the United States Army and every person who wears the uniform of the United States military will recognize this man who is from our body—a man who in service to his congressional district, to his State and to his country embodied the highest of skillsets, of personal accomplishment and the best wishes.

If I can for a minute, I'd like to talk about John McHugh, the man, as we have all taken the pleasure of doing. We just heard the gentleman Mr. LATOURETTE talk about how he worked with John McHugh on the Government Reform Committee. In fact, I arrived in Congress in 1997, and immediately found myself on the Government Reform Committee. I was a freshman who was eager to take part in the endeavors that lay ahead of us.

One of the subcommittees at that time, which I believe the gentleman Mr. LATOURETTE spoke about, was the Postal Subcommittee. The Postal Subcommittee had this bright, young person who was the subcommittee chairman. He was John McHugh, the gentleman from New York. John made sure, as my subcommittee chairman, that I was there at all the meetings—I was expected to be as a freshman—but more importantly, that I understood the substance and the issues that would be before us.

John took very seriously, as he always has, the duties and responsibilities that were there, presented to him and that he accepted. John made sure that I was well-versed on postal issues, talking about not just the compromises but the opportunities that lay ahead for us, making sure that the challenges were properly taken care of. I developed a deep and abiding relationship with John that I cherish even today—although, I'm sure he wants to forget a few of those meetings that we had that went on and on. It was all in the spirit of our service and in the need to make sure that we appropriately and properly did our duty.

I also had a chance to run across John McHugh as the left fielder for our baseball team. John McHugh played left field in college. John McHugh is a little, skinny runt who probably weighed about 115 pounds—if he had a bat in his hand, maybe 120—but that old guy could catch flies out in left field. Some of the most fun activities

and times that I had here in Washington were on the baseball field in Alexandria. As Republicans, we would prepare for our baseball games and for the charity game that we do every year, Republicans against Democrats. John McHugh showed up every darned day. I, some days, wanted him not to be there because I wanted a chance to play in the ball game.

John started in left field. I didn't understand how this old guy, who was probably five or six years older than I am—and I was old at the time—could be a skinny runt with little legs that could carry him and how he could catch all the balls.

He was very kind to me. He showed me, really, how to dodge all of the mud puddles that were out in left field. That was when we had an amazing rain in about the year 2000, maybe '99, 2000, 2001. John had it down. As people across this country are hearing about this great guy John McHugh, John had his position down once again, and John in left field could walk out in the midst of all the mud that was outside there, play three or four innings, come back in, and not have a piece of dirt on him. I went out there and found the mud puddle as I was running, trying to catch the fly, staying up with just catching.

There were two ducks that were out there in the mud puddle in left field with us. John made friends with the ducks. The ducks got along with him, but when I went out there, I was in trouble. I remember diving and sliding and walking back and John just looking at me and laughing. He's not just a fun and kind guy. He found a way to allow me to play in the game. He allowed me to share in that endeavor, and we had a good time—always at my expense, I'm sure—but that just spoke volumes about the kind of man that he was early on in my career as we worked together.

John and I found lots of activities with each other, and John always included me, not just because of my thought processes of wanting to know what I was thinking but because of how we could work together and how we could make things work.

Well, when 9/11 came, PETE KING, John McHugh and other members of the New York delegation who were hit and hit hard—Sue Kelly was in that group, John Sweeney and some others—really worked with members of other delegations to talk with them about the needs of New York and about what we needed to do. John McHugh was a strong advocate. He felt very strongly about the men and women who would be called also into harm's way as a result of 9/11. He understood firsthand those families.

John, as we know, ended up taking some 10 visits to Iraq and 4 visits to Afghanistan. He sat on the West Point or the U.S. Military Academy Board of Visitors. He knew that I went to the graduations at West Point and enjoyed them immensely. He knows that I have had and that virtually every Member of this body has had several young men or young women who are students at the Academy from all over this Congress and from all over this country. John had a strong sense of responsibility about believing in the mission and purpose, and knew that I felt that way, and looked at other Members the same way.

He was a co-Chair of the House Army Caucus. He understood firsthand not just the men and their missions but their families and their lives after coming back home. He spoke very passionately, he and I, about the needs of our returning vets who sometimes still need more in additional help. He has indicated that he will go and take this job. He is fulfilling this duty to do his best for the men and women of the United States Army—a branch of a service that he not only strongly identifies with but has worked with in his congressional duties.

John McHugh is a friend. He is a friend of anyone who has balance about trying to solve problems. John McHugh is a kind man. Many times in the midst, when lots of us are hurried in making decisions, John McHugh listens to the facts of the case. John McHugh has in this body exemplified himself. He has stood out as a person who can be trusted, who can make a wise decision and who cares about other people.

So, tonight, as this body honors the gentleman John McHugh, I would say to the men and women of the United States Army, to the spouses, to the children, and to the families that John McHugh is taking the place of Pete Geren. Pete Geren grew to have a strong reputation that the Army could count on, not only in discipline and leadership but in doing the right thing. John McHugh is that kind of man also. John McHugh will lead with honor and distinction. John McHugh will also do the right thing.

So, for our colleague who was tapped by the President of the United States to go and lead, for our colleague who worked with us day in and day out and year after year with honor and distinction, for our colleague John McHugh who will leave this body, knowing that he still had fight left in him, to go and still lead for the best, for this young man John McHugh, who has lots of friends here who wish him not only the very best but who want to see him again, for our friend John McHugh, who is serving with distinction and who will do well, we say:

John McHugh, we thank you. We thank you for who you are and for what you are. Don't change. Sure, get better, but go ahead, and do just what you've done all these years. Do this for the right reason.

The gentleman from New York, as I go to conclude here, I would like to read something which was part of John McHugh's statement as he left this body.

□ 1815

He said in July, I have been so struck how these heroes facing pain and loss and uncertainty asked one question, What else can I do to serve? He challenged himself when he said, We can ask no less of ourselves.

I would say to the men and women of the United States Army, you have a kind, gracious leader who will care about you. You have a man that understands that it is you who will be asked to sacrifice, but you will also have a man that will never ask you to do anything that he does not honestly believe in that is in the best interest of freedom and opportunity in the United States of America.

And as we hear these stories of bravery and heroism, as we see these men suffer, as we see their families well up, not only in pride, but also in fear for their families, we would offer one of our own from this body to say, We have confidence that you will lead, you will lead to the best; and we're going to miss you, but we're very, very proud of you.

From my left field buddy from congressional baseball, good luck with the New York Yankees against the Philadelphia Phillies, because you guys are going to need it.

Mr. KING of New York. Thank you, Congressman SESSIONS.

We have seen tonight people from all regions of the country, from both sides of the aisle, come forward. No one personifies that more than the dean of the New York delegation, the chairman of the House Ways and Means Committee, Mr. RANGEL.

I yield to the gentleman from New York.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Let me thank my dear friend, PETER KING, for taking time out on behalf of the entire delegation to give us an opportunity to pay tribute to one of our great Members of Congress and certainly one of our great eloquent members of the New York State congressional delegation.

I think John McHugh epitomizes what most Americans really look forward to when they think of their government or their Congress or their House of Representatives, and that is a guy that has principles, that sticks by them, and yet finds a way to get away from the harshness of partisanship during the time that he is representing their particular interests. This is especially so when one person of a party that probably has been for a lifetime has an opportunity to serve this great Nation under the leadership of a President from another party. I think that that really tests, whether you are Republican or Democrat or Independent, your willingness to understand that there are so many different ways to serve this great Nation. When he was called, it's my understanding that he didn't hesitate to respond when President Obama asked him to serve as Secretary of the United States Army.

I think during the rough partisan times that we are going through now,

that we ought to take advantage, as you have seen fit to do, Mr. KING, to point out that it's not like this every day, it's not like this every year, and that fortunately the New York State delegation have managed to disagree without being disagreeable, to maintain our friendships, to have mutual respect. And at the end of the day when we have done our responsibility in one particular Federal job, that we are able to move forward and look forward to working with each other again.

Let me single you out for doing this on behalf of the delegation, on behalf of the Republicans, and, I would like to say, on behalf of the entire Congress.

Mr. KING of New York. I thank Chairman RANGEL for his remarks.

It's very appropriate, I believe, that Congressman McHugh has become Secretary of the Army, and these remarks tonight by Mr. RANGEL were made by someone who has such a distinguished record in the United States Army in the Korean War. That's the type of person that John McHugh will be representing as Secretary of the Army, heroic men such as Congressman RANGEL who certainly put their life on the line and answered their nation's call.

Mr. Speaker, we have seen a large number of people coming out tonight to speak on behalf of Secretary of the Army John McHugh. I was fortunate to be elected to the United States Congress in 1992, the same year as John McHugh. I knew John McHugh from his outstanding service in the New York State Senate, I knew that he was a legislator's legislator; and from the moment he arrived here in the Congress, John always to me exemplified what a Member of Congress should be. I don't know how many times you would walk out that door and see John sitting there at a chair and desk studying the legislation.

People say that Members of Congress don't read their legislation. I can tell that you John McHugh was constantly reading legislation, constantly studying up on what had to be done, constantly trying to find bipartisan solutions to problems.

It was mentioned tonight that he served on the Postal Subcommittee, where he did author reform legislation of the Postal Service, a very, very difficult job.

We talked about the trips he took, the 10 visits to Iraq, the four to Afghanistan that he took as a member of the Armed Services Committee. Then earlier this year he reached the culmination of his congressional career when he was elected as ranking member of the Armed Services Committee where, again, he worked very closely with Chairman IKE SKELTON in a bipartisan way, always putting the troops first. I remember during his early years here in Congress when there was an attempt to close down Fort Drum and the work that John put in around the clock doing what he could and successfully doing what he could to save Fort Drum from being closed down.

These are just some examples of the type of dedication that John McHugh had. As Congressman RANGEL said, there was something else; there was no meanness, there was no bitterness, there was no anger in John McHugh.

John wanted to find a way to get things done. He had strong principles. He had strong beliefs. But he also recognized that people on the other side of the aisle and people in his own party also had very strong beliefs, and they may be different from his, but he respected them.

I wish John the very best as Secretary of the Army. President Obama made an absolutely superb selection when he picked John McHugh. I can't think of anyone who would dedicate himself more to the men and women of the United States Army than John McHugh.

As was mentioned, having traveled with John to Iraq, I would see him sit with the generals, the two-star generals, the three-star generals, the four-star generals. He would sit with the ambassadors. He would sit with all of the high-ranking people. But he always found time to spend most of his time with the enlisted men, the enlisted women, the PFCs, the sergeants, the first lieutenants, second lieutenants. He realized that it wasn't just the people at the top, but it was people at all levels, the people who really did the heavy lifting, who put their lives on the line, who were the people who made the most impression on him and to whom he had the greatest responsibility.

John, I certainly wish you the best. We look forward to your service for the United States, for the United States Army. I know that more even than the feeling you are going to receive from the Members of Congress, it's the men and women of the Armed Forces, of the United States Army, who appreciate you the most, because they are going to be the greatest beneficiaries of your dedication, your patriotism and your hard work.

Ms. SLAUGHTER. Mr. Speaker, while working with Secretary John McHugh for many years as a fellow Upstate New York Representative, I had the privilege of getting to know him not only as a Representative but as a friend. Throughout his time in the House of Representatives, Congressman John McHugh has more than demonstrated his qualifications to serve as the Secretary of the Army.

As a Congressman, he consistently made our servicemen and women and their families his top priority. He never stopped fighting for them and his respect for and commitment to those serving in our armed forces will make him an extraordinary Secretary of the Army.

Beyond his advocacy on behalf of our men and women in uniform, John McHugh has immense experience in dealing with the most important issues facing the Army. During his time in the House, Congressman McHugh rose to Ranking Member of the House Armed Services Committee following his work as Chairman of the Subcommittee on Morale, Welfare and Recreation Panel and the Subcommittee on Military Personnel.

He became the co-chair of the House Army Caucus where he continued to advocate for Army soldiers and their families while helping other members of Congress to understand the complicated intricacies of issues facing the Army. His expertise was invaluable to the Armed Services Committee and the larger House.

Mr. McHugh's work in foreign affairs also provides him with a unique background and knowledge base to address the issues facing the Army. His membership on the House International Relations Committee and the House Permanent Select Committee on Intelligence provided valuable experience that will be important in addressing the challenges of our Army. He has already traveled to Iraq, Afghanistan and other deployed locations demonstrating his commitment gaining a deep understanding of our military commitments.

Moreover, over the past 16 years I have found few Members of Congress more pleasant to work with than John McHugh. As fellow New Yorkers, John and I worked closely on many important pieces of legislation that were vital to our state and country. John always proved to be a man of integrity and honor who approached each and every issue with an open mind. John will be missed in the House, and I am certain that John will serve our country greatly in his new position.

I wish him well.

Mr. McKEON. Mr. Speaker, this afternoon I rise to honor a good friend of mine and an esteemed former Member of this House.

First elected in 1993, John McHugh represented New York's 23rd Congressional district honorably in the U.S. House of Representatives until this summer.

Representing Fort Drum and the men and women of the legendary 10th Mountain Division, John joined the Armed Services Committee upon being elected and went on to serve as the Chairman of the Morale, Welfare, and Recreation Panel; the Chairman of the Military Personnel Subcommittee; and the Ranking Member of the Full Committee.

During his tenure in the House of Representatives, John was a tireless advocate for America's military personnel and their families and known by his colleagues as a leader on national defense and security issues.

One of his best attributes was his willingness to sit down with our troops—active, Guard and reserve, and their family members at every level of the chain of command—to hear their views and concerns.

From his leadership positions with the Armed Services Committee and with little fanfare, John traveled across the globe—from the United States and Europe to active combat zones in Iraq and Afghanistan—to hear directly from troops stationed and deployed overseas.

Along those lines, John spearheaded more than 68 hearings, mark-ups, and briefings so

he could hear a variety of views, make reasoned decisions, and translate those into legislative initiatives to ensure our military personnel have the best possible training, the most modern equipment and weapons systems, and the necessary resources to carry out their missions.

Some of his accomplishments include: higher Army and Marine Corps end-strength levels, increased military personnel pay, reductions in the unfair tax on veterans' disability and military retired pay, and more military retiree benefits for our troops.

It is for these reasons that President Obama tapped John McHugh to be his Secretary of the Army. In that position, John is continuing his work on behalf of the men and women of our military and their families.

Mr. LEE of New York. Mr. Speaker, while I only had a few months to serve with Secretary McHugh, I enjoyed the opportunity to get to know this great statesman.

As one of the first Members I met, he was not only gracious but mindful of how to respect this institution and make a positive contribution.

It's no surprise that Members on both sides of the aisle like and respect him. Moreover, his unparalleled dedication to serving the people of the 23rd District rightfully earned him a record of strong constituent service.

Given his commitment to fighting for our servicemembers overseas and at home, I can think of no one better suited to serve as Secretary of the Army.

I know he's greatly invested in our future in Afghanistan—especially given that Fort Drum was located in his district.

While this is certainly a loss for our New York delegation, I look forward to working with Secretary McHugh in the future to meet the needs of our military personnel and their families.

I know my colleagues on both sides of the aisle will join us in wishing Secretary McHugh well and thank him for his distinguished service to this body and our Nation.

Mr. REYES. Mr. Speaker, I rise today to honor my colleague and my friend Congressman John McHugh. I had the pleasure of serving with John McHugh both on the Armed Services Committee and on the Intelligence Committee. I have always been impressed with his dedication to his constituents and to the men and women who protect and defend our nation.

Given his role as the Chairman of the Congressional Army Caucus and his strong support for Army programs, it is fitting that he was selected by President Obama to serve as the 21st Secretary of the United States Army. During his tenure as the Chairman of the Armed Services Committee's Subcommittee on Military Personnel, he was a forceful advocate for military members and their families, and I am sure that he will continue those efforts to improve the quality of life of our nation's Army.

Congressman, now Secretary, McHugh knows better than most that our soldiers, and the families who support their service, give so much to protect the freedom and values of all Americans and that we owe them an immeasurable debt of gratitude. I am certain that he will give his all in his new role, just as he did as a Member of Congress, and I join my colleagues in wishing our friend John McHugh the best as he undertakes this new and important challenge. At this time in the Army's history, we need a leader like Secretary McHugh.

Mr. KING of New York. Mr. Speaker, I yield back the balance of my time.

CORRECTION TO THE CONGRESSIONAL RECORD OF TUESDAY, OCTOBER 27, 2009, AT PAGE H11869

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative VELÁQUEZ, or a designee, to H.R. 3854, the Small Business Financing and Investment Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUYER (at the request of Mr. BOEHNER) for today and the balance of the week on account of the birth of his grandchild.

Ms. TSONGAS (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. EDWARDS of Texas, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, November 4.

Mr. JONES, for 5 minutes, November 4.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. PAULSEN, for 5 minutes, today.

Mr. FORTENBERRY, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. WESTMORELAND, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. EDWARDS of Maryland, for 5 minutes, today.

ADJOURNMENT

Mr. KING of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 23 minutes p.m.), the House adjourned until tomorrow, Thursday, October 29, 2009, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-authorized official travel during the third quarter of 2009, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nick J. Rahall II	8/6	8/8	Republic of Palau		668.10		(3)		2,017.69		2,685.79
Hon. Eni Faleomavaega	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Hon. Madeleine Bordallo	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Hon. Gregorio Sablan	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Hon. Donna Christensen	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Hon. Henry Brown	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Brian Modeste	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Jean Flemma	8/6	8/8	Republic of Palau		668.10		(3)				668.10
Bonnie Bruce	8/6	8/8	Republic of Palau		668.10		(3)				668.10

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee total					6,012.90				2,017.69		8,030.59

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. NICK J. RAHALL II, Chairman, October 20, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ZOE LOFGREN, Chairwoman, October 7, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN M. SPRATT, JR., Chairman, October 13, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROBERT A. BRADY, Chairman, October 9, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4327. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2009-0076; FRL-8794-4] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4328. A letter from the Acting Deputy Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2008. The report separately identifies the dollar value of items for which the Buy American Act was waived, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

4329. A letter from the Director, Defense Procurement and Acquisition, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; DoD Inspector General Address (DFARS Case 2009-D001) (RIN: 0750-AG34) received October 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4330. A letter from the Deputy Secretary, Department of Defense, transmitting authorization of an officer to wear the authorized insignia of the grade of Rear Admiral; to the Committee on Armed Services.

4331. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement Lieutenant General Scott C. Black, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4332. A letter from the Assistant Secretary For Financial Stability, Department of the Treasury, transmitting fifth major report on the Troubled Asset Relief Program entitled ''Trouble Asset Relief Program: Status of Efforts to Address Transparency and Accountability Issues''; to the Committee on Financial Services.

4333. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4334. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards [EPA-HQ-OAR-2007-0562; FRL-8969-2] (RIN: 2060-AP27) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4335. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (New Orleans, Louisiana) [MB Docket No.: 09-147] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4336. A letter from the Acting, Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Encryption Simplification Rule: Final [Docket No.: 080211163-9110-02] (RIN: 0694-AE18) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4337. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 045-09, certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4338. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a proposed removal from the

United States Munitions List of a differential electronic preamplifier originally designed for use on a submarine towed array pursuant to Section 38(f)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4339. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a proposed removal from the United States Munitions List of a particular valve regulated, sealed lead acid aircraft battery, pursuant to Section 38(f)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4340. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed transfer of defense articles or defense services to Kazakhstan (Transmittal No. DDTC 108-09); to the Committee on Foreign Affairs.

4341. A letter from the Secretary, Department of Energy, transmitting notification that it is in the public interest to use other than competitive procedures to procure additional services on a noncompetitive bases from the United States Enrichment Corperation under an existing contract, pursuant to 41 U.S.C. 253(c)(7); to the Committee on Oversight and Government Reform.

4342. A letter from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4343. A letter from the Acting General Counsel, Peace Corps, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4344. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications [Docket No.: PTO-P-2009-0049] (RIN: 0651-AC36) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4345. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report providing an estimate of the dollar amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of free clinic health professionals will be paid for 2010; to the Committee on the Judiciary.

4346. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Ronan, MT [Docket No.: FAA-2009-0552; Airspace Docket No. 09-ANM-7] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4347. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727-281 Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Supplemental Type Certificate SA3449NM [Docket No.: FAA-2008-1325; Directorate Identifier 2008-NM-157-AD; Amendment 39-16024; AD 2009-20-01] (RIN: 2120-AA64) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4348. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Requirements for Amateur Rocket Activities [Docket No.: FAA-2007-27390; Amendment No. 101-8] (RIN: 2120-AI88) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4349. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30687 Amdt. No. 3340] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4350. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No.: FAA-2008-0646; Directorate Identifier 2007-NM-359-AD; Amendment 39-16031; AD 2009-20-08] (RIN: 2120-AA64) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4351. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No.: FAA-2008-1363; Directorate Identifier 2008-NM-104-AD; Amendment 39-16032; AD 2009-20-09] (RIN: 2120-AA64) received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4352. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30688; Amdt. No. 3341] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4353. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier I Issue — Industry Director Directive on Section 936 Exit Strategies #4 received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4354. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Credit for Carbon Dioxide Sequestration under Section 45Q [Notice 2009-83] received October 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4355. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Measurement of Assets and Liabilities for Pension Funding Purposes; Benefit Restrictions for Underfunded Pension Plans [TD 9467] (RIN: 1545-BG72; RIN 1545-BH07) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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:

Mr. DICKS: Committee of Conference. Conference report on H.R. 2996. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–316). Ordered to be printed.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 875. Resolution providing for consideration of the bill (H.R. 3854) to amend the Small Business Act and the Small Business Investment Act of 1958 to improve programs providing access to capital under such Acts, and for other purposes (Rept. 111–317). Referred to the House Calendar.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 876. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–318). Referred to the House Calendar.

Mr. CONYERS. Committee on the Judiciary. H.R. 3570. A bill to amend title 17, United States Code, to reauthorize the satellite statutory license, to conform the satellite and cable statutory licenses to all-digital transmissions, and for other purposes; with amendments (Rept. 111–319). Referred to the Committee of the Whole House on the state of the Union.

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. DAHLKEMPER (for herself, Mr. CUMMINGS, Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. MURTHA, Mr. SIRES, Mr. REHBERG, Mr. CONNOLLY of Virginia, Mr. ALTMIRE, Mr. MANZULLO, and Mr. BLUMENAUER):

H.R. 3947. A bill to accelerate locomotive fuel savings nationwide and provide incentives for owners of high polluting locomotives to replace such locomotives with newly-built or newly-remanufactured fuel efficient and less polluting locomotives; to the Committee on Ways and Means.

By Mr. PUTNAM (for himself, Mr. KLEIN of Florida, Mr. BILIRAKIS, Mr. MILLER of Florida, Mr. BUCHANAN, Ms. KOSMAS, Ms. CORRINE BROWN of Florida, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Ms. WASSERMAN SCHULTZ, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. POSEY, Mr. ROONEY, Mr. ROE of Tennessee, Mrs. CAPITO, Mr. CAMPBELL, Mr. BACA, Mr. TEAGUE, Mr. GUTIERREZ, Mr. SNYDER, and Mr. LEE of New York):

H.R. 3948. A bill to amend title 38, United States Code, to provide for entitlement under the Post-9/11 Educational Assistance Program to payment for test preparatory courses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FILNER (for himself, Mr. BUYER, Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Mr. SNYDER, Mr. MILLER of Florida, Ms. HERSETH SANDLIN, Mr. BOOZMAN, Mr. MITCHELL, Mr. BUCHANAN, Mr. HALL of New York, Mr. ROE of Tennessee, Mrs. HALVORSON, Mr. PERRIELLO, Mr. TEAGUE, Mr. RODRIGUEZ, Mr. MCNERNEY, Mr. WALZ, Mr. ADLER of New Jersey, Mrs. KIRKPATRICK of Arizona, Mr. NYE, Mr. MCINTYRE, and Mr. FRANK of Massachusetts):

H.R. 3949. A bill to amend title 38, United States Code, and the Servicemember Civil Relief Act, to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EHLERS (for himself, Ms. MATSUI, and Mr. BARTLETT):

H.R. 3950. A bill to amend provisions of the Elementary and Secondary Education Act of 1965 relating to mathematics and science instruction; to the Committee on Education and Labor.

By Mr. CAO (for himself, Mr. BOUSTANY, Mr. CASSIDY, Mr. MELANCON, Mr. FLEMING, Mr. ALEXANDER, and Mr. SCALISE):

H.R. 3951. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the ''Roy Rondeno, Sr. Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. TITUS (for herself, Mr. OLSON, Ms. BERKLEY, Mr. HALL of New York, Mr. PAUL, Mrs. MCMORRIS RODGERS, and Mr. MANZULLO):

H.R. 3952. A bill to amend the Internal Revenue Code of 1986 increase the amount allowable as a deduction for meals and entertainment expenses of small businesses; to the Committee on Ways and Means.

By Mr. BOCCIERI (for himself and Mr. ROONEY):

H.R. 3953. A bill to amend the Internal Revenue Code of 1986 to expand the work opportunity tax credit to include long-term unemployed individuals; to the Committee on Ways and Means.

By Mr. BOYD (for himself, Mr. MILLER of Florida, and Mr. CRENSHAW):

H.R. 3954. A bill to release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, and for other purposes; to the Committee on Agriculture.

By Mr. CARNEY (for himself, Mr. NYE, Mr. HIMES, and Mr. HOLDEN):

H.R. 3955. A bill to amend the Public Health Service Act to authorize grants to 10 States for demonstration projects for the expansion of State registries on childhood immunization or health to include data on body mass index (BMI), collected and submitted to the State by health care providers; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Mr. BISHOP of New York, and Mr. FILNER):

H.R. 3956. A bill to amend the Higher Education Act of 1965 to provide that interest shall not accrue on Federal Direct Loans for members of the Armed Forces on active duty regardless of the date of disbursement; to the Committee on Education and Labor.

By Mr. ELLISON (for himself, Ms. BALDWIN, Mr. OBERSTAR, Mr. FILNER, Mr. WALZ, and Mr. MEEK of Florida):

H.R. 3957. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on House Administration.

By Mr. HODES:

H.R. 3958. A bill to amend the Internal Revenue Code to provide for a refundable tax credit for heating fuels; to the Committee on Ways and Means.

By Ms. MARKEY of Colorado:

H.R. 3959. A bill to establish a moratorium on credit card interest rate increases, and for other purposes; to the Committee on Financial Services.

By Mr. MCMAHON:

H.R. 3960. A bill to provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, as well as all related agencies and departments thereof, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BROUN of Georgia (for himself, Mr. WESTMORELAND, Mr. LEWIS of Georgia, Mr. LINDER, Mr. JOHNSON of Georgia, Mr. PRICE of Georgia, Mr. SCOTT of Georgia, Mr. KINGSTON, Mr. BARROW, Mr. DEAL of Georgia, Mr. MARSHALL, Mr. GINGREY of Georgia, Mr. BISHOP of Georgia, Mr. YOUNG of Florida, Mr. ROTHMAN of New Jersey, Mr. LATTA, Mr. FOSTER, Mr. SPRATT, Mr. DAVIS of Tennessee, Mr. KILDEE, Mr. THOMPSON of California, Ms. MATSUI, Mr. WU, Mr. SNYDER, Mr. WALZ, Mr. WELCH, Mr. DUNCAN, Mr. JONES, Mr. PAUL, Mr. BARTLETT, Mr. KRATOVIL, Mr. SHIMKUS, Mr. AKIN, Mr. MILLER of Florida, Mr. HELLER, Mr. FORBES, Mr. WITTMAN, Mr. BROWN of South Carolina, Mr. BOOZMAN, Mr. TURNER, Mr. REICHERT, Mr. CULBERSON, Mr. BISHOP of Utah, Mr. BURGESS, Mr. BOREN, Mr. BONNER, Mr. WILSON of South Carolina, Mr. CUELLAR, Mr. SALAZAR, Mr. FLEMING, and Mr. WILSON of Ohio):

H. Con. Res. 206. Concurrent resolution commending the soldiers and civilian personnel stationed at Fort Gordon and their families for their service and dedication to the United States and recognizing the contributions of Fort Gordon to Operation Iraqi Freedom and Operation Enduring Freedom and its role as a pivotal communications training installation; to the Committee on Armed Services.

By Mr. REICHERT (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. MCCARTHY of California, Mr. PENCE, Mr. SESSIONS, Mrs. MCMORRIS RODGERS, Mr. CARTER, Mr. MCCOTTER, Mr. PRICE of Georgia, Mr. LUCAS, Mr. LEWIS of California, Mr. MCKEON, Mr. RYAN of Wisconsin, Mr. KLINE of Minnesota, Mr. BARTON of Texas, Mr. BACHUS, Ms. ROS-LEHTINEN, Mr. DANIEL E. LUNGREN of California, Mr. SMITH of Texas, Mr. HASTINGS of Washington, Mr. ISSA, Mr. DREIER, Mr. HALL of Texas, Mr. GRAVES, Mr. MICA, Mr. CAMP, Mr. HOEKSTRA, Mr. BUYER, Mr. SENSENBRENNER, Mr. AUSTRIA, Ms. JENKINS, Mr. MARCHANT, and Mr. WOLF):

H. Res. 874. A resolution amending the Rules of the House of Representatives to require all committees post record votes on their Web sites within 48 hours of such votes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

218. The SPEAKER presented a memorial of the House of Representatives of the State of Alaska, relative to House Joint Resolution No. 28 urging the President and the Congress of the United States not to adopt any policy, rule, or administrative action or enact legislation that would restrict energy exploration, development, and production in federal and state waters around Alaska; to the Committee on Natural Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 205: Mr. FRELINGHUYSEN.
H.R. 211: Mr. MICHAUD.
H.R. 268: Mr. POSEY, Ms. GRANGER, Mr. CAMP, Mrs. BACHMANN, Mr. COBLE, Mr. CHAFFETZ, Mr. LAMBORN, Mr. HENSARLING, and Mr. BISHOP of Utah.
H.R. 385: Mr. TURNER.
H.R. 391: Mr. BURGESS, Mr. JORDAN of Ohio, Mr. AUSTRIA, Mr. GRAVES, and Mr. SCHOCK.
H.R. 460: Mr. PLATTS.
H.R. 510: Mr. DAVIS of Tennessee.
H.R. 524: Mr. PAUL.
H.R. 534: Mr. MANZULLO.
H.R. 610: Mr. TONKO.
H.R. 690: Mr. HOEKSTRA and Ms. TITUS.
H.R. 734: Mr. LYNCH.
H.R. 855: Mr. ROGERS of Alabama.
H.R. 881: Mr. TAYLOR.
H.R. 945: Mr. MCCOTTER.
H.R. 980: Mr. OLVER.
H.R. 1030: Mr. MCCOTTER.
H.R. 1094: Mr. DAVIS of Illinois and Mr. MARSHALL.
H.R. 1168: Mr. BUYER and Ms. CORRINE BROWN of Florida.
H.R. 1278: Mr. TOWNS, Mr. CUMMINGS, and Ms. WATSON.
H.R. 1308: Mr. GUTIERREZ.
H.R. 1361: Mr. WALZ.
H.R. 1402: Mr. GRIFFITH.
H.R. 1523: Mr. ROTHMAN of New Jersey.
H.R. 1526: Mr. NEAL of Massachusetts, Mr. DELAHUNT, and Mr. OLVER.
H.R. 1588: Mr. AUSTRIA.
H.R. 1740: Mr. CUELLAR.
H.R. 1751: Mr. SESTAK and Ms. KILPATRICK of Michigan.
H.R. 1792: Mr. YOUNG of Alaska.
H.R. 1826: Mr. DAVIS of Illinois.
H.R. 1831: Mr. POE of Texas, Mr. KING of Iowa, Mr. BURGESS, and Mr. MAFFEI.
H.R. 1879: Mr. WELCH, Ms. FALLIN, and Mr. BAIRD.
H.R. 1880: Mr. DOGGETT.
H.R. 1977: Mr. RANGEL.
H.R. 1990: Mr. MILLER of North Carolina.
H.R. 1993: Ms. MARKEY of Colorado.
H.R. 2156: Mr. WESTMORELAND.
H.R. 2178: Mr. BLUMENAUER.
H.R. 2194: Ms. JACKSON-LEE of Texas.
H.R. 2195: Mr. MCCOTTER.
H.R. 2254: Mr. ISRAEL and Mr. BILBRAY.
H.R. 2279: Mr. PAYNE, Mr. JOHNSON of Georgia, and Mr. ROTHMAN of New Jersey.
H.R. 2377: Mr. BAIRD.
H.R. 2382: Mr. BARTON of Texas.
H.R. 2480: Ms. ZOE LOFGREN of California, Mr. BUCHANAN, and Mr. KIRK.
H.R. 2502: Mr. TERRY.
H.R. 2517: Mr. CLAY.
H.R. 2546: Mrs. KIRKPATRICK of Arizona, Mr. PETERS, Mr. MCCOTTER, Mr. GORDON of Tennessee, and Mr. GARY G. MILLER of California.
H.R. 2594: Mr. SHADEGG.
H.R. 2607: Mr. NEUGEBAUER.
H.R. 2648: Mr. SCOTT of Georgia and Mr. DRIEHAUS.
H.R. 2698: Mr. RODRIGUEZ.
H.R. 2699: Mr. RODRIGUEZ.
H.R. 2755: Mr. WALZ.
H.R. 2807: Mr. SCHIFF.
H.R. 2808: Mr. POSEY.
H.R. 2866: Mr. BROWN of South Carolina, Mr. BRALEY of Iowa, and Mr. DOGGETT.
H.R. 3033: Mr. BLUMENAUER.
H.R. 3035: Ms. DEGETTE and Mrs. BLACKBURN.
H.R. 3053: Mr. SERANNO and Mr. NADLER of New York.
H.R. 3077: Mr. SIRES.
H.R. 3116: Mr. RYAN of Ohio and Mr. BOSWELL.
H.R. 3245: Mr. CLEAVER and Mr. CASTLE.
H.R. 3286: Mr. DELAHUNT, Mr. ELLSWORTH, and Mrs. NAPOLITANO.
H.R. 3353: Mr. GRIJALVA, Mr. ROONEY, and Mr. HONDA.
H.R. 3356: Mrs. MYRICK.
H.R. 3401: Ms. EDWARDS of Maryland.
H.R. 3421: Mr. FILNER.
H.R. 3488: Mr. SCHIFF.
H.R. 3511: Ms. MATSUI.
H.R. 3524: Mr. SIMPSON, Mr. MINNICK, Ms. ZOE LOFGREN of Claifornia, Mr. MANZULLO, and Mr. YOUNG of Alaska.

H.R. 3560: Mr. GRIJALVA.
H.R. 3564: Mr. CUMMINGS and Ms. WOOLSEY.
H.R. 3586: Mr. POLIS.
H.R. 3592: Mr. MASSA.
H.R. 3608: Mrs. DAVIS of California and Mr. BLUEMNAUER.
H.R. 3613: Mrs. EMERSON, Mr. BARRETT of South Carolina, and Mr. SHADEGG.
H.R. 3633: Mr. CONNOLLY of Virginia.
H.R. 3646: Ms. CASTOR of Florida.
H.R. 3652: Mr. TIBERI.
H.R. 3670: Mrs. EMERSON.
H.R. 3672: Mr. AL GREEN of Texas.
H.R. 3679: Mr. WELCH.
H.R. 3695: Ms. SHEA-PORTER.
H.R. 3701: Mr. ELLISON.
H.R. 3715: Mr. DENT.
H.R. 3734: Mr. LANGEVIN, Mr. TONKO, MR. MCNERNEY, and Mr. MARSHALL.
H.R. 3789: Mr. SKELTON and Mr. LINDER.
H.R. 3806: Mr. MICHAUD.
H.R. 3827: Ms. BERKLEY.
H.R. 3842: Mr. MINNICK.
H.R. 3845: Mr. HONDA.
H.R. 3846: Mr. HONDA.
H.R. 3901: Ms. LINDA T. SÁNCHEZ of California, Ms. BEAN, and Mr. MASSA.
H.R. 3904: Mr. HOLT, Mr. VAN HOLLEN, Mr. TOWNS, Ms. KAPTUR, Mr. KUCINICH, Mr. CUMMINGS, Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. ABERCROMBIE, Mr. DINGELL, Ms. WATSON, Mr. ISRAEL, Mr. WEINER, Mr. LOEBSACK, Mr. LYNCH, and Mr. CLAY.
H.R. 3919: Mr. PERRIELLO.
H.R. 3921: Mr. SIRES.
H.R. 3922: Mr. POLIS of Colorado and Mr. ROSS.
H.R. 3939: Mr. NADLER of New York.
H.R. 3942: Mr. WHITFIELD, and Mr. MARCHANT.
H.J. Res. 11: Mr. MANZULLO.
H. Con. Res. 73: Mr. CUMMINGS, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Ms. RICHARDSON, and Mr. FATTAH.
H. Res. 150: Ms. WATSON and Mr. CUMMINGS.
H. Res. 440: Mr. BOUSTANY and Mr. HARPER.
H. Res. 510: Mr. BISHOP of New York, Mr. KILDEE, and Mr. LATHAM.
H. Res. 704: Mr. MOORE of Kansas, Mr. GONZALEZ, Mr. SCHOCK, and Mr. WALZ.
H. Res. 747: Ms. GINNY BROWN-WAITE of Florida.
H. Res. 771: Mr. MARKEY of Massachusetts.
H. Res. 780: Ms. BERKLEY and Mr. THOMPSON of California.
H. Res. 798: Ms. JACKSON-LEE of Texas and Mr. TIM MURPHY of Pennsylvania.
H. Res. 828: Mr. BOSWELL.
H. Res. 835: Mr. LUETKEMEYER, Mr. MCKEON, and Mr. YOUNG of Alaska.
H. Res. 840: Mr. FALEOMAVAEGA.
H. Res. 841: Mr. SCHOCK.
H. Res. 845: Ms. FALLIN, Mr. MILLER of Florida, Mr. LAMBORN, Mr. BOREN, Mr. HINOJOSA, Mr. CUELLAR, Mr. GOHMERT, Mr. MCCAUL, Mr. DOGGETT, Mr. EDWARDS of Texas, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. COFFMAN of Colorado, Mr. WITTMAN, Mr. FLEMING, Mr. FORBES, Mr. MCKEON, Mr. HUNTER, Mr. ROGERS of Alabama, Mr. SHUSTER, Mr. TURNER, Mrs. MCMORRIS RODGERS, and Mr. SKELTON.
H. Res. 847: Mr. LOBIONDO, Mr. OLSON, Mr. JOHNSON of Illinois, Mr. THOMPSON of Pennsylvania, Mr. MARCHANT, Mr. TIBERI, Mr. SENSENBRENNER, Mr. LEWIS of California, and Mrs. BACHMANN.
H. Res. 848: Mr. SKELTON.
H. Res. 858: Mr. TOWNS and Mr. GENE GREEN of Texas.
H. Res. 866: Mr. SKELTON and Mr. MCGOVERN.
H. Res. 867: Mr. SMITH of Nebraska, Mr. WEINER, Mr. DENT, Mr. MARKEY of Massachusetts, Mr. MANZULLO, Mr. KIRK, Ms. HARMAN, Mr. ROYCE, Mr. CONAWAY, Mr. CHAFFETZ, Mr. SMITH of Texas, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ROTHMAN of New Jersey, Mr. MARCHANT, Mrs. LOWEY, Ms. WASSERMAN SCHULTZ, Mr. MASSA, Mr. BONNER, Mr. ADERHOLT, Mr. PRICE of Georgia, Mr. ALEXANDER, Mr. REICHERT, Mr. HOEKSTRA, Mrs. MCMORRIS RODGERS, Mr. THOMPSON of Pennsylvania, Mr. NADLER of New York, Mr. RYAN of Wisconsin, Mr. ROGERS of Michigan, Mr. SHUSTER, Mr. FRELINGHUYSEN, Mr. KAGEN, Mr. CALVERT, Mr. PETERS, Mr. FRANKS of Arizona, Mr. LANCE, Mr. MCCAUL, Mr. CARTER, Mr. GERLACH, Mr. CARDOZA, and Mrs. MALONEY.
H. Res. 868: Mrs. MILLER of Michigan and Mr. CONAWAY.
H. Res. 869: Mr. LATTA, Mr. JONES, Mr. HASTINGS of Washington, Mr. MCKEON, Mr. NEUGEBAUER, Mr. JOHNSON of Illinois, and Mr. MARCHANT.

PETITIONS, ETC.

Under clause 1 of rule XXII,

75. The SPEAKER presented a petition of City and County of San Francisco Department of Public Health, California, relative to Resolution No. 12–09 petitioning the Congress of the United States to support the inclusion of a public health insurance option as an essential component of comprehensive health care reform; which was referred to the Committee on Energy and Commerce.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK UDALL, a Senator from the State of Colorado.

PRAYER

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

Let us pray.

Father of all, we praise and glorify Your Holy Name. You are the fountain of life, the source of all goodness, and the center of our joy.

Today, fill our lawmakers with Your blessings. Bless them with the courage to follow You as they maintain confidence in the power of Your providence. Bless their labors that they will live to see a harvest of justice and peace in our Nation and world. Bless their family members with health and safety, for You are our refuge and strength. Bless us all, that one day we may dwell in Your house forever.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 28, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK UDALL, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of Colorado thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for up to 2 hours, with Senators permitted to speak for up to 10 minutes each. The majority will control the first hour, the Republicans will control the second hour. Following morning business, the Senate will proceed to the motion to proceed to H.R. 3548.

I would direct a question to the Chair. What time does the 30 hours postcloture run out?

The ACTING PRESIDENT pro tempore. The time expires at 12:26 a.m. Thursday.

Mr. REID. Mr. President, I hope we can work something out with the Republicans. We are going to have that vote as soon as we can. I am sorry that we might have to do it in the morning. I think we should be able to avoid that. The vote was held later than I wanted it because a Senator was quite ill. I hope we can work something out. We have bipartisan support, and that is just not words.

We have significant numbers of Republicans and Democrats who want to do two things—one, to do something about the first-time home buyers tax credit. There has been general agreement by a significant number of Senators, Democrats and Republicans, to get this done. The legislation is before this body now. We also have the loss carryback, which is extremely important for businesses at this time, also widely agreed upon. It was originally sponsored by Senator BUNNING, and now Senator BAUCUS and others have agreed to this—not two or three Senators but significant numbers on both sides. We could get those done. We have given the Republicans a request to do it in 2 hours, and Senators said they don't even need that much time to get this done.

Mr. MCCONNELL. Mr. President, would the majority leader yield?

Mr. REID. I would be happy to yield.

Mr. MCCONNELL. I would just say to my friend, we have a lot of fights around here over things we disagree on, but on this particular measure, this is an unnecessary impasse that we have. We have come very close to a very modest number of amendments. My side would be more than happy to accept time agreements on all of the amendments. I want to second what the majority leader says, that I hope we can indeed work out an agreement for a modest number of amendments with time agreements and wrap up this bill because I certainly share his view that most Members support the underlying measure and the additions to which the majority leader has referred.

Mr. REID. Mr. President, first of all, the other amendments are vexatious. They are argumentative. They are not germane. They are not relevant to this legislation. But it seems that this year, every time we get where we try to get something done, we have had stalling. We had a Senator out here yesterday who had done the work to find out how many times we have been stopped from doing things. Almost 60 times on absolute filibusters we have had to invoke cloture and 30-some-odd times on just objecting to legislation going forward.

The other amendments the Republican leader has suggested are amendments that are not related to this legislation, and there is wide disagreement from Republicans and Democrats.

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

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Why do we need to do that? We don't need to. It is only an effort to slow things down. We are not going to agree to that. It is not necessary.

Let's get these things done. We will move to something as quickly as we get rid of this, and they can move the nongermane, nonrelevant amendments on those, but let's get this done. I don't know when we can do this legislation for the first-time home buyers. It has been a tremendous boon to real estate all over America today. Has it been a perfect program? Of course not. But the good part of the amendments—two amendments we are talking about—is they are fully paid for. It doesn't run up the national debt by 10 cents—by nothing. Let's get this done and then move on and start arguing about other things. There is nothing to argue about here. We are not going to go to those amendments.

I had a caucus yesterday in which the Presiding Officer and a number of other Senators throughout the Chamber were there. We have done this time after time, and quite frankly we are tired of it. It is not necessary. There is no reason to have these amendments that are just rifleshots at trying to embarrass people, and these two amendments don't embarrass anyone. They are good for the country. I hope we can get them done.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GETTING OUR WORK DONE

Mr. MCCONNELL. Mr. President, my good friend the majority leader used to say frequently when he was in the minority that the price of being in the majority in the Senate is you have to take votes in order to advance bills in a smooth process.

My understanding is that we were within one amendment of reaching an agreement several days ago. I think we are not that far away from an agreement that would allow us to expedite consideration of the bill, move it along, and be fair to the minority. I think everyone knows it is not uncommon in the Senate—in fact, it is routine—for there to be amendments offered by both sides that are not directly related to the bill. So there is nothing extraordinary about this.

Let me repeat, we would be more than happy to enter into a short time agreement on the amendments we were discussing with the majority and try to wrap up this bill at the earliest possible time, certainly earlier than we would wrap it up if we let all of this time run until after midnight tonight.

HEALTH CARE WEEK XV, DAY III

Mr. MCCONNELL. Mr. President, after months of hearing that Americans don't want government-run health care, Democratic leaders in Washington have made their decision: They are going to include it in their health care bill whether Americans want it or not.

Supporters of the government-run plan say they are only advocating one more option among many. What they don't say is that the option they are advocating would soon be the only option. The others would simply fade away.

It is not that hard to understand. Private health plans would fade away because a government-run plan would use the deep pockets of the Federal Government to set artificially low prices or absorb a loss, making it impossible for private plans to compete. Private plans would either become so expensive that only the very wealthy could afford them or they would go out of business altogether.

If you want to know what happens after that, just ask somebody who lives in a country that has already gone down the road of government-run health care for all. What we have seen in those countries is what we would see here: rationing, denials, and delay. In the United Kingdom, for example, a government board sets guidelines on who gets to use certain drugs and treatments. This means that even if a treatment is effective, it can be withheld from patients because of the amount of money it costs the government. This is what happens when government gets involved in the health care business.

A government plan won't come cheap either. We don't know all the details that Democratic leaders put into their bill behind closed doors, but we do know it will cost over $1 trillion in the middle of a terrible recession. It will cost $1 trillion at a time of near 10 percent unemployment; $1 trillion just a few weeks after the Treasury Department said the administration ran up the largest annual deficit in U.S. history; $1 trillion at a moment when the U.S. Government is financing 9 out of 10 new mortgages and already owns most major U.S. automakers, along with large parts of the finance and insurance industries. It will cost $1 trillion at a time when government spending accounts for a bigger share of the national economy than at any time since the Second World War. It will cost $1 trillion when Congress is about to make a public admission that it can't handle its own finances by raising the debt ceiling.

Now is not the time for a $1 trillion experiment in government health care. Now is the time to buckle down financially and to find commonsense reforms in the area of health care that actually save people money by driving down costs.

Americans asked for lower costs, and they didn't get it. What they got instead was more government, more spending, more debt. This is why so many Americans feel as though they have been taken for a ride in this debate, and it is also why a lot of our friends on the other side are concerned about the bill that is headed to the Senate floor. Americans have issued their verdict. They have been clear. They have said that enough is enough—no government plan, no more debt, no more government takeovers.

Democratic leaders may continue to insist on a bill that most Americans oppose, but it is the wrong approach. A government-owned, government-operated insurance plan was a bad idea before, and it is a bad idea now.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from Alaska is recognized.

HEALTH CARE REFORM

Mr. BEGICH. Mr. President, for the next hour, I will be joined on this floor by my freshman colleagues as we talk with the American people about the importance of health reform. We are committed to ending the status quo. We have had enough of constituents being denied coverage because of existing conditions. We are tired of skyrocketing health insurance premiums hurting small business. We have had it up to here with the lack of choices and affordability in our States. So today my colleagues and I will be talking about why health reform will work and how it is working already.

There are many pilot programs, State initiatives, and private programs showing results right now. There are other very good ideas pending in the health reform bills. Our general theme this morning is innovation that works.

First, we will hear from the Senator from New Mexico, TOM UDALL, who will discuss how we must address the very real health care challenges facing rural Americans. Senator UDALL will share with us rural health innovation that works.

I yield time to Senator UDALL.

Mr. UDALL of New Mexico. Mr. President, I seek recognition.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, let me thank the Senator

from Alaska for being down here and helping all of the freshman Senators work through these health care issues we have been discussing. We have had Senator WARNER play that role, I think, and several others. I think Senator SHAHEEN from New Hampshire has also done that. It is important to realize that all of us in the freshman class believe we need health care reform. We have to have health care reform.

Last week, during our gathering of freshman Senators in this Chamber, I talked about how health care reform must benefit rural America.

As I explained then, rural Americans face unique challenges in finding quality, affordable health care. And rural health care systems face increased strain due to doctor shortages and inefficient and insufficient funding.

Successful reform hinges, in large part, on how we meet the challenges of health care in rural America. But what many may not realize is that rural America, precisely because of these challenges, has become an incubator for the very innovation that will help us achieve our goal.

Rural America is trying to meet these health care challenges head-on with innovative programs in communities across the country. In the process, they are offering a blueprint for the Nation as we work to enact reform that will benefit all Americans, no matter where they call home.

In my home State, several innovative programs are already paying dividends. The two I wish to talk about today are the result of partnerships between our rural communities and one of our key academic institutions, the University of New Mexico, our big teaching hospital in New Mexico.

Academic health centers, such as the one at UNM, have the potential to be hubs of knowledge and expertise, not just for the communities where they are physically based but for the entire State.

UNM recognized this potential and reached out to partners in rural areas throughout New Mexico. They asked two basic but often overlooked questions: What do you need? How can we help?

What emerged from these conversations was the development of a statewide Health Extension Rural Office program. Through this program, which we call HERO for short, agents live and work in communities they serve, and they act as liaisons and resources to health partners in the area. We know this extension model for agriculture, and we are proving it can work for health services too.

Here is one example. In the frontier county of Hidalgo, in southwest New Mexico, HERO agents discovered the community needed help recruiting local health professionals.

To meet that need, HERO helped establish a partnership between UNM and community providers to offer free local housing for UNM medical residents during their regular rural rotation.

It was a win-win for everybody. Hidalgo County got increased access to doctors and other specialists. The doctors got free housing during their rural rotations. UNM increased its profile and reputation in Hidalgo County. The communities got the opportunity to persuade these young doctors to continue their medical careers in that area.

That is just one example of HERO's work.

In addition to increasing the number of doctors in a community, HERO also helps develop plans for addressing health issues such as diabetes and teen pregnancy, for retaining pharmacy services after a community loses its only pharmacist or for establishing a one-stop-shopping model for medical, dental, behavioral health, and social services.

In addition to its work with the HERO project, UNM also is achieving breakthroughs in the delivery of medical care through a project founded by one of its physicians, Dr. Sanjeev Arora. It is called Project ECHO, which is short for Extension for Community Healthcare Outcomes.

Back in 2002, Dr. Arora was a physician specializing in hepatitis C. He had become increasingly frustrated with the lack of treatment options for the thousands of New Mexicans suffering from the disease.

Many of these patients lived in the States' rural and frontier areas. There weren't enough specialists to treat them, and local providers often didn't have the expertise to provide treatment themselves.

What Dr. Arora did was establish what he calls a one-to-many knowledge network, which includes a specialist and up to 40 rural providers. The doctors meet by videoconference to comanage patients and to eventually teach these rural medical professionals to be minispecialists themselves.

Over the years, what began as a program designed to treat hepatitis C patients has grown and expanded. Today, it includes more than a dozen knowledge networks and telehealth clinics on a wide variety of specialties, including HIV, diabetes, pediatric obesity, and psychotherapy.

In closing, I believe these two programs, along with the other initiatives discussed by my freshman colleagues today, are strong reminders that American innovation doesn't always begin in the Halls of Congress or down the street on Pennsylvania Avenue.

Historically, the greatest American innovation is a grassroots phenomenon, bubbling up from individuals and communities across America, from enterprising folks who recognize a problem and work together to develop a solution that best meets their needs.

This health care reform remains a work in progress. It is our job as legislators to seek out programs such as HERO or Project ECHO, to seek out these best practices, to find programs that work, and to expand that knowledge and ingenuity for the benefit of all Americans.

I thank the Chair and yield the floor.

Mr. BEGICH. Mr. President, I thank Senator UDALL for his comments about ECHO and HERO. It shows what is happening at the grassroots level. We are for innovation that works and brings quality of care, lowers the cost, and getting better delivery of the services out there. I thank the Senator for bringing those examples of what is working in his own State to the American people and stating what we are for in this process.

Next, my colleague from Illinois will join us, Senator BURRIS, who will discuss the important competition in the health care reform debate and how it can improve innovation.

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

Mr. BURRIS. Mr. President, I thank my colleagues. I join my colleagues this morning to speak out on this very important issue.

I am proud to join my freshman colleagues on the floor once again. And I am glad to be talking about the innovation that will come with meaningful health care reform.

I agree with the points my colleagues have raised on this issue. Health reform will certainly spark employer innovation, to the great benefit of the American consumer. And that is a good reason to support reform. But few people are talking about the kind of innovation that will come about only if we include a public option in our reform package.

So that is what I would like to discuss today.

A public option means competition in the private market. As any businessman will tell you, competition breeds innovation. But this is especially true of the competition we can expect with a public option. That is because a public plan will not only encourage reform and innovation in private companies—it will actually step up and take the lead, just as Medicare has done in the past.

In fact, a recent study shows that many private companies have adopted the innovations, such as improved payment methods and rigorous reviews of technology and treatment, that were developed under the Medicare system.

That speaks volumes about the potential for innovation under a new plan that has the broad base, accountability, and transparency that only a public option could provide.

The public option would be in a position to test and implement meaningful changes to the way health coverage works. These innovations will help to streamline the health care system, save money, and reduce the administrative costs that have run rampant among private insurance providers.

The public sector will lead the way, and private companies will adopt their innovations. We have already seen this with Medicare—and with a broader

public option, this trend is bound to increase. That is because, without competition, private corporations simply don't have any incentive to innovate.

There is no reason to spend money on research when you have a virtual monopoly over the insurance market. There is no reason to develop new ways to improve coverage when you can increase premiums at will without incurring much risk.

Certainly, private companies specialize in finding innovative ways to deny people's coverage—but that is the only kind of innovation we're likely to see from them. And I think America has had enough of that.

A public plan would be entirely different. The recent study indicates that a public option would be at the forefront of improving coverage, through innovations such as:

pioneering technologies and inventive treatments, improving efficiency, expanding access, lowering costs, evaluating the quality of care to help payers and purchasers get maximum value, coordinating care for those with chronic illnesses, and finding better ways to reward high-quality primary care providers.

These are only a few of the innovations we could hope to see with a public option. And all of these developments would be shared with the private sector. This would help reduce costs, restore accountability, and improve health outcomes for every American.

Mr. President, that is why we need the competition and innovation that only a public option can provide. It is time to lower the cost of health coverage. It is time to restore accountability to the system. It is time to make sure every American has access to quality, affordable health care.

A public option will spur new innovations that will help us get there.

That is why I will not back any insurance plan that does not carry with it this major issue of a public option.

I yield the floor.

Mr. BEGICH. Mr. President, I thank Senator BURRIS for his comments. The words he uses—''rewards quality, innovation, reduced costs, accountability, and competition''—are what we stand for. The other side does not. By the comments the Senator has laid out, he has detailed his views and what competition can do in controlling the costs.

Next is Senator SHAHEEN, who will join us to discuss three health care innovations in her State of New Hampshire. She will share the success of the Center for Informed Choice, the medical home pilot and community partnership for improved public health.

I yield to Senator SHAHEEN.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Mr. President, I am pleased to, once again, join my freshman Democratic colleagues to make the case for health care reform. I wish to recognize and thank Senator BEGICH for his leadership and coordination of this effort this morning.

Today, as you have heard, I will discuss three exciting initiatives in New Hampshire that are transforming our health care system. These innovative ideas are shaping the debate and are changing the way we think about health care. They are revolutionizing how we deliver necessary health care services, and they are transforming our payment mechanisms. Most importantly, these initiatives go to the heart of this debate. They focus on the needs of patients, they make the system more efficient, and they use our dollars more wisely.

The Center for Informed Choice at the Dartmouth Institute for Health Policy and Clinical Practice is dedicated to one simple idea: that patients deserve to be equal partners in making choices about their health care.

We know when patients and their families have good information about procedures, treatments, and therapies, they make good decisions. The researchers at Dartmouth found that 40 percent of the time, patients who are fully involved in the decisionmaking process during the course of their medical care choose the less invasive and lower cost medical procedures. Forty percent of the time, patients choose the less invasive, lower cost procedures.

More importantly, their research shows these patients have better clinical outcomes and higher rates of satisfaction as the result of their treatment. The providers at Dartmouth put this research into practice. They recognized it can be hard to decide whether to have surgery, to have a test, or to continue with a treatment. So they offer patients a variety of resources to help. Patients can talk to a counselor. They can do research in the library or talk to medical professionals. They can find out all their treatment options. They can learn what other people have done and fully understand recovery time and the impact on their quality of life. And they can do all of this online.

I have been to the center. It is very impressive what they do. Soon this information is going to be available to the public online.

Armed with information, these patients become empowered and equal partners in their health care. This is the direction that health care reform must take.

Another exciting initiative in New Hampshire is our medical home pilot program. With close to 40,000 patients involved, the medical home is changing the way health care is delivered in New Hampshire. You see, a medical home is about collaboration. It is about a team of health professionals who are working together to provide individualized care for each patient.

In New Hampshire, our medical home pilot has integrated the use of electronic medical records that import hospital, radiology, and laboratory tests directly into the patient's record. New Hampshire medical home model offers two important services to patients, including same-day scheduling and secure e-mail communications with their doctors. Unquestionably, the pilot is changing the way health care is delivered in New Hampshire.

My third initiative I wish to talk about deals with changes that are happening at the local level to improve health in New Hampshire. In the western part of New Hampshire is a small city called Keene that has set its goal on becoming the healthiest community in America by 2020. So for all my freshman colleagues, they have to share this with the cities in their States and let them know we plan to be first in Keene, NH.

The citizens of Keene took a look at the data and found out that our State's leading cause of death is heart disease related to tobacco use, poor diet, and physical inactivity. The folks in Keene realized that we spend a disproportionately high amount of money on our medical costs instead of focusing on prevention and wellness.

The citizens of Keene took action. Led by a local hospital, Keene established a coalition of partners from all sectors of the community, including education, private business, nonprofit organizations, and municipal and State government. This coalition, which is called Keene Vision 2020, has made it a priority to engage citizens in healthy lifestyles. They have sponsored educational briefings, screenings, health clinics, health fairs, and Keene's Vision 2020 promotes the local farmer's market, and it has established a local walking group. All of this is done with one goal in mind: to be healthy.

I have no doubt that Keene will be a healthier community in 2020, and I have no doubt that the preventive measures in which citizens have become engaged will lower our health care costs well into the future. We should all applaud and encourage this sort of community-wide commitment to prevention and wellness and to public health.

This is an exciting time. Congress is closer than ever before to passing comprehensive health reform. Time and time again we have heard we cannot continue on the present trajectory. I am pleased to point out these exciting initiatives underway in New Hampshire that demonstrate we can improve the quality of care and lower our health care costs.

I yield back to Senator BEGICH.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Mr. President, I thank the Senator from New Hampshire again for addressing innovative health care, to reward quality, create innovation, reduce costs and making sure we are accountable for our actions in regard to health care. This is what this side of the aisle is for—innovation and new ideas to bring some competitiveness to the process and lowering the cost of health care.

Next, we will hear from Senator MERKLEY of Oregon. My fellow freshman joins us to discuss how critical it

is for the Senate to act now on health care reform because the cost of inaction is too great.

I yield time to Senator MERKLEY.

Mr. MERKLEY. Mr. President, I thank Senator BEGICH.

My colleagues have been pointing out the importance of innovation. Senator BURRIS addressed how competition and the public option would increase innovation. Senator SHAHEEN just noted some of the models and efforts in her State. We need to share the insights of that throughout this Nation so we can take the best practices to produce the best quality results in every corner of our Nation.

I rise to speak about a different aspect of innovation; specifically, that in order for our citizens to benefit from this innovation, health care needs to be affordable. Currently, health care is on a road to unaffordability and inaccessibility. If we do not pass health care reform, costs will eat up a bigger and bigger share of the gross domestic product and our families' budgets.

More families will lose their insurance because they simply cannot afford it. Many other families will be forced into personal bankruptcy as medical bills spiral out of control. And, much worse, some Americans will die because of inadequate or delayed care. We cannot continue on this path.

First, health care has become increasingly unaffordable and will only get worse. This is true whether we look at it through a macroeconomic perspective, the family perspective, or the small business perspective. Looking at the economy as a whole, in 2008, health care spending in the United States reached $2.4 trillion. It is projected to reach $3.1 trillion by 2012, and if it continues in that fashion, it will reach $4.3 trillion by 2016. Add up those 10 years and what we find is we will be spending $30 trillion to $40 trillion for health care in just a 10-year period.

If we frame this through the family perspective, the cost increases are felt all over the Nation through double-digit annual increases in premiums. Workers are paying $1,600 more in premiums annually for family coverage now than they did 10 years ago. To put it differently, for many families, the cost has doubled over the last 8 years, and the cost will double again over the next 8 or 10 years. The result is that families who could afford health care a few years ago cannot afford it today, and many who can barely afford it today will not be able to afford it tomorrow.

Our small businesses feel the pain as well. At the Hawthorne Auto Clinic in Portland, the cost of premiums has gone from 9 percent of the payroll to 18 percent of the payroll in the last 5 years. That is a huge amount of money diverted from hiring more staff or increasing wages for the staff or from investing in more capital equipment. These costs are hurting our families and damaging our small businesses.

Second, as costs go up, more and more Americans will lose coverage. We are used to hearing there are 45 million Americans uninsured. But a recent study from the University of North Carolina estimates that 6 million Americans have been added to the ranks of the uninsured since 2007—6 million more uninsured since 2007—putting the number of Americans uninsured at 51 million to 52 million.

According to the Kaiser Family Foundation, more than 80 percent of the uninsured are from working families. Members of the family have jobs.

Take Karen Jeffrey from Ashland, OR. When she moved to Oregon from Hawaii, she tried to buy new insurance. Because she had suffered from a broken hip and a bout of cancer 15 years earlier, she could not find affordable coverage. So Karen is simply waiting until she can qualify for Medicare at age 65. If a medical emergency strikes before that arrives, that medical incident will be devastating. If we do not act now, rising health care costs will cause financial ruin for millions of families.

A recent study in the American Journal of Medicine found that 62 percent of all bankruptcies filed in 2007 were from medical expenses. Of those who filed for bankruptcy due to medical problems, about three-fourths had health insurance. Even with insurance, many Americans are underinsured and devastated by a medical emergency. The impact of these bankruptcies reverberates throughout our families, throughout our economy. Every year 1.5 million families lose their home to foreclosure as a result of unaffordable medical costs.

We also know families pay with their lives. In September, a Harvard Medical School study showed that 45,000 people die in the United States each year, 1 every 12 minutes, because of a lack of health insurance and cannot get good care—45,000 Americans each year. That is more than the number of Americans who died in the Revolutionary War. It is roughly equal to the number of our soldiers who died in combat in Vietnam over a 16-year period. It is the equivalent of 30 Titanics sinking every year—Americans dying because of unaffordable health care.

We need health care reform that drives innovation. We have a tremendous number of models around the States to promote and improve, but we need to make health care affordable in order to get that innovation into the hands and benefits of our citizens. That is why we must proceed with health care reform now. There is no time to waste.

Mr. President, I thank Senator BEGICH for moderating this discussion and putting in the spotlight the role and importance of innovation.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. Mr. President, I was here at the opening of the session, and I heard the Republican leader say—and I agree with his actual comment—that the American people have been taken for a ride. The Senator from Oregon just described the ride—the ride right over the cliff of cost of insurance that is no longer affordable, with 45,000 people who die every year because of their inability to access affordable health care. The Republican leader is right, the American people have been taken for a ride—a ride over the cliff.

What we are showing today is innovation, new ideas, new approaches that bring quality, affordable health care to millions of Americans and the 45,000 Senator MERKLEY talked about who die each year because of lack of health care.

I thank the Senator from Oregon for reminding us of those statistics and making sure we do not forget what we are here to do.

Next, I am pleased to hear from Senator KIRK. The Senator from Massachusetts joins us to discuss the Community Living Assistance Services and Support Act, or the CLASS Act. Yesterday, the Senator made his first speech on the floor of the Senate. It was enjoyable, exciting, and very to the point when it came to health care.

Today I look forward again to his comments regarding health care, especially the CLASS Act. I yield time to Senator KIRK.

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

Mr. KIRK. Mr. President, I thank Senator BEGICH for his leadership this morning on important issues that are concerning the American people. I thank the Senator from Alaska and my other colleagues in the freshman class for advancing the important measures that the American people are anxious to see enacted to improve their health security future and their economic future as well. I also thank my colleagues for their kindness and courtesies in welcoming me to the Senate and to be a part of this impressive and distinguished team as we do what is our responsibility for the American people.

This morning I wish to address a legislative initiative that will assist our senior or infirm citizens as part of our health care reform initiative.

Today in the United States, there are approximately 200 million people who are elderly or disabled. These individuals are some of our most vulnerable and often they are forgotten. But they always had a friend and advocate in Senator Ted Kennedy. He was the premier legislative innovator.

Senator Kennedy understood the current system is not working; that it cried out for innovation. He knew it was wrong that in order for individuals with disabilities and the elderly to receive the services and support they needed, they had to stop working, spend down their savings, abandon their dreams, abandon their homes, and possibly go into a permanent facility—all the wrong incentives for individuals who deserve dignity in those fragile years. All this, he felt, was directly contrary to our idea of living the American dream.

Senator Kennedy was not one to sit idly by. He acted. He acted to try to help as many of these men and women as possible. The Community Living Assistance Services and Supports Act—known as the CLASS Act—was at the heart of his efforts to help people with functional limitations and their families obtain the services and support they needed in order to keep their independence and continue as active members of their communities. I am honored to take up that worthy cause.

Here is how the CLASS Act will help the middle class. Under the act, a worker in Massachusetts or any other State can choose to pay into a voluntary insurance program through affordable payroll deductions. After 5 years of those deductions, they would be eligible for a daily cash benefit of $50 if they became disabled. That money can make a huge difference in allowing a disabled person to live with independence and with dignity. For example, it can pay for having a ramp installed in their home or pay for needed transportation or purchase a computer to work from home and remain self-sufficient.

Some have said this innovation is unsustainable; that it is just another government benefit that will become unaffordable in the years to come. But the Congressional Budget Office and other independent auditing agencies estimate the CLASS Act will be able to maintain its solvency for 75 years. The plan is self-funded and is a cost saver for Medicaid since fewer people would need to push themselves into poverty in order to enroll in Medicaid and receive the care they need. The CLASS Act will correct that disincentive.

The CLASS Act is a realistic answer to the serious problems of our current system and it is important to the lives of millions of Americans. Disability could suddenly strike any of us in the years ahead. As we work to provide health insurance to the tens of millions of Americans who do not have it, it is hard to understand why we should not meet the needs of millions of people with disabilities and the elderly who desperately need our help.

I hope very much that our colleagues will support the CLASS Act as an innovative and necessary part of the current health reform bill, and I look forward to further opportunities to advance this measure, and ultimately as a part of the needed health reform bill that is coming to the floor that will help and serve the American people through its ultimate enactment.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I thank Senator KIRK for describing the CLASS Act, an important program for long-term care, and the legacy of Senator Kennedy and his work regarding that innovation.

At this time, we will hear from my colleague from North Carolina, Senator HAGAN, who will discuss how wellness programs are a key component of comprehensive health care reform and how they have an impact on long-term outcomes for American citizens.

Senator HAGAN.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I am joining my colleagues on the floor today to discuss how health care reform will support innovative private sector programs that will save taxpayers money and make our Nation healthier in the long run. I wish to take this opportunity to discuss groundbreaking work at SAS, a software company based in Cary, NC.

Since 1985, SAS has established itself as a global leader in employer-sponsored wellness programs. Although SAS provides health insurance for its employees, almost 90 percent of their families use the company's on-site health care center, and more than 50 percent, including the company's CEO, use the health care center as their primary care provider.

SAS started providing wellness programs to its employees because the company realized the value of having healthy employees—they are more productive, they are more loyal—which translates into low employee turnover and reduced recruitment and retention costs. Disease prevention and wellness also translate into lower health care costs for the company as employees take better care of themselves.

Recently, one SAS employee—a man in his 30s—was told he had early signs of Type 2 diabetes. Through their diabetes self-management program and other onsite SAS resources, this man was able to make real changes in his lifestyle, eating habits, weight and exercise, and now he no longer meets the diagnostic parameters for diabetes.

I also recently visited Lenoir Memorial Hospital in Kinston, NC, where this hospital provides their employees and members of this community with access to a gym and a wellness program. More than 40 percent of the hospital's employees participate because of incentives the hospital provides for basic preventive screenings. People who don't work at the hospital—people in the community—can pay a low monthly fee to use the gym, including its indoor and outdoor track, weights, and yoga classes. Many of the people who use the facility are middle-aged and older. Health care staff monitor the facility and help create a comfortable and safe environment for everyone who comes to exercise. This opportunity is a benefit to the entire community.

Two weeks ago, I visited the showroom of the North Carolina furniture manufacturers Mitchell Gold and Bob Williams. This company currently employs 550 North Carolinians, and for the past 10 years the company has provided their employees with a free annual health fair, where employees can receive preventive exams at no cost. This spring, more than 200 women received free mammograms from a mobile unit that came to the plant. The company recently started a part-time, onsite medical clinic to address their employees' medical needs.

Companies such as SAS, Lenoir Memorial Hospital, and Mitchell Gold and Bob Williams reap tremendous economic benefits from their investments in these wellness programs. In 2008 alone, SAS saved more than $5 million in productivity and insurance costs as a result of its onsite health care center.

Businesses across our country can improve worker productivity and save money by encouraging their employees to adopt healthier lifestyles. Obesity, chronic heart disease, and diabetes continue to rise in America at a significant cost to our health care system. The time to be innovative is now.

In the health care reform bill, we are building on these successful wellness programs and encouraging all employers to invest in the health and well-being of their employees. Specifically, in the Health, Education, Labor and Pensions Committee bill, employers can offer their employees who participate in a wellness program a discount of up to 30 percent in their health insurance premiums. Currently, the average employee insurance premium is $250 a month, or $3,000 a year. This 30-percent discount would mean a savings of $900 per year to that employee.

Expanding employer wellness programs will bring the cost of health care down and will make America a healthier nation.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. I thank Senator HAGAN for once again showing this morning another innovative approach to reducing health care costs for Americans today and into the future; and how wellness and prevention are critical for the long-term benefits of the American people in reducing health care costs—not by just a small amount but significant amounts, as she laid out.

Next we will hear from our colleague from Colorado, Senator BENNET, who joins us to discuss how innovation and patient-centered care can improve our health care system.

I yield time to Senator BENNET.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. Mr. President, I thank the Senator from Alaska for organizing this presentation this morning. It is a pleasure to be here with my freshman colleagues to talk about health care reform in this country, something that is long overdue if we are going to end the double-digit cost increases our working families face every year and if we are to see small businesses continue to grow and thrive in this country and lead us out of the recession we are in.

As the Presiding Officer knows, in our State we have suffered a lot from a health care system that doesn't work.

We see more and more of our families losing their insurance and fewer and fewer of our employers able to offer insurance, which is something they want to do for their employees. So it is high time for us to get these costs under control, and that will take innovation. In our State, we haven't waited on Washington. There are great examples of Coloradans who have pulled together to deliver high-quality health care at a lower cost.

A great example of what I am talking about is in Mesa County where Grand Junction is located. They have instituted what they call transitional care, where they have reduced the readmission rates at the hospital to about 2 percent. The national average is roughly 20 percent. One out of every five Medicare patients who is released from the hospital winds up in the hospital in the same month they were released. There are a lot of reasons for that. Those of us who have small children or are caring for parents know how many times we have to tell the same story over and over as we make our way from one doctor's office to the next. Many people forget to fill out their prescriptions or they do not have the kind of instructions they need to be able to take responsibility for their own care. In Mesa County they have solved that problem by creating a transitional model that makes sure when patients leave the hospital they do so with a coach—a coach who helps them go from the emergency room to their primary care physician and their mental health provider to get the care they need over a period of time.

I was very pleased that Chairman BAUCUS included in the Finance Committee version of this health care reform legislation the piece I wrote based on the work in Grand Junction that will compensate—reimburse—providers who set up a model such as the one in Mesa County that actually saves money. That is truly what this is all about—this tortuous path we have been on to try to get health care reform done—to have a very excellent end point which makes sure we are reducing the cost to our working families and, at the same time, increasing quality; that we are making sure we are not devoting a fifth of our gross domestic product to health care when every other industrialized country in the world, with whom we are competing, is devoting less than half that to health care.

There are probably a lot of details in this legislation that still need to be worked out, and I am sure there is room for improvement—there is always room for improvement—but the American people cannot go through one more decade like the last decade of having poorer and poorer coverage at a higher and higher cost. That is not the way our system should work. We can do better than that as Americans. We have shown we can do better than that in Colorado, in our State, and I am so pleased there are going to be communities all over the country that will have the opportunity to learn from each other and provide better transitional care for patients and more patient-centered care as we move through this health care debate.

I thank the Senator from Alaska for organizing this, and I yield the floor to him.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I thank the Senator from Colorado for talking about the importance of why we need to do this but also reminding us of the small business component of all this and how important it is not only for the individual policyholder but the small business that is struggling every single day.

I thank him for reminding us, and I will now make my comments, and talk a little about what people have said today but also to hopefully blunt a few of the myths.

I want to thank my freshman colleagues who have spoken this morning. It is truly wonderful to hear the many different ideas, innovative reforms that are already working, and about the new proposals that will help us achieve the overall goal of reform: Tens of millions more Americans covered, with access to more choices and premiums that individuals and small businesses can afford.

In these final few moments of my time, I want to preempt what may come on the floor from the other side of the aisle later today, from those who will have listened to these presentations about innovation and excellence. They are likely to respond the way they have always responded to reform ideas—by just saying no.

The bill is still being written, but we have already seen the tactics of the other side. They say this is a purely partisan exercise and that the Democrats are not listening to Republicans. They bring a big, thick, mock bill to the floor and say it is too big and we will never read it. They say the bills need to be on the Internet or democracy is somehow in jeopardy.

With all due respect to my colleagues on the other side, the Republicans, I beg to differ. For starters, I brought my prop—actually it is not a prop; it is the real deal. What I am holding are the actual Republican amendments that were accepted to the HELP bill; 161 amendments, 300 pages of the bill—almost a third came from them. This is the stack that doesn't even include the additional Republican amendments accepted in the Finance Committee. These are not proposed amendments; these are the Republican amendments that were accepted and reported out of the HELP Committee.

I have two questions. First, are the critics of health reform saying that the size of the eventual bill really matters, that the Senate leadership somehow should be embarrassed because a major piece of legislation that will affect one-sixth of our entire economy is not offered in some big-type Cliff Notes? We are already hearing that. By the way, all the bills have already been on the Internet for weeks, in some cases for months. The merged Senate version will be on the Internet and so will the final bill from the conference committee after the House and Senate work out their differences.

My second question is this: I wonder how many of my colleagues across the aisle have actually read these Republican amendments, because there are some very good ideas. I know the Republicans are quick to say the committee only accepted technical amendments, but that doesn't appear to be true for all cases.

An amendment by Senator BURR says the HELP Committee's community health insurance option must follow State insurance regulation. This is not trivial. It refers to important matters such as solvency, consumer protection, and much more. The amendment helps to ensure a level playing field between the public option and all the other health plans in each State's insurance market. That is hardly technical.

The bipartisan amendment supported by Senators GREGG and ENZI and ALEXANDER allows employers to give bigger incentives to employees who participate in workplace wellness programs, which I think is a great idea. It is something I implemented when I was the mayor of Anchorage, AK.

My own Alaska colleague, Senator MURKOWSKI, had other good ideas to add to the HELP bill, including improving student loan repayments to help medical professionals who agree to work in medically underserved areas—another very good idea.

I hope my point is clear. There is a lot to be done by all of us, and there has already been good work by Members on both sides of the aisle. So let's talk about the merits of health reform, let's debate the policy, and let's lay out our legitimate differences and then work together on solutions.

My freshman colleagues have described it well over the past hour. When it comes to reform, there are many examples of excellence already underway. We need to support such innovation, expand it, and make it part of a nationwide effort to give all Americans access to health insurance and basic medical care. There is still time for all of us to work together. We need health reform now, and we know it will work.

I yield time at this point to the Senator from Colorado, MARK UDALL.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I thank the Senator from Alaska for convening the important discussion we have had here this morning. As you have heard and we have all heard over the last hour, my colleagues and I agree that the point of health care reform is to bring affordable, quality health care to all Americans. The bill

we will debate here on the floor in the coming weeks will include important insurance reforms to make that a reality.

I want to ask you though, Mr. President, and everybody watching, will we have succeeded in our mission if we merely put an insurance card in every American's pocket? Comprehensive health care reform needs to be about a lot more than that. We have heard about the difficult fiscal challenges that await us if we do nothing. Putting our economy on a sustainable path for the future means we have to address this unsustainable growth in health care spending that you so eloquently addressed earlier in your remarks.

One of the best ways we can do that is by preventing illness in the first place. The good news is that many communities and providers all over the country are doing just that. We can recognize their innovative successes and incentivize others to follow in this reform package. If we do that, we will have a big impact on patient health as well as on the Nation's bottom line.

I wish to talk about a program in Colorado that has been getting results. The Northwest Colorado Visiting Nurse Association, which has been working with the Department of Public Health, local physicians, and others, operates the Aging Well program. It focuses on prevention, and it connects rural Coloradans over age 50 with services and information to help them remain active, healthy, in their homes, and out of the hospital. Patients receive health screenings, exercise classes, and courses on managing conditions such as arthritis or chronic pain. Aging Well has been a great success. Listen to these numbers from a recent survey: 98 percent of participants reported improved fitness, 60 percent visited their doctor less often, and 18 percent reduced their medication needs. This saves dollars and improves lives.

Health insurance reform legislation includes funding to start similar programs aimed at keeping those just shy of their Medicare years—I have to confess, like me—active and healthy. The goal is to allow Americans to avoid spending their golden years worrying about illnesses that could have been prevented in the first place. To complement these programs, additional grants would give these organizations the tools to promote healthy living for all ages, reduce obesity, tobacco use, and mental illness.

Health reform would also require insurers to provide full coverage for preventive services at no cost to enrollees. That is music to the ears of any American who has skipped a recommended mammogram or an annual physical exam because the cost was too great.

Let me talk about children as well. There are grants in our health reform package for school-based health clinics so that children who lack easy access to a doctor can get preventive care right at school. These clinics have been shown to save $2 for every $1 they spend. This results in fewer emergency room visits and hospital visits, and we deliver health care before problems become more serious.

Let me turn back to adults in the workplace. Reform would bring wellness programs to the workplace by providing grants for employers. Companies that have implemented wellness programs have already seen big savings. PepsiCo is one such company. They offer onsite screenings, programs to help employees lose weight, exercise incentives, and other measures. As a result, they have saved nearly $120 per participating employee per month, which has resulted in a 2-year savings of over $22 million. Even better than the dollars involved here, participants demonstrated lower health risks and better health outcomes. This is one more way reform will pave the way and provide incentives for more companies to follow suit for their employees.

Reform is also a great deal for seniors. For the first time, Medicare will pay for annual wellness visits. Reform would create incentives for Medicare patients who alter their behavior in order to lower their blood pressure and better control their diabetes. Medicare will cover recommended preventive services now, which is at no additional cost to seniors. In sum, contrary to what we have heard from some on the other side, Medicare benefits will be improved by the reform that is being proposed.

Let me conclude by pointing out that this legislation makes the wise choice of building on our wellness efforts that are already working. We know preventive care enables doctors and other health care providers to detect diseases earlier, when treatment is the most effective, averting more serious and costly problems later on. But it also empowers each and every one of us to take charge of improving the quality of our lives, and when done correctly it is a crucial component of efficiently and responsibly addressing health care spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, I thank Senator UDALL for once again pointing out how prevention and wellness works and how some real hard dollars make a difference in health care. As I close, I again thank my colleagues, the freshmen, for once again coming this week and making our point clear on innovation and the impact it will have on bringing accountability and a better product for the consumer, ensuring that we reduce costs through innovation.

I heard this morning some one-liners from the other side that say ''rationing, delay, deny'' is what we are all about over here. Absolutely wrong. What we are about is ensuring that the current rationing going on by insurance companies, the delay by insurance companies, and the denials by insurance companies stop so our consumers have good-quality, long-term health care.

As I said earlier when the Senator from Oregon was talking, I heard again this morning that the American people were being taken for a ride. My comment was that I agree with the other side; they are—right over the cliff. It is time to take action and have health care reform.

Is it a perfect bill when we are all here on the floor at some point discussing it? It may not be. But is it better than where we are today? Absolutely, because today is literally taking the American people right over the cliff. So it is in the best interests of the American people to move forward and create a better system that is more accountable with better quality.

I appreciate my freshman colleagues for standing up today and laying out new, innovative approaches that are working across this country.

I yield my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I ask to be recognized as in morning business for 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

HEALTH CARE REFORM

Mr. GREGG. Mr. President, one of the first rules in health care that doctors learn and health care providers learn is to do no harm. So, as we move down the road of this health reform effort, I think we ought to have that as our watchword also. The health reform effort which we pursue should do no harm to a lot of the elements of our health care system which are doing pretty well.

For example, there are a large number of Americans who get health insurance from the private sector—about 170 or 180 million—who are quite happy with their health care. They may have concerns with their insurance companies, legitimately, but they think their health care is pretty good. In fact, American health care is excellent.

As we move down this road toward health reform, we should not harm those folks. We should not push them into a public plan by creating a system which basically disincentivizes their employers to give them health care, incentivizes employers to pay a penalty rather than pay a health care premium, and moves people over to what are called health exchanges in a public plan. But that is exactly what the bill did as it left the HELP Committee, and who knows what it is going to do when it comes out of the secret room where it is being written right now, but I wouldn't be surprised if that is exactly what it does when it returns from this secret room. That will be harmful—harmful to all Americans who have health insurance and like what they have. They like the doctors they see, and they don't want to have the Federal Government basically supplying their health care and putting them

under a bureaucracy where the Federal Government stands between them and their doctors.

There are also a lot of senior citizens in this country today who are on something called Medicare Advantage. They find this to be an excellent Medicare Program. It gives them a lot of options they don't have under traditional Medicare, and they like it.

Under the Finance Committee plan, Medicare Advantage would have been eviscerated. Most Americans who get Medicare Advantage would lose it—that simple—because the Finance Committee is anticipating a $400 billion reduction in Medicare spending, with the vast majority of that—or the majority of that coming out of the Medicare Advantage program, essentially eliminating Medicare Advantage as an option. People who are on Medicare Advantage would be pushed back into traditional Medicare. I don't think they are going to be very happy with that. That does them harm. That should not happen.

As part of the ''do no harm'' we should be pursuing in health care, we should not cut Medicare in order to fund a brandnew entitlement for people who are younger and who are not on Medicare, for the most part—who obviously are not on Medicare—and cause people who are on Medicare and who are quite comfortable with what they are getting under Medicare, specifically Medicare Advantage, to lose that option in order to fund a brandnew entitlement with $400 billion in Medicare cuts.

In the new ''do no harm'' issue, there is the issue of innovation. Innovation is one of the great advantages our health care system has. You do not see innovation in England, of any significance, where they have a nationalized system. You do not see innovation in Canada, where they have a nationalized system, because innovation takes investment. To bring a new drug to the market requires 12 years and almost $1 billion. Someone has to put up that billion dollars. Somebody has to be willing to take a risk with their money, that they are willing to invest in this very chancy undertaking of trying to bring a new drug to the market, a new drug which will help millions of Americans, potentially.

But it takes money and it takes a willingness to invest in that type of research. Money follows return. If you set up a government-run program—which, inevitably, in order to reduce costs has to control prices—you reduce returns. It is absolutely guaranteed that if this country moves to a single-payer, government-run system, the innovation that is occurring in the area of pharmaceuticals and biologics, in the area of devices, will be dramatically chilled because there is not going to be the investment capital to pursue that type of innovation.

Granted, the government can try to do it through government research. But we know government research can never replace the creativity of the private sector and the risk-taking of a broader market that involves billions of dollars of investment.

But we also know investment follows return. If you use a government plan, which essentially can only save money by controlling prices and, thus, reduces returns significantly or reduces the number of years companies have control over the drug they produce, as is being proposed by the majority under the biologics-generic proposal down to 4 or 5 years, then you will not get the initial investment. Those dollars will go somewhere else. They will go into software, they will go into some other technology or some other activity where the return will be something they think is better.

So innovation will be chilled, significantly chilled. That does harm. That will do significant harm because one of the great things about our system, as I mentioned earlier, is that we are bringing these new drugs to the market, these new pharmaceuticals, these new biologics, these new devices which are saving lives and making people's lives better.

No other country is doing that at the rate we are doing it because our country has a system which encourages that sort of entrepreneurship and innovation. But that will be dramatically affected if we go down the road as proposed, at least by the bill that was produced by the HELP Committee, which the majority leader said he endorses, a bill that has a public plan in it.

In the ''do no harm'' category, who are the people we want to have take care of us? I know when I was in high school and in college, the best and brightest people I ran into wanted to be doctors. I liked that because I knew those folks, who were a lot smarter than I was, were going to be taking care of myself and my family if I went to see a doctor.

Almost universally we know the best and brightest people in our society, for the most part, go into medicine. They become doctors. That has been our culture for a long time. But that culture will change, change fundamentally, when every doctor in this country is working for the government, when basically the doctors become bureaucrats. What sort of incentive is there going to be for the best and brightest to move into medicine then? I think we do significant harm if we undermine that character of our culture.

Lastly—and this is the point I wished to talk about mostly—doing no harm, in a financial sense, means not creating programs which we cannot afford, for which we end up passing the bill on to our children. We know the proposal, as passed by the Finance Committee, costs between $1 and $2 trillion.

They will tell you: Oh, it only costs $800 billion. But that is because they used ''Bernie Madoff'' accounting. They said: We have a 10-year bill. We are going to spend 5 years on the program. We are going to pay for 5 years of the program, but we are going to have 10 years of income to pay for it. We are going to score as if it is a real bill over 10 years.

That is absurd. You would go to jail if you did that in the private sector, which Bernie Madoff did. But he has been released. He is on work release, I think, down here working with the Democratic majority on how to score this bill.

But as a practical matter, you have to match the full 10 years of expenditures with the full 10 years of what is alleged to be income. So if you have this plan fully phased in over 10 years, the cost, by our estimate, the Budget Committee staff estimate on the Republican side—and it is a reasonable cost estimate—is about $1.8 trillion. The income alleged to occur under this bill—remember, it is coming from Medicare reductions and from taxes and fees—is alleged to be about $900 billion.

If you give them the benefit of the doubt, if they get all the income they claim they are going to get, you are still about $1 trillion off. Well, who pays for that? That goes on the debt. Our kids pay for that.

By the way, we skipped over one little item, which costs $250 billion, called the doctors fix. That is not even scored in this exercise, but we know we have to do it—more sleight of hand on the accounting side, a little bit more Bernie Madoffism. The real price of this bill is somewhere between $1 and $1.5 trillion, unpaid for. The total bills' real cost is somewhere over $2 trillion. We are talking 10-year figures here.

So you are going to grow the government by $2 trillion because you are going to create this brandnew entitlement, and you are going to take $400 billion from the Medicare recipients and use that to pay for it. Then you are going to take $500 billion in fees and taxes and you are going to use that to pay for it.

Well, you are about $1.2 trillion short. So who pays for that? Our kids. More debt. The problem we have today is, we have too much debt. We have too much debt. The debt is the threat to this country.

I ask for an additional 2 minutes.

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

Mr. GREGG. We are facing a situation where our national debt is rising so fast because we are running deficits of over $1 trillion a year for the next 10 years. That is what is projected in the President's budget. We are essentially going to put ourselves in a position where we are going to be similar to a dog chasing its tail. We can never catch up with the amount of debt we are putting on the books.

Now we are talking about putting a $2 trillion expansion of the government on top of a government that already has a projected debt of 80 percent of gross domestic national product, which means our kids are going to inherit a

country they cannot afford to live in because their standard of living will be reduced in order to try to meet the obligations we are putting on their backs. It is not fair. It is not right.

Clearly, if we are going to do health reform, it should be done in a fiscally responsible way. It is not fiscally responsible to grow this government by $2 trillion, take money from Medicare to pay for it, and pass the majority of the cost of that bill on to our kids with more debt. It is not a responsible thing to do.

So in the arena of ''do no harm,'' what is presently proposed around here is going to do a lot of harm. That is unfortunate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask to be informed when I have spoken for 9 minutes.

The PRESIDING OFFICER. The Senator will be informed.

Mr. KYL. Let me say, the Senator from New Hampshire has it right on target. I asked a bunch of my constituents how many believe, if we create a new $1 trillion health care program, it is not going to run up the public debt. Not one hand went up.

I think the American people realize what the Senator from New Hampshire said is absolutely right. You cannot create this kind of a new government takeover of health care in this country and health insurance and not have it cost a lot of money, No. 1, and not have it run up the debt, No. 2.

In fact, one of two things is true. You know, half of this is paid for allegedly by cutting Medicare $500 billion, although we do not know what the final bill will be. Maybe it is $450 billion, but let's say $½ trillion to round it off. One of two things is true: Either Congress will end up not making all the cuts in Medicare because we have never had the ability to do that in the past because we know it will cut benefits for seniors, in which case we are going to run up another $500 billion debt—the American people know that—or, for the first time, we are going to make the cuts and seniors are going to see their Medicare benefits cut.

One of those two things is true. Yet our friends on the other side say: Oh, no, no, no. We are not going to have any new debt. Besides that, we are not going to lose any benefits. Well, one of those two things is going to happen. Either we are going to be more in debt or we are going to lose a lot of benefits for seniors.

This week, of course, all the talk is about a new government-run insurance plan. It has lots of different names. It is called opt-out or opt-in or trigger or co-op or consumer or public option.

The Speaker of the House this morning was talking about this. She said: I do not think we should call it public option. I think we should call it consumer option.

Well, let's dwell on this for a second. Is this being paid for or run by consumers? No. It is being run by the U.S. Government here in Washington. Is it being run by the public? No, it is not being run by the public. It is being run by the government here in Washington. This is government-run insurance. That is what it is. It is a government insurance company that they want to compete with the private companies.

The supporters of this are very honest about this. They say they want them to compete. After all, why shouldn't the private insurance companies have some competition from a government-run insurance company? So let's stop the phony characterization of it in some way that sounds a little better, that sounds like it is not government-run insurance. It is government-run insurance. Let's call it by what it is.

Strangely, when it comes to Medicare, these same people who are all for competition suddenly go silent. They are not so much for competition in Medicare. That is what we created with a program called Medicare Advantage. We have the government-run part of Medicare, and you can have that if you want it or you can buy one of these private insurance plans called Medicare Advantage. Well, people on the other side of the aisle do not like Medicare Advantage because it is private. It is a private insurance company. Usually, they are health maintenance organizations or HMOs. They provide a lot of extra benefits to their enrollees and the enrollees love it.

I get all kinds of letters from Arizonians who are on Medicare Advantage and they do not want us to eliminate it. Of course, that is what is going to happen under this legislation. They cut $120 billion out of Medicare Advantage because they do not want the private insurance companies that provide Medicare Advantage to be competing with Medicare, the government-run entity.

So we are all for competition in the private sector today. We need to have a new government insurance company competing. But we are not for competition when it comes to Medicare, we want to keep that government run. The bottom line is this: The left, in this body and in the other body and in the country at large, wants a single-payer government system. They know they cannot get there in one jump. So they are going to do it in two jumps.

First will be with all the government involvement in this bill, including a government-run insurance company. Then, when everybody gets covered under that, they can move to a single-payer system and, voila, you no longer have a viable private sector.

This is not just me talking. The Lewin Group, probably the most respected health care consulting firm, had a study earlier this year in which they said 119 million Americans would be signed up within, I believe it is, 2 or 3 years, under this legislation, with the government-run insurance company.

But here is the interesting figure: 88 million of those people already have insurance. They do not need a new government-run program. They have insurance provided by their employer. The dirty little secret is, when the President and others say: If you like your insurance, you get to keep it, that is not right. Because all the incentive is for your employer to shift you to the government-run plan. That is a lot cheaper for the employer to do that. So you may like your plan, you may want to keep it, but you do not get to keep it if your employer says: Sorry, it is cheaper for me to put you on the government plan. I am not going to offer you coverage anymore.

Lewin says that will happen to 88 million Americans. This is not a small matter. Of course, it is also true on Medicare Advantage. If you like your Medicare Advantage plan, as my constituents do, Arizona has one of the highest percentages of seniors signed up with Medicare Advantage, well, that is tough.

We are going to cut $120 billion out of Medicare Advantage and the value of that plan is going to be cut by about—from roughly $140-something in value down to roughly $40-some dollars in value, meaning you are going to be losing just under $100 in actuarial value off your Medicare Advantage plan because of what we are doing here.

All this because those on the left do not like the private sector providing insurance and want it eventually to go all government. The first step to that is this government-run insurance.

On Monday, the majority leader announced a new tweak on this, a new variation. In order to try to placate some who do not like the government-run concept, he will say: Well, we will let the States opt out. What exactly does that mean? Nobody knows. Somebody has written a bill or at least has written a concept. Nobody that I know of has seen it. Certainly Republicans have not seen it. This was cooked up in the majority leader's office with people from the administration and some other Democratic Senators, and they came up with the idea that maybe it would not sound so bad if they let States opt out.

What exactly does that mean? Well, first of all, I do not know. But does it mean everybody has to pay for it, but if you do not want to accept the benefits, you can opt out of the benefits? How many States are going to go for that? Who knows what it means?

Somebody said: Well, how about an opt-in? I said: Well, you ought to ask the Democrats that. It would seem to make more sense than an opt-out if you are going to have the program. Of course, you should not have it in the first place, but at least, if you have it, shouldn't you give people the option of deciding whether they want it and whether they have to pay for it? If they do not want to pay for it and do not want the benefits, well, maybe then it is a little different proposition. But that is not a good idea either, because you are still creating the basic government-run insurance company, and that

is also what is wrong with the so-called trigger.

The idea of the trigger is, well, if the Secretary of Health and Human Services decides in her opinion that not enough people can get insurance at the right cost, then we are going to have the government-run insurance company take over. National, paid for by the Federal Government, created by the Federal Government—this is government-run insurance.

A co-op. That idea seems to have pretty well fallen off.

But all of these ideas—whether it is a co-op or consumer or public or opt-in or opt-out, it all amounts to the same thing: It is government-run insurance. We do not need it. It is bad. It is a problem—or a solution looking for a problem.

There are times where there is not that much competition. Why? Because they are generally small States without very much population. The last thing they need is one more insurance company coming in splitting up the pie. They need a large risk pool to provide the basis for them to be able to write insurance. And you split the risk pool up even more with yet another insurer, and you are not solving any kind of a problem.

The final thing they said: Well, we need the government-run insurance to keep the insurance companies honest. That is what the State insurance commissioners are for. We have several former State insurance commissioners—the Senator from Maine, Ms. COLLINS; the Senator from Nebraska, Mr. NELSON; the other Senator NELSON—all former insurance commissioners, and they know their job was to keep the insurance companies honest. I have not heard anybody say the insurance companies are not honest. I heard them say: Well, they make way too much money. Well, obviously, that to some extent can be controlled by the individual States. But it is also the case——

The PRESIDING OFFICER. The Senator has consumed 9 minutes.

Mr. KYL. I appreciate that, Mr. President. I will conclude with this point: A study that came out in the papers earlier this week demonstrated that insurance companies ranked 35th on the list of the most profitable companies, making a profit of something like 2 percent. So the bottom line is, people say: Well, we either want to punish the insurance companies or give them more competition or keep them honest. All of these are excuses for offering government-run insurance that, at the end of the day, is simply a step toward a single-payer system in this country. That is not the kind of reform Americans want.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate the comments of my colleague from Arizona and before him my colleague from New Hampshire in pointing out what happens when you deal with a Federal Government insurance company. If you want to call it Federal Government, Inc., whatever you want to call it, what you are essentially talking about when the Federal Government takes greater control of any part of our economy but certainly one-sixth of our economy with health care, which is what health care represents—$1 in every $6 of our economy is spent on health care in this country—what you typically get is fewer choices and higher costs. That is certainly the case here because you are going to see fewer choices.

I think most Americans realize that if the Federal Government has more control, more intervention, more involvement in health care in this country, it is going to ratchet down the availability of choice and there will be fewer freedoms for people in this country because the Federal Government is going to start saying what has to be in a certain health care policy. It is going to start getting in the way of that fundamental relationship between physicians and their patients. You are going to have more and more governmental intervention, and that ultimately is something I think most Americans have great reservations and great apprehension about.

In fact, if you look at the bills, the various bills that are before the Congress today—and there are three that have been reported out in the House, two now in the Senate—they vary a little bit in terms of particulars, but they are consistent in terms of their overall themes. They are all going to raise taxes. They are going to raise taxes not just on the rich, not just on people with high incomes, they are going to raise taxes on ordinary Americans. All the studies bear that out. The Congressional Budget Office says that. The Joint Tax Committee says that. They are going to cut Medicare for seniors, particularly those who have Medicare Advantage. So Medicare benefits are going to be slashed if this bill becomes law. And they are going to all lead to higher premiums. That is the remarkable thing about this legislation. All these bills that are before Congress right now, which propose to control costs and to lower costs for people in this country, all lead to the same result; that is, higher costs for health care in the form of higher premiums.

I want to point out something in the bill the Finance Committee produced.

By the way, they are still merging these bills behind closed doors. There are a handful of people who are writing this bill. Contrary to the assertions of the President last year when he was campaigning that this was going to be on C–SPAN, it was going to be a wide-open process, and the American public was going to be able to participate and engage in this, this is all occurring behind closed doors. The specifics of this legislation are being written right now and probably will end up being hundreds of pages, perhaps even thousands of pages. But they all come back to the basic characteristics I mentioned earlier: higher taxes, Medicare cuts, and higher premiums for Americans.

What is interesting about this chart I have in the Chamber is there are Americans who will be put into an exchange who would be able to get some subsidies to help purchase insurance. Obviously, there are a lot of people in this country who do not have access to insurance today, and that is what we all—Members on both sides in the Senate—want to address: How do we provide more Americans access to affordable health care in this country? So there are some who get subsidies and who would be able to buy insurance through an exchange. That is about 18 million Americans. But if you are among the 185 million Americans who currently have health insurance, you will pay higher taxes and your premiums will end up going up.

What is ironic about this is 18 million Americans will get subsidies through these exchanges, but there are still 25 million Americans under the Finance Committee bill who will not have insurance when this is all said and done. So you actually have more people without insurance than would actually get subsidies under this plan that is being proposed by the Finance Committee, financed by the 185 million people who are going to pay higher taxes and also who are going to see their premiums go up. Now, I am not saying that. That is what the Congressional Budget Office and the Joint Tax Committee have said. That is what every independent study that has looked at this has said.

By the way, last week there was an analysis that came out, done by the Actuary at the Department of Health and Human Services here in Washington, DC, that said overall spending on health care under this proposal—and when I say ''this,'' I am talking about the House proposal. Again, they are very similar in their characteristics, and in some of the particulars they differ. But in the House proposal, it would go up by 2.1 percent. If you remember, today we spend about $1 in every $6 in our economy on health care. At the end of the 10-year period, according to the Actuary at the Department of Health and Human Services, we are going to be spending more than $1 in every $5. So 21.3 percent of every $1 in our economy is going to go to health care because under these proposals, health care costs are going to go up over and above the rate of inflation. In other words, if we do nothing today, you are going to have normal inflationary health care costs, which are going to increase the cost of health care. Enacting this legislation would increase the cost of health care 2.1 percent above that, or $750 billion over 10 years. That is what the Actuary at the Health and Human Services Department said—$750 billion in spending on health care above and beyond what would be normal if we did nothing with health care inflation in this country. So it would add 2.1 percent to the

amount we spend as a percentage of our GDP, to where 21.3 percent of our entire economy would be spent on health care.

So you have health care costs going up, you have taxes going up, according to the Congressional Budget Office and the Joint Tax Committee, on people who are making less than $200,000 a year. And even half of the tax burden, over 50 percent, according to the Joint Committee on Taxation, would be borne by those who make less than $100,000 a year.

The amazing thing about this, from the analysis that has been done, is that someone who is making 150 percent of the poverty level, which is $32,200 a year, because of the way the provisions in this bill would interact, would actually end up with an effective marginal tax rate of 59 percent—a 59-percent tax rate—because they would lose subsidies as they make more money. So the incentive for someone in a lower income category to make more money is going to go away because with every dollar they make, their effective marginal tax rate is going to go up. It would be 59 percent for someone making $32,200 in this country today. That is for people whose income is 150 percent of the poverty level.

So to suggest for a minute these tax increases and these tax policies and the way this bill is financed are not going to impact average Americans, working-class Americans, is absolutely wrong. It is false. That is what the Joint Tax Committee and the Congressional Budget Office have said.

But probably the worst thing: If you are one of these 185 million Americans, as shown right here, who are paying the burden in the form of higher taxes, you are going to see, at the end of all this, that after all the promises that we are going to get costs under control, your health care costs are going to go up and your taxes are going to go up. If you are a senior citizen, your Medicare benefits go down. And guess what. Your health care costs, your insurance premiums are going to go up. That is what has been said consistently.

Doug Elmendorf, the Director of the Congressional Budget Office, said:

> Our judgment is that piece of the legislation would raise insurance premiums.

He goes on to say:

> Those projected premium amounts include the effect of the fees that would be imposed under the proposal on manufacturers and importers of brand name drugs and medical devices, on health insurance providers, and on clinical laboratories. Those fees would increase costs for the affected firms, which would be passed on to purchasers and ultimately would raise insurance fees by a corresponding amount.

That is a direct quote from the Congressional Budget Officer Director, Doug Elmendorf.

He also said, when asked the question about, Would these taxes be passed on in the form of higher premium, that roughly dollar for dollar they would be passed on in the form of higher premiums.

Some of the independent studies that have been done out there suggest that if you are buying in the individual market as an individual, you are going to see up to a 73-percent increase in your health insurance premiums; if you are a small business, up to a 20-percent increase. The studies vary. I have looked at my State. They break it down, some of these analyses, State by State. In my State of South Dakota, if you are buying in the individual marketplace as an individual, you would see a 49-percent increase. If you are buying in the individual marketplace as a family, you would see a 50-percent increase. If you are someone who is in a small group market, you would see smaller increases but still double-digit increases—14 percent, 15 percent above the normal rate of inflation. In other words, if we do nothing, if we do absolutely nothing, you are going to have normal inflationary increases in health care costs, which I think are hurting a lot of small businesses. But if we do what is being proposed here, it is going to be way worse because the overall cost of health care, according to the Actuary at the Department of Health and Human Services, the overall cost of health care above and beyond the rate of inflation is going to be $750 billion over 10 years or a 2.1-percent increase in overall health care costs. It translates, as I said earlier, into individuals, small businesses, and families paying higher health insurance premiums, higher costs for their health care, higher taxes.

If you are among the 185 million Americans, again, who are not in the exchange, who do not get subsidies, you are going to pay higher taxes and you are going to see your health insurance premiums go up.

There are a lot of people—a total of 282 million people—who are not going to be in the exchange. There are a lot of people who derive their health care through the government: Medicare and Medicaid. So there are a total of about 282 million people in this country who are not going to get subsidies and 18 million who will.

By the way, again, 25 million Americans will still not be covered. There will be more not covered than would be able to get subsidies through these exchanges to buy insurance.

The Democrats are saying: Trust us. They said that on the stimulus. They said unemployment would not go above 8 percent.

The PRESIDING OFFICER. The Senator's time is expired.

Mr. THUNE. I will wrap up with this, Mr. President. ''Trust us'' is not enough for the American people. The American people need real, meaningful health care reform that will drive costs down, not up. These proposals drive it up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I wish to say that the presentation by the Senator from South Dakota, Mr. THUNE, is a strong one and a compelling one. I am also very impressed with his knowledge of the facts and his in-depth analysis of what we are apparently facing. I say ''apparently'' because so far, as has unfortunately been the case, the majority leader has not shared with at least this side of the aisle or anyone I know of on this side of the aisle any of the specifics of the latest proposal. That is very unfortunate.

As the Senator from South Dakota mentioned, the President of the United States, when campaigning, stated categorically that there would be C–SPAN cameras, that there would be Republicans, there would be an open process, and he was specifically addressing the issue of health care reform.

Americans grow cynical from time to time about the things we say during political campaigns. I can only conclude that the statement made by the President during the campaign contributes mightily to not only the issue of health care reform but also the cynicism about real change in Washington. Change has not taken place; the majority rules.

I certainly agree those abuses were committed when Republicans were in the majority in this body, and I saw it, and I fought against it. But it was stated just a little over a year ago that when health care reform came to its period of consideration by the Senate, when the negotiations went on, C–SPAN cameras and Republicans would be present so the American people would be able to see, in the President's words, ''who is there representing the pharmaceutical companies and who is representing the American people.''

Well, if we open it up now, if we opened the doors not far from here, we would see that already a deal has been cut with the pharmaceutical companies. It is an $80 billion deal done in return for $100 million or so in positive ads and in return for punishment to average American citizens because the administration agreed to a prohibition of importation of prescription drugs from Canada that could sometimes save as much as 60 percent on life-saving pharmaceutical drugs; as well as the elimination of or opposition to competition amongst drug companies to provide prescription drugs to Medicare recipients.

So what they have done by buying off the pharmaceutical companies—by the way, according to the latest reports I read this morning, the head of the pharmaceutical lobby makes over $2 million a year—we have now penalized the American people by preventing them from having choice, as well as seeing the influence of special interests in this country and in our deliberations. It is very unfortunate.

There is a great deal of cynicism out there amongst the American people. It is manifest through tea parties and in other ways. Polling data shows the great dissatisfaction the American people have about the way we do business.

That cynicism has been authenticated by the process we are going through.

I would again urge the majority leader to invite us in to sit down. We have some constructive ideas. We have some thoughts as to how we can reform health care in America. We know there needs to be reform. We have people such as my colleagues, two doctors—Dr. COBURN and Dr. BARRASSO—on our side of the aisle, who have extensive hands-on experience with these issues. Why can't we at least at some point—which we should have done a long time ago—be allowed to have input into the behind-closed-doors process that is taking place as we speak?

H1N1 PREPAREDNESS

Mr. President, I wish to also say a few words this morning about an issue that is of great concern to me and is of greater concern throughout the country; that is, the availability of vaccines in order to combat swine flu, known as H1N1. There are long lines around the country. There is scarcity. There is great concern amongst the American people about this problem. Unfortunately, just last week, in a hearing before the Homeland Security Committee, the Secretary of Health and Human Services assured us that it was no problem and that there would be plenty of supplies on hand.

The previous administration conducted the initial analysis, as we know, and worked with the World Health Organization to estimate the magnitude of this worldwide pandemic. A plan was put in place and stakeholders began executing their roles in protecting the public health.

In the fall of 2005, in response to the government's lessons from combating avian flu, Congress provided $6.1 billion in the 2006 supplemental appropriations for pandemic planning across several Federal departments and agencies. Since then, annual funding has been provided to the Centers for Disease Control and the FDA and activities in Health and Human Services to continue work on vaccine development, stockpiling of countermeasures, and assistance to States.

In late April of this year, Margaret Chan, the World Health Organization's Director General, declared "a public health emergency of international concern" when the first cases of the H1N1 virus were reported in the United States. National and State plans were in place and orders for vaccines were processed. Among other actions, officials released antiviral drugs from the national stockpile, developed and released diagnostic tests for the H1N1 virus, and developed guidance for the clinical management of patients and the management of community and school outbreaks. The administration requested $9 billion in emergency supplemental appropriations to address the situation.

On June 26 the President signed an appropriations bill which provided $1.9 billion immediately and an additional $5.8 billion contingent upon a Presidential request documenting the need for and proposed use of the additional funds. In total, from 2004 through 2009, Health and Human Services alone has received almost $9 billion for pandemic flu preparedness. Again, this doesn't account for the other billions to other agencies.

However, for the $9 billion and counting the government has spent on preparing for pandemic outbreaks, Americans have only experienced frustration at vaccine shortages and the long lines for the limited supply of H1N1 vaccines that are available. This should make all Americans extremely nervous about the government possibly taking control of our health care system.

Three months ago we were told—this is important. Three months ago we were told the CDC expected 120 million to 160 million doses by the end of October. Two months ago the administration's estimate of vaccine availability dropped to 40 million by mid October, with 20 million additional doses rolling out every week. Last week, the estimate dropped again. Now only about 28 million doses are expected to be available by the end of October. Yet the CDC estimates there are at least 45 million high-risk Americans, including pregnant women and children, in need of the vaccine. So according to my math, we are about 20 million doses short.

Unfortunately, the outbreak of the flu is widespread and deaths are accumulating. The Washington Post reported yesterday:

> As of October 17, 46 States were reporting "widespread" influenza activity and many doctors' offices have been swamped with swine flu patients . . . The U.S. Government has ordered enough vaccine to make up to 251 million doses if needed, but production has been slower than originally anticipated. A total of 11.3 million doses of vaccine have been shipped to U.S. doctors and hospitals and clinics as of Wednesday, according to the CDC, out of a total of 14.1 million doses that manufacturers had shipped to warehouses by that time. By Friday, 16.1 million doses of vaccine had been shipped to warehouses.

In Arizona, State officials estimated a need of 900,000 to 1 million vaccines for my State's 6.5 million residents.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MCCAIN. I ask unanimous consent for 2 additional minutes.

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

Mr. MCCAIN. However, Arizona has only received 263,000 vaccines as of yesterday. According to the Arizona Republic, the swine flu vaccine was only available at 35 of the 113 planned clinics in Maricopa County. The article quoted the county's director of public health as stating:

> It's a very frustrating situation where we are just not getting what we need. Right now, it is completely out of everyone's control.

On October 24, the Arizona Republic reported:

> The lines were long, but the desire intense Saturday as hundreds, possibly thousands, of people waited up to three hours to get in one of today's rarest experiences: a swine-flu shot.

The doses available represented a little more than 1 percent of Maricopa County's population. People were turned away if they did not fall into the high-risk group.

Congress needs to know more information. Obviously, the hearing we had in the Homeland Security Committee last week was, at best, misleading as to the magnitude of this problem. We need more information from the government, and we need to act now and find out how we are going to get enough swine flu vaccine to take care of the citizens of this country. We have already invested $9 billion. I don't think we have a lot to show for it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I will be recognized for the remainder of our time. Would the Chair tell me when I have 1 minute left, please?

The PRESIDING OFFICER. The Senator will be informed.

HEALTH CARE REFORM

Mr. COBURN. Mr. President, I listened the last few weeks on the Senate floor to many of my colleagues on both sides of the aisle. I happen to be one of two physicians in the Senate. I still practice. I saw 11 patients Monday morning in an office in Muskogee, OK. I saw some sick kids, saw some women, some senior citizens, saw people having difficulties with pregnancies. I was kind of struck, as I watched and listened, to where we are in the country today.

We have a lot of problems in front of us, including the financial problems, our unemployment problems, the fact that we need to get our economy up and going. But I saw something my staff sent me that explained and gave a great big, huge answer to me. It became crystal clear. It was a guy holding a poster. I have added a few things to his poster, but in essence here is what it said.

On the top line it said: "Medicare is broke." That is true. We all know that. It runs a negative cash balance, total negative cash balance starting in 2017, probably 2014. So 5 years from now, the vast majority of the funds from Medicare are not going to come from Medicare taxes. They are going to come from the citizens of this country through their regular taxes or we are going to borrow it from our kids.

The States are broke because they have Medicaid, and they are all struggling mightily right now, so Medicaid is broke.

What else is broke? The Post Office is broke. We know that. We just gave them $2 billion to get them out of their cash flow, but they are going to run about an $8 billion, $10 billion deficit next year.

The census is broke. We know that. It is going to cost 2½ times what it

cost the last time, and we are not even sure we are going to get an accurate census.

The highway trust fund is broke. We are getting ready to have a bill on the Senate floor in the very next few days or weeks that will extend the life of the highway trust fund. It is going to take $248 billion from our grandkids with a wink and a nod and say it is not broke. It is not any different from what we were trying to do on the Medicare doctor fix, on the reimbursement fix. So the highway trust fund is broke.

Fannie Mae is broke. Freddie Mac is broke. Medicare is broke. Medicaid is broke. The country is broke.

Here in the midst of all of this, we are getting ready to add a $1 trillion program run by the very same individuals who have Medicare broken, Medicaid broken, highway trust fund broken, Post Office broken, census broken, Fannie Mae broken, Freddie Mac broken, and we are supposed to trust us to design a system to fix the problem.

There is no question there are some problems in health care. The biggest problem is that it costs too much. I see that every day when I practice medicine. I have seen it for 25 years. It is exacerbated now.

Most people won't agree with my assessment, but one of the reasons the costs are so high isn't just technology—and certainly it isn't the insurance industry—it is the demands we place on the system through Medicare and Medicaid. I get to experience that every day—the added costs that go into the health care system because I have to do something the way Medicare wants me to do it, not the way I would do it normally. I have to cross the T's and dot the I's for Medicare.

It is ironic that right now, as we are sitting here, there is a hearing going on on strategies to address Medicare fraud. We have a bill that is getting ready to come to the floor that doesn't have any of that in it. Why didn't we have that hearing 6 months ago when we asked for it? Or a year ago when we asked for it? Two years ago, we did have one in my subcommittee, where we found out that HHS doesn't even know how much Medicaid fraud there is, and they underestimate their Medicare fraud by 50 percent, according to GAO. We are almost at 20 percent fraud. And now we are having a hearing, after a bill is written, to find out new strategies for it.

Why? It is because there is no defense that we could ever muster or maintain against the accusation that we have allowed a system to have this kind of fraud in it. Yet we are supposed to turn around and ask the American people to trust us to fix what is wrong in health care. There are significant things wrong in Medicare. It costs way too much. It doesn't have to cost way too much. But we have put that into the system.

Let me, for a minute, defend American medicine. If you are sick anywhere in the world, the best place to get sick is in this country. We have a 30- to 50-percent higher cancer cure rate than anybody in the world. If you have an acute coronary syndrome, heart attack, or stroke, we have the best hope for the best outcome and the best survivability for you. If, in fact, you have an orthopedic problem, whether it is a fractured hip or leg, or you need a new joint, this is the best place in the world to get the best care with the least complications, with the best outcome of anyplace in the world.

There have been a lot of people critical of the bad parts in health care, and they should be. But what we are about to do is to damage the very best health care in the world to fix what is wrong with that system. So rather than to preserve what is good, we are going to take over—we are already at 61-percent government-run health care; 61 percent of all health care is run by the government today. Add it up—whether it be military health care, Indian health care, VA health care, Medicaid, Medicare, SCHIP, or the Federal employees health care, FEHBP. Sixty-one percent of health care is run through the government today. You may say, how in the world can we have the cost go out of line? It is because we have health care bills that will not address the real costs.

Instead of having a monstrous bill that costs $1 trillion—actually far more than that, about $2.8 trillion the full first 10 years it is in effect. Rather than doing that, we ought to fix the easy things first, such as the fraud in Medicare. It is not hard to fix. We pay and chase. We have known that for years. We tried to do something about it, but we cannot do anything about it. We assume that when you bill Medicare, you bill them right and we pay you. If you don't do it right, we try to figure out, rather than having active live intervention to determine that you did a certified procedure or used a certified product. So we could save, in health care, $60 to $70 billion a year just in government programs if we fix the fraud.

We can save another $100 billion a year if, in fact, we incentivize or change the tort system in this country, because what we know is that 80 percent of all lawsuits are frauds in health care. They all get dropped. They never get paid attention to. But they get filed, hoping to extort money out of our insurance companies that cover doctors. Of the remaining 20 percent, 89.9 percent of those are found in favor of the providers. So what that says is less than 3 percent of all the suits that are filed are legitimate, and those poor people who win the 3 percent—60 percent of the money doesn't go to them; it goes to the system.

What else could we do? We can change the Tax Code so that if you are an individual, you get the same tax benefit that corporations do when they buy their employees health insurance. No, we won't do that. We have not done that in this bill. So if, in fact, you are well-to-do or you have the benefit of employer-paid health care, you get $2,700 worth of health benefit a year; but if you are a single man or woman trying to raise a child, and are self-employed, you get $100 worth of tax benefit. So we totally side with those who are well-to-do, in terms of the tax benefits in this country, rather than help the people out there trying to buy individual health insurance.

We can create a transparent market. We can mandate tomorrow that for all insurance sold you have to put out the quality, your payment terms, and you have to put out the prices you will pay, and the same with every provider in health care, so that you can know what you are going to get, what it will cost, and the likelihood of the outcome beforehand.

Finally, we could encourage the sale of insurance products across State lines to force competition into the insurance market. There is no question they need competition. They have it inside, but it is mandated down to the State level. So the only way you will ever create real competition and force competition in health care is to make them all compete against each other, which will give you the ability to buy what you want for your family, what you think you need, and get the care you want, at a price you can afford. We are not going to do that with this plan or any of the plans that have been offered. We are going to see the cost of insurance go up, not down.

Finally, we could have group health associations, where businesses can come together across State lines and join an association and have buying power in the insurance industry. That has been blocked in this body for 4 years.

So we can do four or five things, and none of those would cost any money. None of that would require us to steal money from Medicare Advantage and Medicare to create a new program, rather than to fund the sustainable portion of Medicare. So as we look at health care—and there is no question we have problems, and I want to see them fixed—it is important to put it into perspective. We have failed at everything we have done, in terms of being effective stewards, when it comes to health care programs through the Federal Government. They are neither efficient nor highly effective. We are getting ready to ask the American people to trust us with another couple trillion dollars over the next 10 years to create a new system, demonstrating the fact that we don't know how to run and won't be responsible for the systems we have. We are going to create a new system, and the idea is to just trust us. Our actions which have demonstrated a lack of financial stewardship of the health care programs today ought to give us all great caution that somehow the Federal Government knows what it is doing when it comes to health care. The proof is that we absolutely have no idea what we are

doing. That is why there is an $85 trillion unfunded liability on Medicare. That is why there are over $100 trillion in unfunded liabilities when it comes to Medicare, Social Security, Medicaid, and SCHIP that we will never be able to take care of, which we will shove over onto our kids and grandkids. But trust us, we can get it right this time.

We can create 88 new programs—that is what is in this—new bureaucracies, new government programs, with 150,000 new employees. And if you think that 150,000 employees won't stand between you and your provider, you have another thought coming. They are going to write rules and regulations that will cripple the ability for you to make decisions about your health care in your family. It is going to slow your access to health care and raise your cost of health care.

There are ways to get out of this. There are ways to lower the costs. There are ways to not grow the government and make more health care available to hundreds of thousands and millions of American citizens. The first health care bill introduced was the Patients Choice Act, filed in this Congress by myself and RICHARD BURR. It saves money rather than costing money. It saves $70 billion in the first 10 years. It saves the States $1 trillion in the first 10 years. It is the opposite of what we have coming. It is a patient-centered plan rather than a government-centered plan. It puts patients in charge rather than government bureaucrats and Senators. The last thing I want to happen to my patients and me—I am 61 years old, and it will not be long before I am eligible for Medicare—is somebody in Washington making a decision about what my family and I can get. And whether I can afford it is up to me. But what I can get, and where I can get it, ought to be totally and 100 percent left in my hands as an individual who is free in this country.

I have one final point. In this bill is a mandate that you have to buy insurance. You have to buy insurance. If you own your own home, you don't have to buy homeowners insurance. If you don't want to have general liability on your property, you don't have to do it. If you choose not to drive a car, you don't have to buy auto insurance. By the way, 25 percent of the people who own a car don't buy it or they buy it and they cancel it. We know that. That was the latest statistic. So we are going to tell everybody in America that you no longer have the freedom to make a choice, that if you have the assets and you choose not to buy health insurance, you are going to get a fine—a misdemeanor—from the Federal Government. We are going to take away your freedom to make a decision you think is in your best interest.

I note that I have a limited amount of time. With that, I call on the American public to pay very close attention not to what we say and are going to do in the next few weeks in Washington but look at what we have done in the past. I don't think you can trust us with health care the way we are going. We have not demonstrated we can do that. The person to trust on health care is you. We can fix what is wrong without bringing another 20 percent of health care into the Federal Government and shackling our children forever.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3548, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to H.R. 3548, a bill to amend the Supplemental Appropriations Act of 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I have come to talk specifically about the urgency of passing the unemployment benefit extension.

I want to take a moment to respond to my friend from Oklahoma, who was essentially bashing the Government's ability to provide any kind of structure or opportunity for health care, saying that the Federal Government cannot be trusted to provide access to health care for people. I suggest that the 40 million people who receive their health care through Medicare—seniors over age 65 and people with disabilities—would probably disagree with that. I think my 83-year-old mother would wrestle me to the ground if I tried to take away her Medicare card. She has access to choose her own doctor and procedures.

This is a system that involves the public and private sectors, and it was in fact established in 1965 by the U.S. Government to make sure seniors and people with disability have health care. Also, those who are poor in this country and have lost their jobs and are fearful of losing their health care, families, and low-income seniors who need to go into nursing homes would probably disagree with my friends from Oklahoma about Medicaid, even though there are many challenges that we need to work on in terms of rates and so on.

Medicaid is a safety net for many Americans. That is the difference, in some cases, for seniors in nursing homes between life and death.

I am proud the Federal Government also stepped up on Medicaid. I also think the Children's Health Insurance Program, which was started in the nineties for low-income working families to make sure that if someone is working in a job and does not have health insurance, at least their children can be taken care of with a low-cost policy they pay for. But we established and created a way for families to get health insurance. I think those folks would probably disagree with the statement as well.

In many regards, the VA—and while there are certainly challenges and issues and we all push through to make sure our constituents are served—has been in the forefront of health information technology, electronic medical records, and so on. The VA is a system that works for our veterans as it should. When it is not well funded, as it has not been in the past with the previous administration, we stepped up to increase the funding repeatedly to make sure our veterans have what they need through a Federal Government health care system.

Finally, I will just say, there are our military and military retirees as well whom, I am proud to say, our country has supported through providing a health care system.

We can talk more about health care at another time. But I do think this ongoing effort to be critical of anything we do collectively as a country, through a democratic process of government, that somehow that is bad, I find that interesting, when we are saying to those around the world they should go to our system. We, together through our system, have made sure there are opportunities for many Americans, most Americans, if you count the employer-based health care system, the tax credits, the incentives for employers, the government policy. In some way, our government has been involved in incentivizing health care. The question now is, Do we complete the job? I am very hopeful we will complete the job for every American and tackle health care costs that are crippling our businesses, our government, and our families.

I wish to speak about something else that is of tremendous urgency for families. I was very pleased that last night, finally, after 3 weeks of blocking our ability to get to this bill to extend unemployment benefits, we have the opportunity to get to a vote. Eighty-seven Members voted to proceed to the bill. I don't understand, when 87 Members vote to proceed to the bill, why we could not have done this sooner.

Since we started to try to get to this bill, to this point today, 143,000-plus people have lost their unemployment insurance benefits—just in the last 3 weeks, over 143,000 people, who have done nothing but work all their lives, play by the rules, the job goes away, they are trying to find another job and, in the meantime, keep a roof over the head for their family, food on the table, turn on that electric, turn on that heating system, which is going to cost

even more to the family budget—just keep things going.

We know 7,000 people today will lose their unemployment benefits; 7,000 people tomorrow will lose their unemployment benefits; 7,000 people the next day. We have been trying to build on what we did in the Recovery Act. I am so grateful our President immediately wanted to extend unemployment benefits. We did not have to struggle, as we did for 8 years, to try to make that happen. President Obama gets it, and it was in the recovery package.

Now we come to a position where we need to extend it. The House passes it, and we spend 3 weeks procedurally trying to get to this bill so we can consider it.

There are amendments that will be offered. There are amendments that are very good amendments that I support, such as extending the first-time home buyers tax credit, help for our businesses in this economy, adjusting tax issues of net operating loss, positive things, bipartisan things. But fundamentally, the question I have is why did it take us so long to get to the substantive discussion on this bill?

That leads me to the second matter about which I wish to talk.

Since the beginning of this year, we have seen 82—yesterday it was 81, now it is 82 times, as of this week, that we have seen Republican objections to moving America forward, forcing us to go to a vote, such as yesterday, where 87 people said yes. Why did it take a vote? Why did it take 3 weeks? If people were sincere about moving this country forward, about solving problems, all the talk of bipartisanship and all our efforts to create that, we would not get no, no, no; I object, I object, I object. That is all we hear as we try to move forward to solve some of the most critical issues facing the country, facing families, facing businesses—the economy, internationally with wars. Over and over again, things that should take 2 hours take 2 weeks.

It is time to say enough is enough. We have done this too long this year. Now is enough. It is time to get on with the business, the people's business, and to, frankly, call it like it is.

I wish to go through a few of the 82—not all of them—a few of the 82 objections because we started the year with efforts to block the President from getting his team in place.

We know there was an election. Somebody won. They have a right to have their team in place to govern. That is how this works. Yet right out of the box, the day after the swearing in, January 22, there was an objection to calling up the Jackson nomination, the Sutley nomination, the Solise nomination, the Rice nomination—objection, objection, objection. We can go on through point by point.

I will jump down to April 21, when there was an objection to scheduling a vote on Christopher Hill to be the Ambassador to Iraq. We are in the middle of a war, years of a war, and there was an objection to moving that nomination for most of April, but then he was confirmed with 73 votes.

This, obviously, was not about the fact that there was not a majority of people—overwhelmingly, over two-thirds of the Senate wanted to have this vote, wanted to confirm the Ambassador to Iraq, but yet there were objections and slow-walking and slow-walking and slow-walking, trying to slow down the business of governing and getting things done for this country.

Two days later, there was an objection to moving forward to the nomination of Thomas Strickland, the Assistant Secretary for Fish and Wildlife. Ultimately, he was confirmed with 89 votes. What took so long?

Seconds after that objection, there was an objection to Kathleen Sebelius as Secretary of Health and Human Services, right as we were first beginning to respond to the H1N1 virus, and we didn't even have a Secretary of Health and Human Services. Yet there was an objection.

Seconds after that, there was an objection to David Hayes to be Deputy Secretary of Interior. They filibustered this nomination. We had to go through all these procedural votes. In the end, he was confirmed unanimously. So even the person who objected to going to this nomination ultimately supported the nomination, which leads one to ask: What is the motivation of what is going on here?

In May, they objected to proceeding to the Family Smoking Prevention Tobacco Control Act. Ultimately, it passed with 79 votes in June. Twice we had to file procedural motions, cloture motions to get the credit card bill in front of the Senate. Ultimately, it passed with 90 votes.

In July, we had to file again. We had to go through the slow process, start the 30-hour clock, another 30-hour clock, waste time on the floor trying to get the Homeland Security bill up, which passed with 84 votes.

The Defense authorization bill, another absolutely critical bill that everyone agrees must move forward for our troops, for our security, was held up on the floor most of the month of July and ultimately passed with 87 votes.

In September, the Interior funding bill, the same thing. It ultimately passed with 77 votes. Finally, last week, Republicans objected to even going to the conference committee.

When we look at this, we have a bill that passes with 87 votes on Defense authorization, goes to conference committee, comes back, another objection, have to do a cloture vote, run the clock, and then the bill passes with 68 votes.

That leads us back to where we are today. Twice there were objections to bringing up the extension of unemployment compensation for millions of American families, middle-class families who are caught in the middle of an economic tsunami. They did not create it.

It is our job to create the economic framework to support the jobs that need to be created. We are focused on that, laser focused on that. Every piece we do relates to jobs, whether it is health care, energy policy or financial reform. Whatever it is, it all comes back to jobs. But we take 3 weeks to get in front of us a bill on which ultimately, last night, 87 people voted to proceed.

We have a new President of the United States this year. There was an election. There is a new Congress. We know there are differences on substance, and that is what a democracy is all about, honest differences. I have differences on specific policy issues. But what we see here is a conscious strategy that has to stop. It has gone on all too long. We have many challenges as a country that need to be addressed. We have families in crisis who need us to act, and this has to stop.

We can no longer continue to see this number go up from 82 to 85 to 90. Who knows where this will end, who knows, in terms of objecting to moving forward, objecting to taking up bills.

We have one of the most important issues that I know I will ever address or have worked on in my time in the House or Senate coming before us on health care reform. We have differences. We have people of good will who have differences. We will have a motion whether to even proceed to the bill and debate those differences. Yet my assumption is that almost all—hopefully not all—almost all the Republicans in the Senate will vote no to even proceeding to discuss it.

We are in one of the most important times in our country's history. We don't have time for this. We don't have time for these ongoing antics that just burn the time on the clock, stop us from taking votes, stopping us from getting the team in place so the administration can do their work, stopping us from solving problems, extending unemployment compensation, focusing on jobs, focusing on health care costs, tackling what we need to do for clean energy. We don't have time. The American people don't have time. Our country doesn't have time to waste on items that are blocked that eventually have overwhelming support.

We know there are times when we all feel passionately about something, when there are divisions in the Senate, when we choose to stop moving forward. We all have been in that position, and I respect that decision. I certainly hold that as a right of mine, as it is for each of us. But what we are seeing over and over are efforts to slow-walk the business of this country, of solving problems, and then when we get to the end, such as yesterday, there are 76 votes or 90 votes or it is unanimous. That is what I am objecting to—the strategy of stopping the people's business from getting done. I hope as we go forward on health care and go

into the new year, we will be able to focus on the substance of things, debate that vigorously—as we will—but stop what is the gratuitous objection over and over and over just for the purpose of saying no.

I strongly urge my colleagues to support the unemployment extension legislation that is in front of us. There is a sense of urgency. As I indicated before, we have a situation where we have over 148,000 people, just in the last 3 weeks, who have lost unemployment benefits—7,000 people, every day we debate this, every day it goes back to the House, every day before it goes to the President. It is time to get this done.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I come to the floor to talk about the pending business before the Senate, the unemployment insurance extension, and I rise today to say that it should come as a surprise to no one that we have a jobs crisis in America. To help fix it in the short term, we need to extend unemployment insurance benefits to help families who are suffering through the worst job market in many years, not obstruct and stonewall to score political points.

I sometimes wonder whether my colleagues understand that people's lives are in the balance. It is not a time for political grandstanding, not a time to once again say no—no to everything, no to the people who need help. This is not a time for amendments about ACORN or E-Verify—amendments that have been offered and voted on on the floor of the Senate time and time and time again. It is nice that those people who offer them get their paychecks direct deposited every 2 weeks. This is not the time to offer those amendments again after the job crisis this administration inherited.

Unemployment in New Jersey is at 9.8 percent, just shy of double-digit unemployment, and the experts tell us it will get worse before it gets better. This is not the time to keep saying no, especially when we are trying to come out of the policies of the last 8 years that brought us to these present economic circumstances, the policies of the last administration that favored the bottom line over the lives of people—Wall Street over Main Street—and sent millions of jobs overseas, leaving us vulnerable to any economic downturn, let alone one as severe as the one we were left with.

When the economy sheds 263,000 jobs in 1 month alone, it is a crisis. When 14.9 million Americans are unemployed, and we know that there are only 3 million jobs available, it is not the time to say no. When over a third of all unemployed—more than 5 million Americans—have been jobless for 6 months or longer, and 500,000 Americans will exhaust their unemployment benefits this month—1.5 million by the end of the year—we have to say yes to extending unemployment benefits.

We could recite the numbers all day. We could hold up chart after chart showing State by State the unemployment figures. But as the Presiding Officer knows, from his own comments on the Senate floor, the numbers don't tell us what this is all about. It is about people and their lives and their hopes, and the look on their faces when the bill comes due and the fear that they could stand to lose everything. Everywhere I go, when I am back home, someone comes up to me and I see that look on their face. It is a look of panic. It is a look of anguish. They lost their job after the holidays, their benefits are about to run out, they lost their health care, they are behind on their mortgage, their husband or wife is working two part-time jobs to try to make up. The story of these troubled times is not in the numbers, it is in the faces of those families who are looking to us for help.

The numbers are significant, but they are merely a snapshot frozen in time. The truth of joblessness in this country is an ever-changing story of men and women who are one check away from ruin—mothers and fathers who have struggled all their lives to make ends meet, who had a good job for years, made a decent wage, then saw 8 years of government policies that favored Wall Street over Main Street. They watched their companies downsize for greater productivity and send jobs overseas. They watched their friends being laid off. They went to bed at night praying that they would not be next, and then they got the news: They were next.

But they had hope because of the wisdom of Franklin Roosevelt, who on August 14, 1935—74 years ago—signed into law the Social Security Act, which included the first provisions for unemployment insurance. The Republican opposition in his day called him a socialist and they tried everything they could to stop the New Deal, notwithstanding an economy in depression. For F.D.R., the story was not in the numbers, it was in the faces of the people in grainy black and white photographs, of bread lines and old women selling apples on street corners.

Today the faces of the unemployed are no different. Their need for help is the same, and our duty to provide it is the same.

This is about them. It is about real people who maybe, just maybe—if we have the will and the wisdom to do what is obviously right sooner rather than later—will look across the kitchen table tonight, knowing they are able to hold on just a little longer.

I know there are those who have bought into the notion that government is the problem for everything; that it can do nothing right and should stay out of just about everything; that the free market should be left to its own devices and everyone should fend for themselves without government oversight or involvement. Those are the same views that fought the New Deal. They fought against Social Security and Medicare and civil rights. They supported Reaganomics. They told us the government was the problem and Wall Street knows best.

I think history, especially recent history, has proven them wrong. Good, well-run, decent, honest government can be part of the solution. This is one of those times when it is government's responsibility to act. Extending unemployment insurance is what we, as responsible government leaders, must do when there are those in the community who have no other option. This is not a time to say no. To delay voting on this bill is to turn our backs on millions across this Nation who are still unemployed and facing financial disaster. To look into their faces and say no is not who we are as a people or what we stand for as a nation. We are a community, united by shared values and common concerns, not a nation of 300 million disconnected individuals. The plight of any one of us should be a concern to all of us.

The Federal Government stepped in at the right time to help companies we determined were too big to fail—not for the sake of them failing but for the sake of what they would do to our national economy. We said they were too big to fail. I say the American people are too big to fail. Now we have to step in and help them. This is America. We do not let the situation get the best of us. We take it as an opportunity, as Franklin Roosevelt did, to renew the promise of this Nation, to recommit ourselves to the concept and spirit of community—one nation, indivisible.

Whether that means 20 more weeks of Federal aid for those who still cannot find a job, those who wake up every day with the want ads in one hand and their resume in another trying to figure out how they can match them up and get that job, or whether it is providing incentives to home owners to boost the economy, we have always risen to the challenge. We have done it before, and we can do it again. This is our chance for each of us in this Chamber to do what is right for every American who is looking to us for a little help and a little hope. It is not the time to say no again.

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

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah is recognized.

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

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

Mr. BENNETT. Madam President, I ask unanimous consent that I be allowed to proceed as in morning business.

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

HEALTH CARE REFORM

Mr. BENNETT. Thank you, Madam President.

We are in a time when we are talking about money; we are talking about debt; we are talking about taxes; we are talking about stimulus; and we are talking about health care. I wish to put the whole situation with respect to money into some perspective.

Having been a businessman, I did my best to try to draw up a balance sheet for the United States. This is a very simplified balance sheet. It is in summary numbers only. But by going to the Federal Reserve Board and the Social Security and Medicare trustees and the Census Bureau, I have come up with the following balance sheet for citizens of the United States.

We start out with assets and liabilities. These are personal assets and personal liabilities. It is amazing to me that the number of household assets on a per-person basis is this high, but it is. If you take all of the personal assets in the United States, lump them together, and then divide them by the number of people in the United States, you get personal assets of $218,000 per person, and personal liabilities or household debt of only $45,000 per person. So the balance sheet looks pretty good.

However, as citizens of this country, we have debt beyond our personal debt. So when we add the national debt and each individual's share of it to the balance sheet, that adds an extra $37,982, so that the amount of debt goes up when you add each individual's share of the national debt.

The national debt is not the only debt we have. Let's add State and local government debt on a per-person basis, and it goes up another $7,500. But that is not the only debt we have. We have obligations, each one of us, with respect to Social Security. There is a Social Security liability and the present value of that Social Security liability is another $17,251 per person.

All right. It still looks like a pretty good balance sheet. With the assets at $218,000, this is about half. But there are two other liabilities we have to put on the balance sheet. The first one is the present value of Medicare hospital insurance. Over the next 75 years, the present value of that unfunded liability is $43,616 per person, almost as much as the total amount of debt that each one of us has as an individual. Now the balance sheet is looking a little scarier.

But we have one more item we have to put on the balance sheet, and that is the present value of Medicare supplemental medical insurance, and that is another $79,095 per person. So when you add it all up, this is the balance sheet we are facing today: $218,000 in assets, and $231,000 in liabilities. If this were a corporation with this balance sheet, we would say the corporation is underwater.

As we begin to break this down, we realize that the Medicare liability is more than everything else put together. The Medicare liability is more than our personal debts, our share of the national debt, our share of State and local debts, and our share of Social Security. The Medicare liability is more than all of that put together. Is it any wonder, then, that the No. 1 issue we should be talking about when we are talking about health care is how to get the health care costs under control; to use the terms that the budgeteers use, how to turn the cost curve downward on health care. We can talk about earmarks. We can talk about spending on appropriations bills. We can talk about holding down discretionary spending on other issues. All of those things are worth talking about, but they are dwarfed by the challenge of turning down the cost curve on health care.

I have said this before, but it still works: One of the statements that has gotten into American folklore is a statement attributed to Willie Sutton. Willie Sutton was a bank robber. Not very many people knew much about his robbing banks, but he kept doing it. He would get arrested, he would get out on parole or he would leave prison and he would rob another bank. Finally someone said to him: Willie, why do you keep robbing banks? He said: Because that is where the money is.

If we are going to talk about the balance sheet that every American faces in debt and debt obligations, we have to talk about health care because that is where the money is: more for health care liabilities than everything else put together.

Let's discuss this question of turning the cost curve down. How good a job have we done as a government in making projections as to the cost of health care? On the second chart, let's look at the years and at the projections. In 1965 when Medicare was first proposed, we made a cost projection. We, the government, made a cost projection as to how much it would cost us, and that is represented by that red bar there on that chart. Then the actual numbers came in, and they are represented by the green bar on the chart. Let's look at 1965 Medicare hospital insurance. That is a separate program. The cost projection is there in the red bar; the actual figures that came in are in the green bar. In 1987, we added Medicaid, and the Congress told the people: Medicaid won't cost much at all. You see, it is hard to find even on the chart. The actual cost was 17 times the projection that was made. In 1988 we added Medicare for home care. It was going to cost a little more. Once again, the gap between the red bar and the green bar—it has always cost more. We did a little better with SCHIP, but SCHIP is still a relatively new program, created in 1997, so the disparity between the projection and the reality is relatively small, but, once again, the reality has been greater than the projection.

There is one exception, and that is Medicare Part D, and that is the final pair there. The red bar shows what was projected that Medicare Part D would cost and the green bar shows, almost magically, this one costs less than the projection. Why?

I wish to quote from an editorial in the Wall Street Journal where they quote from White House Budget Director Peter Orszag. Peter Orszag was the head of the Congressional Budget Office at the time that cost projection was made. This is what the Journal has to say:

> But as White House budget director Peter Orszag told Congress when he ran the Congressional Budget Office, the ''primary cause'' of these cost savings is that—

quoting from Orszag

> the pricing is coming in better than anticipated, and that is likely a reflection of the competition that is occurring in the private market.

I will repeat that: That is a reflection of the competition that is occurring in the private market.

The Journal goes on to point out something I recall, because I was here during that debate. I was part of that debate. The Journal says:

> Liberal Democrats fought that private-competition model (preferring government drug price controls), just as they are trying to prevent private health plans from competing across state borders now.
>
> The lesson here is that spending on nearly all federal benefit programs grows relentlessly once they are established. This history won't stop Democrats bent on ramming their entitlement into law. But every Member who votes for it is guaranteeing larger deficits and higher taxes far into the future. Count on it.

The history of cost containment with respect to health care is not a pleasant one. The history of predicting what health care will cost is not a pleasant one. The only example we have where costs have come in lower than projected has been in that circumstance where competition in the private sector has been protected. That has been the core of the bill Senator RON WYDEN and I have introduced as the Healthy Americans Act: private competition absent a government plan. We look at the history and see that will turn the cost curve down. That will begin to save money.

CBO examined our bill. Peter Orszag was the head of CBO when they looked at our bill and said it is revenue neutral—that is a good start—and then likely to save money in the future. They didn't put a number on it, but the Lewin Group has put a number on it and said that the Healthy Americans Act, cosponsored by Senator WYDEN and myself, would save $1.3 trillion over the next 10 years. I don't know whether that number is right or wrong. I do know. It is wrong. I don't know how far wrong it is. But the point is it demonstrates turning the cost curve down rather than turning the cost curve up. And that is what we have to

do, as our balance sheet reminds us so dramatically.

Let me talk briefly about the idea of a government-run plan, a public option, or whatever it is we want to call it, as the way to turn the cost curve down. Once again, the history of government plans is not encouraging as far as turning the cost curve down as we look at Medicare and how little it was supposed to cost and how dramatically much it has cost.

Let me quote Robert Samuelson from his column that appeared in the Washington Post recently:

> Medicare has low marketing costs because it's a monopoly. But a non-monopoly public plan would have to sell itself and would incur higher marketing costs. Private insurers' profits (included in administrative costs) also explain some of Medicare's cost advance. But profits represent only 3 percent of the insurance industry's revenue. Moreover, accounting comparisons are misleading when they don't include the cost of Medicare's government-supplied investment capital.

So we are trying to mix apples with oranges when we say, look at the low administrative costs with Medicare and the high administrative costs with private insurance. Medicare can do it cheaper. Every projection about Medicare doing it cheaper has demonstrated not to work out.

Samuelson says this:

> The promise of the public plan is a mirage. Its political brilliance is to use free-market rhetoric (more ''choice'' and ''competition'') to expand government power. But why would a plan tied to Medicare control health spending, when Medicare hasn't?
>
> . . . A favored public plan would probably doom today's private insurance.

I think that is true. That is one of the reasons I am opposed to that kind of thing.

Samuelson goes on to make this final comment:

> Many would say: Whoopee! Get rid of the sinister insurers. Bring on a single-payer system. But if that's the agenda, why not debate it directly? It's not insurers that cause high health cost; they're simply the middlemen. It's the fragmented delivery system and open-ended reimbursement. Would strict regulation of doctors, hospitals and patients under a single-payer system provide control? Or would genuine competition among health plans over price and quality work better?
>
> That's the debate we need.

I agree. That is the debate we need. That is the debate that focuses on, how do you get this cost curve under control? How do you start to turn it down? How do you get the kind of score that Senator WYDEN and I have gotten from CBO that says our plan is revenue neutral and that others say will save $1.3 trillion over the next 10 years, compared to the cost history of government-run plans that say they are only going to cost this much and end up costing that much and driving us to this kind of present value liability—twice as much as everything else put together. That is a staggering thing to contemplate, but that brings us back to what I said in the beginning. The core of this debate should be focused on how we turn the cost curve down.

I have one more comment to make with respect to that. As I have worked with Senator WYDEN over the last 3½ years to try to understand this issue and come up with solutions to it that make marketplace sense rather than political sense, I have come to a great truth that we don't seem to be discussing in this debate at all, and that is this: The greatest cost control factor in health care is quality. The best health care is the cheapest. And we have built into the system now incentives that drive us away from the best care. Most of the perverse incentives that drive us away from the best care and to the highest costs are in Medicare. They are in the Medicare system that has gone 10 times, 20 times above its original cost, and they are still there, and the care they produce is less than the maximum care people can get when they go to the places that give us the best health care.

It is parochial for me to repeat this, but I am happy to do it on every occasion. Dartmouth has done a study as to where the best care is available throughout the United States, and they said it is in three cities: Seattle, WA; Rochester, MN; and Salt Lake City, UT. And then they say that if every American got his or her health care in Salt Lake City, UT, it would be the best in the United States and one-third cheaper than the national average, and that is because of a variety of reasons. They practice the best health care, and they have focused on outcomes rather than the kinds of perverse incentives that are built into government-run programs.

We have a lot to do and a long time to go before this health care debate is finished, but I hope we recognize that hanging over us, regardless of everything else we say with respect to health care, is the fiscal reality that our current value obligations for health care dwarf every other debt we have in the United States. Personal household debt, the national debt, State and local debt, and Social Security debt all put together do not add up to the amount of health care debt we are facing.

The challenge of turning the cost curve on health care down is the No. 1 issue we should be addressing as we are talking about this. The irony of it is, if we are successful based on what we know, we can get the cost curve down and produce a better health care outcome and result.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN. Madam President, I ask unanimous consent to speak for 10 minutes as in morning business.

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

Mr. BROWN. Madam President, I will talk about the extension of unemployment benefits, which is as important as health care in the next 2 months to this country, to our economy, and to people's way of life. What we do in the next day or two on the unemployment extension is paramount.

Some 400,000 Americans across the Nation, in every State—it doesn't matter if it is JOHN MCCAIN's State or Barack Obama's State or if it is a big or small State—400,000 Americans exhausted their Federal jobless benefits last month. More than 14,000 Ohioans are among the 200,000 Americans who will lose their benefits this month if we don't act. By the end of the year, more than 64,000 Ohioans will exhaust their unemployment benefits if there is no extension coming from the House, Senate, and the White House. Despite my Republican colleagues' efforts to dismiss the statistics, these are not just numbers; they are people in every State in our Nation.

Let me tell you about some Ohioans who deserve more consideration than they are getting from my Republican colleagues.

Sandra from Van Wert County in western Ohio, on the Indiana border, wrote this in a letter:

> There were more than 300 of us who were locked out of our factory in April 2008—only a handful getting new jobs.

Mr. President, this is a small town where 300 jobs are very hard to replace.

> Several of us went back to school for more education, but unfortunately, only one person in our class has even gotten a job.
>
> It is not that we are just sitting around collecting unemployment. We are trying to improve our skills and to be gainfully employed.
>
> I had 30 years of employment at the same company and now I am on my own and my unemployment runs out in 2 weeks. There are a lot of people who are running out of unemployment every day.
>
> I have used all but $200 of my savings and I know others in the same situation. Please help us.

I thought a lot about this issue as I read these letters in my office and on the floor. Part of the problem is that not very many colleagues really know any unemployed workers. Not very many people here spend time as a single parent trying to make ends meet or spend time with somebody who is laid off because of a plant closing. We don't spend enough time with small business owners, with a mom-and-pop operation, maybe running a store or something, and they cannot make it because people have lost jobs in their community. We don't spend our time with people who are really suffering. We don't see them enough.

Let me tell you about Dawn from Cuyahoga County in northeastern Ohio, the Cleveland area. She wrote:

> I lost my job two years ago and my mother passed away 6 months afterward. If not for a friend who allows me to sleep on a couch, I would be homeless.
>
> I have worked hard ever since I was 15, but now I find myself applying for so many positions over and over.
>
> I consider myself lucky when I get the exceedingly rare call for an interview. But if the proposed [unemployment] extension doesn't pass soon, I honestly don't know how I'll survive.
>
> Please, Senator, make whoever's blocking this extension see reason. There are a lot of us in Ohio who are really hurting.

I know there are a lot of people in Charlotte, Raleigh, and Durham in the Presiding officer's State and in Galion, Zanesville, and Xenia in my State who are trying to find jobs. They are barely getting along on their unemployment checks. If the unemployment runs out, they cannot get anything. It has to be extended before it runs out. That is why time is of the essence.

Every day Republicans delay and obstruct, more Americans and their families will slip into poverty. It is not just a human tragedy, it is another blow to the tough economy this country is enduring. Poverty reduces consumer spending and increases the need for public assistance. That is two steps back without one step forward.

Let's not forget that unemployment insurance is not retroactive. As I said a minute ago, once unemployment insurance is exhausted, whether today or last week or last month, they are not eligible for the extension. So we have to do this. Every day we wait hurts another hundreds and hundreds of families in Ohio and North Carolina and all over this country.

The Senate bill would extend unemployment insurance for 14 weeks in all States, plus an additional 6 weeks in high-unemployment States—those States above 8.5 percent unemployment, such as Ohio. This means unemployed workers in Ohio, such as Sandra and Dawn, whose letters I shared, would receive a total of 20 weeks' additional unemployment compensation. They are not choosing to just sit home and get unemployment. As you can see from some of the letters, people are driving from rural areas, driving county by county, to urban areas, knocking on doors over and over to find jobs.

The unemployment insurance in the Recovery Act has kept 800,000 people out of poverty. That means fewer Americans on Medicaid, fewer Americans with income assistance, food stamps, and other public assistance programs. This isn't welfare; this is an insurance policy. Every paycheck, workers pay something into the insurance fund.

It is not just what it does to help workers, but every dollar in Federal extended benefits produces $1.64 in economic growth. It is not as if they are taking this money, this check of $200 or $300 a week in unemployment benefits, and investing in a factory in China. It is not as if they are blowing this money. They are using this money to buy school clothes for their kids, to buy food, maybe even to go to a movie once every month or two. Maybe they are putting a little money in the church plate. Whatever they are doing, they are spending this money, not holding it. That is why it is $1.64 in economic growth with every dollar we send into a community. In the first 6 months following passage of the Recovery Act, unemployment insurance pumped about $19 billion into the economy. I wonder how many jobs and how much more economic activity would have been lost without unemployment insurance putting dollars into workers' pockets, into local communities, boosting consumption, and saving jobs.

How much longer are we going to let people like Melody, from Geurnsey County in east central Ohio, go without the insurance they so desperately need.

Melody wrote to me saying:

> We need help in Guernsey County and all around Ohio.
>
> I look for work every week, traveling 75 to 100 miles, going to counties in every direction from Noble, Belmont, Muskingum, Harrison, Washington, Coshocton, and Licking.

She goes to that entire area where she lives looking for a job.

> And after making phone calls, I've been told not to call back because there are no jobs.
>
> My unemployment is running out. What am I supposed to do until I find a job?

Again, that is Melody from Guernsey County.

It is unacceptable, irresponsible, and par for the course that the Republicans want to play politics and come up with amendments that don't have anything to do with extending unemployment benefits, but it helps them with messaging for the next election and scores political points with the newspapers back home and scores big political points with talk radio, which cheers them on and says: Keep trying to embarrass the Democrats.

The fact is, these workers at home are not Democratic workers, they are not Republican workers, they are not Independent workers. These are people who have lost their jobs. These are people who need assistance. These are people who want to go back to work. These are people who will benefit not just from the unemployment check they get to keep their heads above water but the money they put into the community so there will be job growth in the months ahead, and the people will, in fact, get back to work so they will not need their unemployment benefits.

We need our Republican colleagues to start putting Americans first, ahead of their reelection campaigns, ahead of their message campaigns, ahead of their appeals to talk radio, and start helping to move us forward on the extension of unemployment benefits not tomorrow, not next week but this afternoon.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware is recognized.

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

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

The Senator from Delaware is recognized.

(The remarks of Mr. KAUFMAN pertaining to the introduction of S. 1959 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

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

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

Mr. DURBIN. Mr. President, 3 weeks ago we came to the floor of the Senate and asked our Republican colleagues to join us in a bipartisan effort to extend unemployment compensation benefits for those across America who have lost their jobs. This fairly routine and common political request was met with opposition from the Republican side. It came as a surprise because we know the unemployment we face in this country is not confined to States represented by Democratic Senators, it is nationwide. The recession has cost us so many jobs and, sadly, I am afraid that, although there are signs of recovery, it will be some time before many unemployed people actually do get back to work.

It is said there are six unemployed people for every available job. The frustration that creates for those who are unemployed is obvious. So the object of our request was to ask our Republican colleagues to join us in extending unemployment insurance benefits for those who are about to see them expire.

Unfortunately, the Republican side objected, and they objected because they said they wanted to offer some amendments. It is not unusual to offer an amendment to anything that comes to the Senate floor, but in the case of an emergency such as this, an economic emergency where people have, within the last few weeks or months, seen their livelihood extinguished because they have no job and no benefits coming in, it is a little hard to understand why some Members on the Republican side of the aisle insist on offering amendments that have virtually nothing to do with unemployment.

Let me give one example. The Senator from Louisiana wants to offer an amendment that would, once again, punish an organization known as ACORN. ACORN is not in Illinois—it has not been for many years—so I don't know on a personal basis, but from what I read, it is an organization involved in grassroots organizing. It helps organize States to pass increases in the minimum wage in each State. They have also organized to register voters in many States. They have been involved in counseling people who are about to lose their homes to avoid foreclosure.

Having said those good things, there were clearly acts of wrongdoing by employees of ACORN. In fact, a couple

were videotaped. What we saw on those videotapes, a few weeks ago, was nothing short of outrageous. The employees involved were fired by ACORN. I have suggested, if there is any criminal activity associated with it, it should be investigated and prosecuted, no ifs, ands or buts. But, unfortunately, this has become a big cause on rightwing radio and TV: go after ACORN. Some Senators are inspired by that to come to the floor on a frequent basis and offer ACORN amendments—one after another after another. We think some four or five different amendments have been offered, ways of punishing ACORN.

The House has already passed an amendment saying ACORN cannot do business with the Federal Government. There have been amendments offered—I have offered one of them—calling for a complete investigation of the organization. Other appropriations bills have limited any expenditures involving this organization. So it is not as if it has been ignored or glossed over or excuses are being made. There is a full investigation being ordered, action taken against it.

But for some Senators, particularly one from Louisiana, it is not enough. We have to go back and debate ACORN again. We have to debate it on a bill for unemployment benefits for hundreds of thousands of Americans.

Another Senator wants to extend a program called E-Verify. E-Verify, conceptually, is sound; that is, you could verify whether a person applying for employment is, in fact, a citizen; that you could have a number or computer contact verifying the name and Social Security number of the person. It is sound in principle, but it turns out in operation it has been a problem. Many times, the numbers have not matched when they should have, people have been disqualified from jobs when they should not have been, and the system clearly needs to be repaired and improved. It will last for 3 more years, this system, if we do nothing. A Senator from Alabama has come to the floor and said he wants to make this a permanent program, despite some of the obstacles and problems we currently have with it.

So a Senator from Louisiana wants to flog ACORN, this organization, again; a Senator from Alabama wants to extend a law beyond the 3 years it is going to be in existence to make it permanent; and they are holding up unemployment benefits for people all across America. We are now doing nothing in the Senate except making speeches because these Senators insist on their amendments and will not agree to unemployment benefits until they get them.

Twenty-one days after we requested an extension of unemployment benefits, the Republican Senators and leadership are continuing to hold us up. Two hundred thousand Americans will lose their unemployment insurance this month if the Republicans continue to obstruct a vote to extend the benefits. To put it in perspective, around 200,000 people live in Birmingham, AL, and in Montgomery and in Mobile. The Republicans are refusing to help roughly the number of people who live in the three biggest cities in that State, all because a Senator wants to vote to extend, permanently, the E-Verify Program.

Around 200,000 people live in Baton Rouge, LA, and in Shreveport as well. Republicans are refusing to help roughly the number of people who live in those two biggest cities in Louisiana outside New Orleans, all because the Senator from Louisiana wants one more chance to give one more speech for one more amendment about ACORN. Yes, one more.

Meanwhile, here is what I learned from one of my constituents in Chicago who wrote and said:

> I have been out of work 9 of the last 12 months. I have applied for over 200 jobs and I still am unemployed. I am educated, worked since I was 15 years old and cannot find work. I have applied for everything from hourly to above my skill level including city and state jobs and have not heard from most.
>
> Further, Peoples Gas cut off my service this week—for months I have let them know what I was able to pay and have paid it, they still cut off my service. What are we citizens to do. . . .
>
> My son and I will be living on the street any day. Where is the help?

That is from one of my writers from Chicago. Here is a letter from a woman in Genoa, IL.

> . . . I am currently one of many who is unemployed and almost out of benefits. I have 2 young children I am responsible for and have made a full time effort to look for work. I have applied at gas stations, McDonald's, restaurants, everywhere. There are just no jobs. Can you please tell me if the Senate will be voting on the extension [of unemployment benefits] sometime soon? I am expecting my last check next week and then I don't know what I am going to do about keeping a roof over mine and my children's heads.
>
> Please help us from becoming homeless. Any kind of response on this issue would be greatly appreciated. Thank you.

How can my colleagues on the Republican side hear stories like that, if they are even listening to these unemployed people, and refuse to help so they can come to the floor and debate their amendments? For goodness' sake, tomorrow is another day. There will be another chance to give a speech and debate an amendment. Why wouldn't you let the unemployment compensation benefits go forward for people such as those who have written to me? The unemployment rate in my State is 10.5 percent, and I think it is my duty to help these people with a safety net that will help them get by while they are just one out of six applicants for every available job. While they struggle to keep food on the table and a roof over their heads, we ought to be doing our part in the Senate.

Apparently, yesterday when we voted to go to the unemployment benefits, 13 Republican Senators voted no, against moving to the extension of unemployment benefits. In case some of those Senators missed it, here are the unemployment rates in the States represented by the Republicans who voted against even debating an extension of unemployment insurance: Texas, 8.2 percent; Mississippi, 9.2 percent; Missouri, 9.5 percent; Alabama, 10.7 percent; Kentucky, 10.9 percent; South Carolina, 11.6 percent. I don't understand it. How could you represent a State with over 10 percent unemployment and vote against unemployment benefits for the people there who are searching for jobs? That, to me, does not represent family values. It doesn't represent what this Senate ought to be about. For goodness' sake, it doesn't represent the kind of bipartisanship that was always behind voting for unemployment benefits.

This Republican obstruction, when it comes to something this basic, is fundamentally unfair. It is way past time. We should not be playing games and posturing. We ought to stop the politics. We ought to be voting in the next 5 minutes so we can respond to the people who write to us in desperation and tell them, in fact, we are moving the bill forward so they will have the basics in life to take care of their families.

HEALTH CARE

I also wish to say a word or two about health care because that is the issue that, while we work on others, is coming to the floor soon for a historic debate. Senator REID, the Democratic majority leader, has sent a bill to the Congressional Budget Office to score it, which basically means to find out will it cost us money. If so, will it add to the deficit? Will it reduce the costs of health care? The Congressional Budget Office is doing that analysis at this current time.

It is clear we desperately need this because we find fewer and fewer businesses offering health insurance across America, and the cost of health insurance is going up so fast people cannot afford it. The New York Times reported that insurance brokers and benefits consultants say small business clients are going to see premiums go up on health insurance an average of about 15 percent for the coming year. That is double the rate of last year's increase. When Republican Senators come to the floor—and they did this morning—and say: Let me tell you, if you pass health care reform, the cost of health insurance will go up, what they don't say is, if you don't pass health care reform, health insurance costs will go up anyway and possibly higher. What we are trying to do is slow the rate of growth in the cost of health care across America.

In one national survey, nearly three-quarters of small businesses that did not offer benefits cited high premiums as the reason. So as the premium costs go up and businesses offer less coverage, individuals have to go out on

their own and it is even more expensive. Small businesses pay up to 18 percent more than large firms. What we have tried to do in the health care reform we are working on is to give small businesses a chance. I joined with Senator BLANCHE LAMBERT LINCOLN of Arkansas as well as Senators SNOWE and COLLINS of Maine in introducing the SHOP bill, which has become part of the health care reform.

It is an effort which we put together with the help of the National Federation of Independent Businesses and the National Realtors Association and the SEIU labor union to try to find a way that small businesses could afford health insurance, allow them to pool into larger groups, allow them to shop from a market of health insurers so they would have some choice to lower the cost, the overhead costs they face, and to lower the premium costs, so small businesses could offer health insurance.

But it is not just small businesses that are stuck. Many Americans actually stay in jobs today because they are afraid that if they move from one job to another, they will lose their health insurance. Even business owners, the risk takers among us who have so often led us out of the recession, are less willing to take that risk when it comes to people who are sick and need employment.

Melissa Wilhelm in Chicago knows what I am talking about. Melissa spent years as a research associate, then decided it was time for a change in her professional life. She felt she had outgrown the position she was in. She said: I did not want to put the widget in the hole every day.

Melissa had good reason to want the most out of each day. Only a couple of years earlier, at the age of 35, Melissa had been diagnosed with stage IV lymphoma, an aggressive type of cancer that affects the lymph nodes. As frightening as her diagnosis was, one thing Melissa did not worry about was how she was going to pay for her cancer treatment. She had a good health insurance policy. In fact, she had two, one through her employer and another one through her graduate school.

In 2006, thank God, Melissa went into remission. It was after her recovery that Melissa decided it was the time for a career change. She wanted to start her own education consulting company.

Knowing her medical history, she knew her first step was to meet with a health insurance agent. Melissa said the agent actually laughed in her face. Getting affordable health insurance as a self-employed cancer survivor is apparently a laughable request in the world of insurance. Melissa was not alarmed at that point. She qualified for 18 months of COBRA coverage and assumed she would have enough time to shop around. But a couple of months later, she came home from vacation to bad news: her COBRA insurance had been terminated. She apparently missed paying one monthly payment. It had been sent to the wrong place. But for COBRA, since she missed the payment, it was the end of the story, the end of her coverage. She was not refunded the $2,000 she had already paid in premiums; they just cut her off. Suddenly, she became one of the uninsured, a cancer survivor without insurance.

She had one last option: the Illinois Comprehensive Health Insurance Plan, our State's high-risk pool, a pool for those individuals unable to buy health insurance otherwise. But the coverage would not come cheap; it would cost her $780 a month, plus a $2,000 deductible—a price she had no choice but to pay. As she waited for her coverage to be finalized, she put off checkups and CAT scans. It was risky, but, as she said: I did not want to drag myself and my family into bankruptcy. Those apparently were the choices: go to the doctor or face bankruptcy—not much of a choice in modern-day America.

We know health care costs are a major factor in two out of three bankruptcies in our country today. How many families can even entertain the idea of paying $25,000 a month for chemotherapy? Not many. And none of us should ever be in a position where professional growth is not an option because it means giving up health care coverage.

Melissa said: People do not have the ability to leave their jobs. They cannot afford to be more productive or more challenged. That is not the American spirit. And Melissa is right.

Melissa was living the American dream, pursuing new goals and opportunities with the entrepreneurial spirit we need in this country. But she was stopped—stopped cold because of her lack of health insurance.

Melissa eventually succeeded and started her business as an educational consultant. She is currently helping evaluate Chicago public schools at risk of failure and developing good practices so that students can do better. With a Ph.D. in child development policy, Melissa is certainly up to the task. I think we can use more people like her, determined to improve their lives even though they have to battle cancer and the health insurance companies at the same time. Health care reform will free more people to leave dead-end or unfulfilling jobs and to pursue new goals without fear of becoming uninsured.

Today, many of the unemployed spend countless hours trolling job sites, motivated at least in part by the desperate need for health care. What if these people had a safety net, a health care option outside of employer-provided health care? Maybe, like Melissa, they would strike out on their own, open the restaurant or the business they always wanted to open. Maybe those businesses would grow, employ more people.

It is clear that small businesses suffer in today's health insurance market more than most. It is extremely difficult for those businesses to compete against big firms that are able to spread the cost of unexpected illness across a large pool.

The bottom line is this: We have a health care reform bill that is now being carefully reviewed, as it should be. It is one we will debate at length. The critics will come to the floor, as they did this morning, and will tell us what is wrong with the bill. But the fact of life is, those who are criticizing the bill have no alternative. Their alternative is to stay with the current system.

The current system of health care in America is too expensive, the cost is going up too quickly, fewer and fewer people are insured each year, and more of us are bearing the costs of the insured as they are treated in hospitals and by doctors who pass along that cost to other people.

We are the victims of health insurance companies which on a whim can deny coverage, can claim there was a preexisting condition unreported or a cap on the amount of money they will pay, or the fact that you are sick, they just do not want to be there. That is the reality of what we face today.

Those on the other side of the aisle who will not participate have opted out of the health care debate and really have little room to criticize unless they want to step forward with their own proposal and their own plan. And the honest answer is, they don't have one. They don't have an answer.

I hear from many of my constituents who ask me what we are going to do to get this economy moving again. That is our highest priority. But in addition to that we have to liberate families and businesses and individuals from the fear they have of health insurance they can't afford, health insurance companies that just say no, or the fact that losing or changing a job can cost them the peace of mind they need to protect their families.

We can do a lot more for the American people. I hope we will have the cooperation of the Republican side in doing this. It would be great if we had a bipartisan bill. I hope my colleagues on the other side of the aisle will come around and be part of the solution.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first let me thank my colleague and friend from Illinois for, as usual, his articulate, right-on-the-money and right-to-the-point remarks which I agree with.

Right now, many middle-class families are facing the prospect of losing the unemployment benefits they are relying on to get them through this recession. Out-of-work Americans consider these benefits a lifeline. But too many Republicans are treating this like a political football. If Congress does not act to extend these benefits, nearly 2 million Americans will lose their unemployment insurance by the

end of the year—2 million. They have families, people who depend on them. And 90,000 of those are in my home State of New York. That is 2 million people—90,000 in New York—who have been trying to find work and are now going to have their safety net pulled out from under them. Well, we cannot pull the rug out from under so many Americans. We owe it to them to do the right thing and extend unemployment insurance.

It is a mystery to me why so many on the other side of the aisle are blocking passage of this legislation. Everywhere I go in New York—downstate, upstate, large cities, urban suburbs, rural areas—people come up to me with a pleading look in their eyes: Can you please renew, extend unemployment benefits?

What in the heck are we waiting for? Why are we putting people through this agony? So far, Republicans have been opposed to this extension as they seek to extract political amendments out of Leader REID. It is just another example—the latest one—of a stalling strategy. On one legislative priority after another, their motto has been the 1980s slogan ''Just say no.'' But if there is one thing this recession and budding recovery has taught us, it is that America can't recover leaving behind our workforce.

There is a general view that since much of the first stimulus package has not yet impacted the economy, a second one is not necessary. But unemployment benefits are the quickest, most effective form of economic stimulus, and they are aimed at the weak point of this economic recovery, which is jobs. The dollars get out the door fast and will be spent by those who don't have another source of income at a time when we need to boost consumer demand.

So I plead with my colleagues on the other side of the aisle: Stop playing the games, and let's just pass unemployment insurance. I know there are lots of extraneous amendments on all kinds of issues that you wish to debate. Leader REID has been very generous in allowing debate after debate on these amendments, much to the chagrin, frankly, of many on this side of the aisle. This is one time when we should put the games aside. We should just unite. My guess is that unemployment insurance extension will get a large high vote on both sides of the aisle. Stop playing politics with this benefit extension. Extending unemployment benefits is crucial to ensuring that as our economy picks back up we do not leave the recession's victims in the dust.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. I rise today to join my distinguished colleague from New York, Senator SCHUMER, to express my strong support for extending unemployment benefits for workers around this country who continue their struggle to find jobs in this weak economy.

The problem is especially acute in my home State of Rhode Island, but this is a national problem, and it is creating significant unhappiness, significant distress, and significant woe in families all around the country as they approach the end of their unemployment benefits and cannot find a job. And the end is coming up for so many people. We really need to do something about it.

Right now, we are on a motion to proceed to the Unemployment Compensation Extension Act of 2009. We are not actually on the bill yet because our colleagues on the other side of the aisle are using every available form of procedural delay. It is not hard to figure out why they are doing it. There are only so many days in the year. There are only so many days the Senate can be in session. And when they force these votes and when they force delays, what they are doing is burning the work time of the Senate. They would like to burn the work time of the Senate because that inhibits the President, that inhibits us, it inhibits progress, and that presently is their motivation. They are the party of no. And because they do not have the votes for a lot of this stuff, until they can get to it, they are the party of slow. And we have had innumerable—I think the record right now is that we are at 82 efforts—to filibuster or force the majority leader to file cloture. We have had votes forced on judges. Some of the judges went through with huge margins by the time the vote actually came, but they wanted to burn the time. Indeed, as the Presiding Officer, the distinguished Senator from Illinois, may recall, the other day we voted on a judge, and the vote was 100 to 0. Yet they had to force a vote. Why? To burn the time of the Senate to prevent progress.

This should be one bill where they would stand down from their mission to be the party of no and the party of slow. Because since October 8—when they first put up the procedural obstacles to this bill—to now, 7,000 Americans a day have lost their coverage. They have come to the end of their unemployment coverage. It has expired, and they have lost their incomes.

As the Senator from Illinois, the distinguished Presiding Officer, so distinctly knows, there are millions and millions of families in this country who live paycheck to paycheck and when they lose their jobs, they live unemployment check to unemployment check while they desperately seek work to feed their families and put a roof over their heads.

This bill—if we could get to it, and if we could vote on it—would provide a badly needed lifeline to those Americans, and I would hope at some point our Republican colleagues would relent and simply let us make this decision, which is in everyone's best interest. It is inhumane, frankly, to put those families—7,000 a day—through the torment of coming to the end of their income and having to think about losing their houses, losing their cars, not paying for their prescriptions, not paying for their food, worrying about their children—all of that. That is an awfully high price to score political points on this floor and to be the party of slow and the party of no. I would hope their point of view will change.

I want to, first, applaud the efforts of my senior Senator from Rhode Island, JACK REED. He has long been a champion of helping the unemployed, and he has played a critical role in getting this legislation to the floor for the Senate's consideration. Notwithstanding the fact that our Republican colleagues are interfering with allowing us to pass this legislation, Senator REED's leadership on this issue has been remarkable, has been commendable, and we in Rhode Island are fortunate to have his service.

One of the reasons Senator REED is so concerned about this is because our home State—the State of Rhode Island—has the third highest unemployment rate in the Nation. We broke 13 percent last month. That is the highest level Rhode Island has seen for unemployment since World War II.

According to the Bureau of Labor Statistics, over 74,000 Rhode Islanders are currently looking for work. There are 74,000 families with a wage earner out of work in a State with just over 1 million people. At that level, there are very few Rhode Islanders who are not touched in some way by our unemployment crisis.

Families are struggling through this recession in every State, but the situation is particularly dire in States such as Rhode Island, Michigan, and Nevada where the unemployment level has hit double digits and is climbing still. People who have worked their entire lives have been unable to find work this year. The economies of the worst hit States are getting worse, and the unemployment benefits continue to run out.

I have heard from hundreds of constituents who fear they will be unable to keep their families fed or keep the electricity on or keep up with their prescription drugs when their unemployment benefits expire. My State is in economic crisis, and we need help.

One of my constituents, Carole, from Centerdale has degrees in architecture and business, but she has been unable to find work for 18 months. She has two children. They are 12 and 15. Her unemployment benefits have run out. Without more help, she may lose her home.

I send out my good wishes to Carole and my thoughts to her for a complete recovery. She has recently suffered a heart attack. She is recovering nicely,

and I wish her well in her health. But we could do a lot for her if we could clear this bill so she did not have to look at her 12-year-old and her 15-year-old and, in this market, say: I don't know where our income is coming from now because this government cut off the unemployment benefits.

Another constituent is Patricia. She is a 51-year-old woman from Warwick. She has been unemployed for 17 months. She spends over $300 a month for her prescriptions, and she can no longer afford to keep up the COBRA payments that will protect her if she gets seriously ill. Without assistance, she may need to go into bankruptcy.

I tell just these two stories, although there are thousands more from those 74,000 Rhode Island families, because the statistics are sobering—13 percent unemployment, the highest level since World War II. That is a deeply distressing statistic. But behind those statistics are these personal stories, over and over again, thousands of examples of human suffering, human courage, that we must not ignore as we quarrel over irrelevant amendments and do not get to the business of helping these people in their hour of need.

I am pleased that in addition to the 14 weeks of benefits this legislation would provide to unemployed workers in all States, workers in States with the worst job markets would receive an additional 6 weeks. That additional time is desperately needed by Rhode Islanders, who, day after day, week after week, pore through the want ads looking for the job postings and hoping that the next interview will be the one that puts them back on their feet again.

I am confident the economy of Rhode Island and the economy across the country will recover. It always does. But right now it looks as though it will take time. Economists say the stock market tends to be a leading indicator of recovery, while employment numbers are lagging indicators of recovery. This means the recent uptick in the stock market should lead to more jobs being available in the future. But until then, unemployed Rhode Islanders such as Carole and Patricia, unemployed Americans across our country, need their government to help provide the bridge to those better days.

I implore my colleagues to join me in supporting swift passage of this urgently needed and—I hope once we cut through the fuss—ultimately noncontroversial unemployment benefits extension.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I enjoyed the comments of the distinguished Senator from Rhode Island. He is one of the most thoughtful and intelligent Members of the Senate. I always enjoy listening to him. But I have a different characterization of what we are doing in the Senate.

He pointed out that the majority leader believed it was necessary to cut off debate 82 times; that was a record. I do not believe I would be bragging about that. This is the Senate. What that means is the majority leader has said to the minority: Be quiet. Don't debate. We don't want your amendments—82 times.

The House of Representatives is the place where we have the train that runs through according to the majority. That is not the Senate. Senator BYRD, the senior Democrat, the senior Senator, has written four big volumes about the history of this body and what is unique about the Senate. Our Founders said: We will have one popular body where there is one man one vote, one woman one vote, and whoever has the majority the train runs through. So whatever Speaker PELOSI wants, Speaker PELOSI gets. That was the view of the Founders more than two centuries ago. But we are going to have a little bit different Senate.

Do you know what the idea of the Founders was, the Founders, whom we revere and admire? Unlimited debate. Unlimited amendment. That is the Senate. That is the only reason we have it. There is no need for the Senate if we do not have that.

When Alexis de Tocqueville, the young Frenchman, came to this country in the 1830s and wandered around our Nation and wrote that perceptive book, ''Democracy in America,'' which every serious student of the American Constitution in our country discovers, he saw one thing he worried most about in the new American democracy, and it was, in his words, the tyranny of the majority. He said the Senate was the one institution which helped work against the tyranny of the majority.

So this is the body that protects the minority view. It does slow things down. In the case we are talking about, unemployment compensation, we have already voted to limit debate on unemployment compensation. That is what we are talking about today.

I see the Republican whip on the Senate floor. As I recall, the vote to limit debate on unemployment compensation was overwhelmingly bipartisan, was it not?

Mr. KYL. Mr. President, could I just interrupt?

Mr. ALEXANDER. Of course.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Thank you.

To answer my colleague quickly, I think the vote was 87 to 13, or in that general range. Almost all Republicans voted to conclude the unemployment compensation legislation by getting to the process where we could offer amendments and then have a vote on the final passage.

But I would ask my colleague from Tennessee, have Republicans been afforded the opportunity to offer five amendments? How about four amendments, three, two, one? Obviously not. Have Republicans been afforded the opportunity to offer any amendments, I would ask my colleague? Then I have a follow-up question.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Arizona and I be allowed to engage in a colloquy on this subject.

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

Mr. ALEXANDER. I believe the answer is no. If I am not mistaken—if I am not mistaken—I say to my friend from Arizona, the Democratic side has a nongermane amendment they would like the Senate to bring up, and I believe the Republican side has a nongermane amendment we would like to bring up. They are saying: Because we are in the majority, we are going to run over you. That is the tyranny of the majority. That is what Alexis de Tocqueville warned against, and we are saying: No, you are not. We are elected from Arizona and Tennessee to represent our constituents. If you are going to run over us, we might as well go home.

Mr. KYL. Mr. President, if I could further inquire of my colleague, is it not the Senator's understanding that of all of the issues the American people are concerned about today, the No. 1 issue is jobs and economic recovery—how do they get back to work?

When our friends from the Democratic side say: We need to hurry up and extend unemployment compensation, my guess is the vote on that will be overwhelming. I will support it. I am sure my colleague will support it. That is not the question. The question is, Instead of just continuing to extend unemployment compensation for all of the increased number of Americans who are out of work, what are we going to do to put people back to work?

Then I have one other question to ask my colleague. I may not be correct that it is the No. 1 issue in public opinion surveys, but I recall it is pretty high on the list.

Mr. ALEXANDER. Mr. President, I think the Senator is exactly right, and we on the Republican side—and I believe some Democrats do as well—have some proposals about how to restart housing. We would like to deal with that on this issue as well. But the Senator is exactly correct. The No. 1 issue for most Americans is what to do about jobs. Unemployment is about at the rate of 10 percent.

Mr. KYL. Mr. President, if I could further inquire, the first thing we want to do is find out how much this unemployment extension is going to cost. I think the number is about $2.4 billion. The second thing we want to find out is, how is it going to be paid for? I understand it is proposed to be paid for by a continuation of a tax on payroll; that is to say, employers and employees will have to pay a certain percentage of the employee's wage to the Federal Government in order to provide funds to those who are unemployed.

Some of us are concerned if our goal is to put people back to work, to allow

companies to hire more people, that the worst thing we would want to do is impose another tax on hiring, another tax on employees or, to be totally accurate, to extend the existing tax on workers, on payroll, as a way of paying for the extension of unemployment benefits. Perhaps a better way to pay for that would be, for example, to take the $2.4 billion out of unspent and unobligated stimulus funds, which was $780-some billion, half of which is not going to be spent for the next 8 years—or over the period of the next 8 years.

One of the amendments we wanted to offer was not just to extend unemployment benefits but to pay for it in a way that would not harm job creation, as is contemplated under the bill. Am I correct in that?

Mr. ALEXANDER. The Senator from Arizona is correct. And as a member of the Finance Committee, he has once again come up with a very good suggestion. He understands better than some appear to that if we add taxes to payrolls, it makes it more likely that payrolls will be smaller or there will be fewer jobs. So if we can find a way to pay for unemployment compensation that does not add to the debt and does not add to payroll taxes, that is worth taking a little time to do.

Mr. KYL. I know my colleague wanted to talk about student loans, so I will close my point here.

The whole point, when colleagues and friends of ours on the other side of the aisle say: Well, Republicans are just trying to slow this down; the answer is: No, we could have been done with this bill 24 hours ago. All that was necessary was a simple agreement between the majority leader and the minority leader that the minority would get a couple of amendments. One of them is an amendment to say, Let's pay for this worthy cause of extending unemployment benefits in a more sensible way with respect to job creation; at least in a way that isn't going to cost us jobs, to prevent employers from hiring more people. Let's pay for it by taking some of the unobligated stimulus funds that won't be spent for another 6 or 7 years and achieve our goal in that way. But no, no agreement to do that. The majority says no amendments, take it or leave it.

If you ask for amendments, then you are slowing the process down and somehow standing in the way of those who are unemployed. The benefits haven't run out yet. We are going to pass this before the benefits run out. That is not the question. You can either come down here and make a pitch to people to make it sound as though you are trying to help them and the other side is not or you can try to do things the right way. I submit that on this, the right way is to pay for it in a way that doesn't cost jobs because our goal here ought to be to put people back to work.

I would also say that if the majority were serious about getting this legislation completed, they would not in the middle of the process have parachuted onto the floor a bill that around here was called the ''doc fix''—a most unfortunate term—a bill that was going to add $250 billion to our debt in relationship to the reimbursement of physicians who provide Medicare benefits. The minority didn't do that. Republicans didn't do that.

My point is that a week ago we could have had an agreement to conclude work on the extension of unemployment benefits that would have taken maybe 24 hours, maybe 48 at the most. We would have had the benefit of voting on a couple of amendments, which I think are very well taken, directly relating to the subject, germane amendments, but for some reason the majority has not seen fit to permit that to happen.

So as friends around the country consider what is the reason for this being slowed down, I hope there would be a better appreciation of the reason why this has been delayed. A, we didn't ask for the delay. The delay was occasioned by action by the majority leader by, first, going to another bill and, secondly, by filing cloture and, third, by not agreeing to allow the minority to have a couple of amendments.

Finally, I would say I wish we did have that opportunity because I think when we do support this, it will be a better bill by not only taking care of those who find themselves without a job today but helping to find a way to get them back to work, and that ought to be our primary goal.

I thank my colleague for yielding.

Mr. ALEXANDER. Mr. President, if the Senator from Arizona has another minute, I thank him for coming to the floor because he has pointed out the value of taking a little time on these important pieces of legislation. He has suggested a way we can not only extend unemployment compensation benefits, which almost all of us want to do, but a way to pay for it in a way that creates more jobs rather than fewer.

There is another example. The Senator from Rhode Island was complaining about the 82 times that the majority leader has invoked cloture, and I was saying that was nothing to brag about. We should be complaining about that, because that is 82 times he has cut us off. In general, he has allowed during this year a fair amount of amendments, a fair amount of debate. But take the health care bill for a moment. It takes a little time. Over in the House I hear they may run that through in 3 days. That is not going to happen here. When we have time to stop and think about it—the same thing happens on this floor that happened last week. We had our first vote on health care and the question was, Shall we raise the debt ¼ trillion dollars?, and 13 Democrats joined all Republicans and said no.

We have another important vote coming up soon that might be called a procedural vote but, in fact, is a vote for or against a bill.

Mr. KYL. Mr. President, if I could comment on that, that is another very important point. I think Americans very much want to engage in a debate about health care reform. I think Republicans are anxious to engage in that debate here on the Senate floor. But, first you have to have a bill. You can't just have a debate on the floor; you have to have a bill you are debating.

We are told there is a bill. It was written in the majority leader's office with some people from the White House and a couple of other Democratic Senators, and then the bill was sent to the Congressional Budget Office to be scored, for a cost estimate to be developed. I know several people have said, Could we see the bill? Could you share that bill so the American people can see what we are talking about here? So far, no luck. No bill. If we are talking about getting this debate going on health care, one would think that we would get the bill written, we would get it out there, we would all get a chance to read it, our constituents would have a chance to understand what is in it and, by the way, know how much it costs.

I ask my colleague from Tennessee, are Republicans doing anything to slow down the bill or making it public or understanding it?

Mr. ALEXANDER. We are here every day. We want to do what the Senator from Arizona said. We want to read the bill and we want to know what it costs because when we hear about it—and the Senator from Arizona was a part of the Finance Committee that developed one bill; I was a part of the HELP Committee that developed another bill. What we hear is that instead of lowering premiums, which is the idea for 250 million Americans, it will probably raise premiums; that it will raise taxes; that it will cut Medicare by $450 billion.

Now we learn from the majority leader this week that there will be a new government-run insurance program. We are going to put the government in the insurance business with a ''State opt-out,'' whatever that might mean. I am a former Governor. I am wondering, Does that mean we can opt out of the taxes as well as the benefits? So the Senator from Arizona is right. We are here. We are ready to go to work. We are anxious to read the bill, but it is being written behind closed doors.

Mr. KYL. Mr. President, I would say to my colleague, the minority leader yesterday in a press conference talked about this bill that has been written. I am not actually even sure it has been written. Obviously, we have never seen it. All the majority leader has chosen to talk about publicly is the so-called public option. So maybe that one feature of it has been written.

My point is it isn't Republicans who are slowing anything down. As far as this health care debate is concerned, I think we are very anxious to engage in that debate now. As my colleague from Tennessee pointed out, we are not going to be in debate on a bill which is going to raise taxes, raise premiums,

cut benefits under Medicare, increase the deficit, reduce the quality of our health care, and I am not going to vote to begin work on that kind of a bill, but I certainly will vote to begin work on a bill which meets the primary objective.

There are two primary things we need to try to resolve. One is to make sure we could get insurance to about 18 million Americans who can't afford it and don't have it, and the other is to keep premiums from going up. As the Senator from Tennessee pointed out, under the legislation that came out of the Finance Committee and out of the House of Representatives, insurance premiums go up more than they otherwise would have—according to who? The Congressional Budget Office, the nonpartisan entity that we all ask to analyze these things. There are many other studies that came to the same conclusion.

So I am not anxious to begin working on a bill that does those things, but so far we haven't seen any bill.

Mr. ALEXANDER. If I could ask one more question of the Senator from Arizona, who is giving a lot of time to this discussion. I thought this health care debate was supposed to be about reducing costs—the cost to the government and the cost to people buying premiums. Whatever happened to that goal?

Mr. KYL. Well, I would say to my colleague, something happened to it on the way to the Senate, I guess. Because, first, the bill is going to cost somewhere between $800 billion and $1 trillion. That is obviously money that isn't being spent today that will be spent tomorrow. I don't know of any American who believes you can have a $1 trillion new government program and not add to the debt, but we are told: Wait for the details; we will show you.

There is only one way to make sure it doesn't add to the debt: Raise taxes so much that you cover the costs of it. Then that gets to the other half of the equation. What about for the American people? Are we going to be better off? No. It turns out we are going to have our taxes increased by $400 billion, Medicare cut by almost $500 billion—by the way, if it is ever cut. There is a question about whether we will ever achieve those savings; we never have in the past—in which case the bill is then out of balance by $500 billion; $500 billion in debt. So either there is going to be a big debt there or seniors are going to see their benefits lost.

But I wandered off the point. My colleague was asking, Wasn't the exercise here to reduce costs. Yes. And what will the bills do? It will increase costs for the Federal Government so, therefore, the taxpayers. It will increase costs for all Americans in the form of higher taxes, some imposed directly on us. For example, if we don't comply with the government forcing us to buy insurance, the Congressional Budget Office says other taxes will be passed directly through to us. For example, there is a tax on the manufacturers of medical devices. If you have an angioplasty or some kind of heart problem and they put a little stint in there, one of those very high tech items, that is going to get taxed. Why should you be taxed on something that makes you well? I can't understand that. But in any event, the tax is first on the manufacturer and it will be passed on to the consumer, so increased taxes.

Finally, my colleague asked about premiums. According to CBO, the premiums will go up over what they otherwise would have been. The Oliver Wyman study that I think is very credible on this said the average would be $3,300 per year per person. In my State of Arizona, it was over $7,000, an increase in insurance premiums over what it otherwise would be. When Americans see that, they are going to say, Where is the reform? This is a lot worse than it was before.

Mr. ALEXANDER. I thank the Senator from Arizona. All of this got started because the Senator from Rhode Island had complained that the Democratic leader had to cut off debate 32 times, and my response was that was nothing to brag about; that is what the Senate is for. That is how the Founders created it.

I appreciate the Senator from Arizona pointing out that in the case of unemployment compensation, we all want to extend the benefits. We think we may have a way to do that in a way that creates more jobs rather than taxes on jobs. In the case of health care, yes, we want to go slow enough to be able to do two things: Read the bill, know what it costs, because we want to make sure that if we pass a health care bill, we are not the Congress of higher premiums, higher taxes, Medicare cuts, and adding to the debt. I think the American people want to make sure we do that as well. So I am grateful that we have the Senate. We are always a little more grateful for those rules when we are in the minority, because they protect our rights to represent the people who elect us and to ask us to offer amendments. But the American people have been served very well by a Senate that has different rules and procedures.

STUDENT LOANS

I wish to say a word about a subject which has nothing to do with health care and nothing to do with climate change, which is the other subject I have been in hearings on today, but it is a subject that will affect millions of families in America, and that is the question of going to college and student loans.

All of us can imagine the anxious moments in our family lives—and there are a number of them, including when a baby is born or when the daughter goes out on her first date; when someone is sick; when a child goes off to college. But one of the most anxious moments comes just after the first of every year when, in millions of homes across America, students and their parents wait to see if they have been admitted to college and to which college. The next anxiety comes when they turn to the various options they have to see whether they can afford to go to that college.

Fortunately, in America we have the best system of higher education. We not only have the best colleges; we have almost all of the best colleges. We have 6,000 autonomous institutions of one kind or another—public, private, religious, secular, profit, for-profit—among which students may choose. Second, even though prices have been going up, we have bent over backward in this country to try to make it possible for the largest number of Americans to attend college. Seventy-seven percent of Americans who attend college—nearly 20 million—have a Federal grant or Federal loan to help them do that.

So just after January—and I want to paint this picture—in homes across America, we have millions of students, millions of families who are waiting for their college admissions and then will turn to the question of: Can I get some help paying the bills. Specifically, we have 14 million—if next year is anything like last year and the year before—14 million of those students who will be going to college on 35 campuses who will be borrowing $60 million through the Federal Family Education Loan Program—what we call the traditional student loan program.

We have two types of loan programs. We basically have one through two thousand lenders, profit and nonprofit, across the country. For example, we have an organization called Edsouth in Tennessee that is nonprofit. It offers a variety of student loan options to Tennessee students. It has five regional outreach counselors to provide college and career planning, financial aid training, college admissions assistance, and financial literacy. It makes 443 presentations at Tennessee schools through college fairs, guidance visits, and presentations. It works with 12,000 Tennessee students to improve their understanding of college admissions and the financial aid process. Last year, Edsouth provided training to over 1,000 school counselors and distributed 1.5 million financial aid brochures.

The various lending institutions—profit and not-for-profit—are usually in these communities and easy for these 14 million students to get to. There is another group of students—about a fourth to a third in total—who choose to go another route in getting a student loan, called direct lending. They borrow directly from the government. This was set up as a pilot program when I was the Secretary of Education in the early 1990s. It was set up to see whether the traditional student loan program, which is through your local bank or nonprofit, was working right, and what was best for students.

Students and colleges have voted over the years with their practices. For

example, in Tennessee, most Tennessee campuses and most Tennessee students choose the traditional student loan program. At the University of Tennessee, where I was once president, in Knoxville, there are 30,000 students, and 11,000 have a Federal loan. They get that through the traditional loan program, not the government direct loan program. At Maryville College, in my hometown, where my parents went, 824 of 1,100 students have a Federal loan. They get that through the traditional loan program. At Carson-Newman, at Jefferson City, where I am going Friday to help inaugurate a new president, with 2,000 total students, 1,259 have a Federal loan. I can go through each of the institutions in our State. You can see the number of families that any change in the student loan program affects, and if you add the anxiety that comes with receiving your college admission and worrying about whether you can pay the bill—you can see the problem that causes.

The reason I came to the floor is that for those 14 million students—more or less—who, in January, February, and March, would be expected to turn to the traditional student loan program, we are about to have a 14-million car pile-up on the interstate highways of American education because of action taken by the U.S. Department of Education.

The Secretary of Education—a man I greatly admire—has sent a letter to the various schools—3,500 or so campuses—that now use the traditional loan program, and he said you better get ready for the government-run program, and you need to do it because I may not be able to continue to offer the traditional loans.

That is a big mistake. I want to point out the reasons. First, there is not time to switch, even according to a New York Times article.

I ask unanimous consent to have printed in the RECORD the Secretary's letter to the campuses and the New York Times article.

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

WASHINGTON, DC,
October 26, 2009.

As this academic year moves forward, it is hard to believe we already need to consider the 2010–2011 year to come. In doing so, I am writing to seek your assistance and offer mine in taking the necessary steps to ensure uninterrupted access to federal student loans by ensuring your institution is Direct Loan-ready for the 2010–2011 academic year.

Eighteen months ago, uncertainty in the financial markets seriously threatened the availability of Federal Family Education Loan (FFEL) Program loans for the upcoming 2008–09 academic year. Congress acted quickly to provide the Department of Education with unprecedented temporary authority to directly finance loans made through FFEL Program lenders. The goal was to ensure that every student or parent with a need for a federal loan would be able to get one, whether or not the student's educational institution had taken the steps to provide loans through the Direct Loan Program (where loan access was not affected). This stopgap measure, the Ensuring Continued Access to Student Loans Act (ECASLA), was helpful in assisting FFEL Program lenders in making $61.3 billion in new loans to students and their parents this past year. And the bulk of those funds—some $46.3 billion—was provided by the Department of Education.

While many institutions like yours continued to use the FFEL Program loan delivery process last year, more than 500 others responded to the uncertainty by switching to the Direct Loan Program. These colleges' move to direct lending happened in an efficient and effective manner, without any interruption of service to students, and the number of Direct Loans increased by nearly two-thirds compared to the previous year. As you know, the Direct Loan Program provides students with the same types of loans, with essentially the same terms, as those made in the FFEL Program.

I do not anticipate any major loan access problems during the remainder of this academic year because Congress's temporary measure remains in effect. However, while there are encouraging signs that the financial markets are rebounding, the most prudent course of action is for you to ensure that your institution is Direct Loan-ready for the 2010–2011 academic year. That way, loan access for your students will be assured. As you may know, President Obama has proposed that Congress make the loan system more reliable by moving to a 100 percent Direct Loan delivery system. In any event, under current law, ECASLA will expire, and the continued participation of FFEL Program lenders will be in question.

The Department of Education stands ready to assist with any questions you and your staff may have about becoming Direct Loan-ready. Many institutions have already taken the initial step of contacting us to ensure the appropriate transition steps have been taken at Federal Student Aid to begin the process. If your school has not taken this initial step, we recommend that you do so. Please also reach out to your technology, financial aid, and business offices to make sure they are working together to ensure federal loan access for your students and their parents. If they are unsure of the steps to take, please have them contact our school relations center, or e-mail us with questions.

Thank you for your attention to this important matter.

ARNE DUNCAN,
Secretary of Education.

[From the New York Times, Oct. 27, 2009]

COLLEGES ARE PUSHED TO CONVERT LOAN SYSTEM

(By Tamar Lewin)

Congress has not given final approval to legislation ending federal subsidies for private student loans for college. But Secretary of Education Arne Duncan sent a letter Monday to thousands of colleges and universities urging them to get ready to use the government's Direct Loan Program in the 2010–11 school year.

The House of Representatives last month passed the Student Aid and Fiscal Responsibility Act, expanding the government's direct lending and ending the current program of government subsidies and loan guarantees for private lenders. Under that law, all colleges would be required to convert to the federal Direct Loan Program by July 1.

But the Senate has yet to take action on the legislation, and it is uncertain whether it will do so before the health care debate is resolved.

Meanwhile, most of the nation's 5,000 colleges and universities have not taken the necessary steps to convert to direct federal lending. The letter, sent to some 3,000 campuses that have never used direct lending, was an effort to prod them into action.

''Some campuses are thinking they'll wait until Congress acts, but to wait is to endanger loan access for students,'' said Robert Shireman, the deputy under secretary of education.

In the past year, Mr. Shireman said, about 500 institutions have switched from the subsidized program, the Federal Family Education Loan program, into direct federal lending.

A year and a half ago, when uncertainty in the financial markets threatened the availability of private loans, Congress passed a stopgap law to ensure that families with financial need could get student loans, even if their college was not in the federal direct loan program.

But that temporary legislation, which colleges used to make billions of dollars worth of new loans in the past year, will expire in June. And even if Congress does not act to end the subsidized lending program and require direct federal lending, there is no guarantee that any lenders will continue with the private loan program.

Private lenders are fighting to stop the switch to direct federal lending. And at their third-quarter earnings conference call last Wednesday, executives of Sallie Mae, a private lender, spoke of the ''transition risks,'' saying many schools' financial aid offices are thinly staffed, have only just finished processing loans for this academic year and would have trouble making the transition to a new lending system in time for next year.

Mr. Shireman said that for most colleges and universities, it takes three weeks to four months to make the switch, which requires changing computer programs and retraining financial aid administrators.

Mr. ALEXANDER. The Secretary's assistant says it takes at least 3, 4 months for colleges to switch their computers around, so instead of offering aid through a traditional program, they offer it through the government direct loan program. There will be a lot of confusion in January, February, March and April. There is not time to switch.

Second, the Secretary has gotten ahead of himself. The President has proposed a Washington takeover of the student loan program, but this Washington takeover requires congressional approval. We have more than one branch of government in this town. I know the House of Representatives has passed the President's request, but there's one more—the United States Senate has not approved the President's request, and I hope it does not. It is a bad idea.

So I hope the Secretary will write another letter and say I have changed my mind, given the lateness of the situation in the year—we are almost to November—and the fact that it takes up to 4 months for any college to make a changeover, and because most students will begin to receive their college admissions in January and February, et cetera. I hope the Secretary will say I am going to take a little different approach and work with Congress, recognizing that the Congress has to approve this proposal as well.

First, we are going to extend the law that was passed a couple of years ago,

which provides emergency financing to back up all of the traditional student loans that are made. That has worked out very well. The institutions participating have paid large fees to the government and students have gotten their loans. We can extend that another year. It doesn't expire until June.

Second, the Secretary might say that I am going to work with Congress to make some changes in the existing student loan program to make it right. We can talk about ways to do that.

Third, I hope he will say I am going to work with Congress to set up a transition time that is appropriate for any colleges that want to move from the traditional student loan program to the government-run direct loan program.

When time comes for us to debate and act on whether there should be a Washington takeover of student loans, I am going to say, no, there should not be. I have a little history here. I think the American people have had enough Washington takeovers—banks, insurance companies, General Motors, et cetera. The President can argue that he inherited a lot of that. But this takeover is truly voluntary.

Nobody is asking the Secretary of Education to become the banker of the year. I would rather he become the Secretary of the year. I think he could do that. I think he is an outstanding Secretary, one of the best appointees—maybe the best—of the new President. The Presiding Officer is from Illinois, and he knows Arne Duncan very well. I would like to see him reward teachers and setting higher standards, instead of making 20 million student loans every year. I want him to be the educator of the year, not the banker of the year. Deep in his heart, maybe he wishes that as well.

The administration has told us about this latest Washington takeover that is starting next year, and that the nearly 20 million students who want government-run direct loans should all line up at offices designated by the U.S. Department of Education. This will, the argument goes, save taxpayers $87 billion in subsidies that now go to greedy banks. In anticipation, Members of Congress—we—have already spent the $87 billion for more Pell grants, community college improvements, and other new programs. That sounds very good. Banks are punished, students are helped and, most important, Congressmen look real good.

Here is what they have not told you. Your friendly government, for all this, will overcharge you, the student—and use the profit to pay for the new programs that make the Congressmen look good. Yes, those of you who borrow student loans—the 20 million—the Education Department is going to borrow the money at 2.8 percent from the Treasury and loan it to the students at 6.8 percent, and spend the difference on administrative costs and new government programs. That means a student will spend a few more months or years working to pay off the student loan in order to help pay for someone else's education and help the Congressmen's reelection.

There are a few other things the government ought to tell you. The $87 billion isn't real. According to a letter in July from the nonpartisan CBO to New Hampshire Senator GREGG, the savings are closer to $47 billion. If we use the same cost scoring analysis that the CBO required when we passed the Troubled Assets Relief Program, or TARP, the savings I think are less than that, since the government assumes it can make 19 million loans each year for what it now costs to make 4 million loans.

Finally, the government needs to disclose to these 20 million students who are thinking about going to college next year that getting your loan will become about as enjoyable as waiting in line for your driver's license. Today there are 2,000 lenders—banks and nonprofit institutions—competing to offer government-backed students loans at 4,400 campuses. I mentioned earlier the kinds of services they provide. That is all about to change. There will only be one student loan banker under this proposal, the U.S. Secretary of Education. I wouldn't have wanted that job when I was in that position, and I cannot imagine any Education Secretary wanting that job. There will be no competition to make it easier to get your loan.

Imagine 20 million students and families trying to call a Federal call center to make their arrangements to go to college. It is true that during the last 20 years subsidies the government paid to lenders to make student loans were excessive. Congress took steps to correct that 2 years ago. If there is still $87 billion, or $47 billion, in real savings, then the subsidies are too high and we should lower them and give the savings to students, not trick students by overcharging them to pay for more government programs and run up the Federal debt in the process. Seven-eighths of the students who applied for Federal aid using the Free Application for Federal Student Aid had an average loan of about $25,000. Assuming a standard 10-year repayment at 6.8 percent, which is the rate set by Congress, these students would pay roughly $9,400 in interest. But we could use the savings to reduce the interest rate by as much as 1.5 percent—down to 5.3—and those students would pay only $7,100 in interest, a savings of $2,200.

If this Washington takeover goes through, every one of the 19 million-plus student loans made in 2010 should carry this warning label: Beware, your Federal Government is overcharging you so your Congressman can take credit for starting a new government program. Enjoy the extra hours you work to pay off your student loan.

Mr. President, I see my colleague from South Dakota on the floor and my colleague from Nebraska, so I will conclude.

The Secretary of Education should change his mind, withdraw his letter, and work with Congress to extend the temporary law and improve the student loan program and reassure students that they don't have to be anxious about standing in line in January for a loan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AFGHANISTAN

Mr. FEINGOLD. Mr. President, in 2002, then-Senator BIDEN chaired a series of Senate Foreign Relations Committee hearings on U.S. policy toward Iraq. These hearings challenged many prevailing assumptions and called into question the wisdom of invading Iraq. To the detriment of our Armed Forces, our counterterrorism efforts, and the standing of the United States around the world, our government ignored those prescient warnings.

Our country is again contemplating sending tens of thousands of troops into battle, this time as an escalation of the 8-year war in Afghanistan. In fact, the escalation has already begun, with an additional squadron to begin deploying in November.

Sadly, the impact of our expanding military engagement in Afghanistan is becoming increasingly and painfully clear, as October has become the deadliest month for U.S. troops since the war began, and more servicemembers have been killed this year than in the first 4 years combined.

I commend Senator *John Kerry* for holding a series of exceptional hearings in the Foreign Relations Committee over the past month on U.S. policy in this critical region. Expert witnesses have provided a sober analysis of the situation there.

I urge my colleagues, if they have a chance, to read the transcripts of these hearings and consider the opinions of this diverse group of former military officials, intelligence officers, diplomats, academics, and experts in the region. Of course, a handful of the witnesses supported an escalation of our military involvement in Afghanistan, but the majority of the regional experts—including CIA veterans who have deep experience in the region—questioned whether the stated aims of our military strategy are achievable or necessary in order to deny al-Qaida an uncontested safe haven in Afghanistan. Many expressed concern that our current military-focused approach may be making things worse.

President Obama has refocused our attention on the Afghanistan-Pakistan region, and for this I give him great credit. I am also pleased to see this administration is taking the time to have serious discussions about our strategy and the many possible alternatives. We must find a way to relentlessly pursue al-Qaida's global network without destabilizing this critical region, overstretching our military or needlessly spending money we do not have. This will require a smaller, more targeted,

and sustainable military strategy combined with far more robust regional diplomatic engagement.

I would like to go over what I consider to be some of the myths that are being used to support the notion of a significant buildup of troops in Afghanistan.

One is that preventing a potential al-Qaida safe haven in Afghanistan is more important than addressing existing safe havens elsewhere. That is not what we heard at the hearings.

The committee's hearings have revealed that calls for an open-ended or increased military presence in Afghanistan are based upon several flawed assumptions or myths. The first common myth is that preventing a potential al-Qaida safe haven in Afghanistan is more important than other potential safe havens. Again and again, we hear that if we do not send more troops, the Taliban will regain control of Afghanistan and again provide a safe haven in which al-Qaida could reestablish training facilities or launch attacks on the United States. That statement may be true, but it contains a number of assumptions that need to be closely examined. Will more troops make a difference? How likely is it the Taliban will actually regain control of Afghanistan? Even if it does, what will its relationship be with al-Qaida? But the biggest unasked question is: What are the costs of pursuing this strategy and is it necessary to address the very real threat posed by al-Qaida?

Al-Qaida already has a safe haven in Pakistan and is operating in other countries around the globe. Addressing this global threat requires a smart and sustainable use of our resources around the world, including in Afghanistan, rather than disproportionately directing our resources toward only one of many potential safe havens.

Several witnesses called into question even the likelihood that the Taliban would overrun Kabul. Even if the Taliban were to continue to exert control over certain areas, experts challenged the simplistic assumption that al-Qaida would then be able to reestablish the kind of operational freedom it had in Afghanistan prior to 9/11.

Moreover, sending more troops to Afghanistan may not prevent an al-Qaida safe haven there. As General McChrystal noted in his own assessment, even if we send additional troops, they would necessarily be focused on limited areas and would still leave substantial portions of the country outside the control of the Afghan Government or U.S. forces.

Several witnesses questioned whether we can afford to dedicate so many resources to one country when we face a global adversary. Instead, as Robert Grenier, the former CIA station chief in Islamabad during the 2001 invasion in Afghanistan, testified:

> The best that we can hope for is not a permanent elimination of a safe haven [in Afghanistan] . . . but rather the elimination of an uncontested safe haven. [W]e need to be in a place where we can continue to play the game, which means that we need to be able to do that on a sustainable basis. . . .What we are currently doing I believe is not sustainable either by us or by the Afghans.

We have to have a sustainable, targeted counterterrorism strategy that can contest potential safe havens and, thus, prevent al-Qaida from regaining the footing they had in the 1990s. Trying to achieve total elimination of such safe havens through a large-scale, open-ended military mission is not only infeasible, it is physically and politically unsustainable and could provoke even greater instability in the region. It is time we develop a counterterrorism policy for Afghanistan that places it in the context of al-Qaida's many current and potential safe havens, including in Yemen, Somalia and North Africa and many other places around the world.

A second oft-cited myth is, we already tried engaging in such a limited counterterrorism operation in Afghanistan after the 2001 invasion and the situation on the ground only deteriorated.

On the contrary, the strategy of the United States in Afghanistan, over the past 6 years, has been uncoordinated and neglected and much of the limited resources went to pursuing militants in Afghanistan while al-Qaida was rebuilding in Pakistan. This strategy failed not because it was targeted at al-Qaida but because it generated resentment among the local population and created a groundswell of opposition. It also failed because it turned a blind eye to the corruption and lack of legitimacy of both the Afghan and Pakistani Governments. The previous administration's extreme reliance on Pervez Musharraf not only failed to achieve our immediate counterterrorism goals, but it undermined the perception among the Pakistani population that we were working with them against mutual threats. As a result, we lost a crucial opportunity to eliminate al-Qaida and the Taliban from, and bring stability to, Afghanistan.

By contrast, the Obama administration has focused on Pakistan and supported the emergence of a civilian government that shares our counterterrorism goals. We have a strong interest in Pakistan's continued military operations. We must remain engaged so any tactical successes are accompanied by rules of engagement that protect the civilian population and ensure humane treatment of displaced persons, which are essential to ensuring that these successes actually result in strategic victories.

Much more remains to be done, including efforts to strengthen responsive civilian governance and encourage Pakistan to tackle the deeper socioeconomic problems that the Director of National Intelligence has testified are driving instability in that country. None of this will be easy, but counterterrorism in Pakistan will not be achieved through our escalation in Afghanistan. One thing is certain. At no point in the last 8 years has this kind of comprehensive, focused strategy for Pakistan been attempted.

In Afghanistan, I am not suggesting we would necessarily just limit ourselves to what some have called an over-the-horizon presence. We may need to maintain bases and consider a range of counterterrorism options. But we will never return to the neglect and strategic drift of the pre-9/11 period, nor should we resume the unfocused mission we saw for much of the previous administration.

This recognition is why several witnesses testified that a targeted counterterrorism strategy, which has never been tried before, would likely succeed in denying al-Qaida an uncontested safe haven. This sustainable strategy, along with a flexible timetable for the withdrawal of troops of the United States from Afghanistan, could easily reduce the perception that we are engaging in an open-ended military occupation of that country.

As to a third myth, there are many who argue that a larger military presence is required in order to stabilize Afghanistan. However, many of the experts testified that an increase of foreign troops in Afghanistan will likely provoke additional militancy.

Reports indicate that militancy in both Afghanistan and Pakistan has increased over the years. According to Milt Bearden, the former CIA station chief in Islamabad: ''40,000 troops will beget 40,000 more enemy . . . '' We must appreciate that our military presence may well be counterproductive and, in fact, driving the conflict, creating more militants than it is eliminating.

Indeed, it may even be undermining our ability to divide our enemies. CIA veterans Robert Grenier and Mark Sageman testified that, in Mr. Grenier's words, Afghans ''tend to coalesce against what is perceived as an outsider.''

It is not surprising, then, that many of the witnesses who appeared before the Foreign Relations Committee agreed that a political solution is essential to stability in Afghanistan. As Mr. Bearden testified, there is no ''military solution—for us or the Afghans.''

We can and will relentlessly pursue al-Qaida. We have to find a way to do so that does not further destabilize the region. Increasing our troop levels in Afghanistan will only make this more difficult.

As to a fourth myth, another frequently cited myth is we must maintain a large military presence in Afghanistan in order to prevent the destabilization of Pakistan. In reality, our massive military footprint in Afghanistan has contributed to instability in Pakistan.

Several witnesses agreed the majority of Pakistanis would not welcome an increased military presence in Afghanistan. Mr. Grenier stated:

I think that a large increase in U.S. presence in Afghanistan would not be welcomed by the majority of Pakistanis. I think that it would make the struggle seem all the more starkly one of the U.S. against Muslims as opposed to the U.S. supporting Afghans in their own struggle.

As former British diplomat Rory Stewart testified, the ''stabilized Pakistan'' rationale for a military presence in Afghanistan also ignores ''the real drivers of the problems in Pakistan. Pakistan will not stand or fall on Afghanistan. It's about the Pakistani government, it's about the Pakistani military, it's about the Pakistani economy and the Pakistani society . . . by and large, Afghanistan is far less important to the future of Pakistan than we're suggesting.''

In fact, our presence in Afghanistan could be counterproductive. CIA veteran Paul Pillar recently testified in the House that ''an expanded U.S.-led counterinsurgency in Afghanistan would be more likely to complicate rather than to alleviate the task of Pakistani security forces insofar as it succeeded in pushing additional militants across the Durand line.'' We need to carefully consider the unintended consequences of sending additional troops to Afghanistan, lest we further destabilize its nuclear-armed neighbor, Pakistan.

The Afghanistan hearings provided a crucial forum to question conventional wisdom, justifying our current and proposed military strategy. These expert witnesses have challenged many of the assumptions underlying many of the myths I outlined.

In his testimony before the House, Pillar warned that:

An expanded military effort in the cause of counterinsurgency in Afghanistan would be unwarranted. The benefits in terms of ultimately adding to the safety and security of the American people would be marginal and questionable. At best, the difference such an effort would make in the terrorist threat facing Americans would be slight. At worst, the effort would be counterproductive and would not reduce the threat at all. Even at its best, the benefit would be, in my judgment, outweighed by the probable costs of the counterinsurgency.

There is strong consensus that we must not abandon Afghanistan, and the lack of strategy and focus on this region that occurred over the past 6 years must not be repeated. But there has also been significant agreement among the witnesses that we continue to greatly overestimate the potential benefits and underestimate the risks associated with maintaining or expanding a large, open-ended military presence.

I urge my colleagues, again, to review this excellent testimony from these hearings. We need to reduce our unsustainable military presence in Afghanistan in order to pursue al-Qaida without further destabilizing the region and work through diplomatic channels and the provision of assistance to support the emergence of legitimate, competent governments in both countries that will be effective partners in fighting terrorism.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I rise this afternoon to speak to the pending issue, which is the extension of unemployment benefits.

The pending proposal basically says we would extend benefits for 14 weeks for all States. There would be an additional 6 weeks attached for those States that had unemployment that exceeded 8.5 percent.

You don't have to look very far around this country to see people are struggling. In fact, just an hour or so ago, I was pulled aside by a member of the media. He said: There are numbers coming out tomorrow that indicate some improvement here and there. What would your reaction to that be?

I said: You know, until we see improvement with unemployment, we will never convince the American people that things are better.

We are hearing 10 percent unemployment. I hope not, but some predict we will actually go over that number around Christmastime or the first of the year.

People across this country are struggling. Jobs are being cut. People are being laid off. As I said, many experts are predicting that unemployment could get into the double digits before we see any improvement.

I am not here to say the extension of unemployment benefits is the wrong course of action. Not at all. I am not here to dispute any of these assertions about how difficult this economy is for people. But what I am here to do today is to say this: If we are going to consider a bill of this nature, of this importance to people, I believe it is important that we, as Senators, have the ability to come to the floor to submit an amendment, to make our best case on the amendment, to ask for a vote on that amendment, and then see where it ends up.

The original stimulus bill—and again I emphasize, the stimulus bill—extended unemployment benefits for 33 weeks. So very clearly the majority of this body, considering the issue of extending unemployment at the time the stimulus was passed, said we should use stimulus funds. I would argue that the same logic applies today. This extension should also be from stimulus funds, and that is what my amendment would simply say.

Here are the reasons why: The stimulus bill, quite simply, did not provide the jobs that were promised. Put forth whatever excuse you want to put forth. Argue that maybe you didn't think the economy was as bad as it is, although I must admit I find that hard to imagine. But whatever the argument, the stimulus bill did not provide the promised jobs. The bill in front of us today would do this: It would levy a tax on our job creators—our businesses—of $2.4 billion to finance it. It is an 18-month tax on small businesses, which are the backbone of our job creators and certainly the backbone of our economy in the State of Nebraska.

The interesting thing about this extension of unemployment benefits is that it would expire in December but the taxes would live on for month after month after that expiration.

So you see, I think it is appropriate to come to the Senate floor to make the case that we should not be taxing the job creators in order to support those who are out of work and looking for a job. We should be encouraging those job creators to do all they can to add another job to bring these people back to employment.

To make this relevant to the citizens back home in Nebraska, this will have a $17 million impact on our businesses. That is $17 million that will not be spent on creating a single new job. It is $17 million that won't be spent to hire new workers.

I have talked to many of these businesses in our State, and they are saying to me: MIKE, we are doing all we can to try to keep people employed. I don't want to do layoffs or any more layoffs, they tell me. But what we are saying to businesses is: We know you are struggling, we know you are fighting this brave battle to keep these families with a job, but here is another tax extension, and could you also go out and hire some new workers? This is simply out of touch—exactly what Washington was criticized for during our August townhall meetings.

A lot of jobs could be created if we expand this from my small State of Nebraska to a nationwide phenomena. Think of the jobs that could be created with $2.4 billion spent on salaries instead of on taxes.

I have this amendment which basically says this: A more sensible approach would be to use a very small portion of the unspent stimulus money to finance this extension. Don't tax these small businesses. The stimulus was sold as a shot in the arm. It was going to jump-start the economy. But that goal has proven very elusive. In fact, it has even been very difficult to get the money flowing. And don't take MIKE JOHANNS' word on this. The Congressional Budget Office says that some of the stimulus money won't even be spent until 2018, 9 years from now. CBO predicts $22 billion will be spent in 2014, about 5 years from now. I don't know a single person who could argue that is a shot in the arm.

The Chair of the President's Council of Economic Advisers, Christina Romer, recently said:

Most analysts predict that the fiscal stimulus will have its greatest impact on growth in the second and third quarters of 2009.

She goes on to say:

By mid 2010, the fiscal stimulus will likely be contributing little to growth.

This baffles and frustrates the American people.

Piling more taxes on people who hire to help those without jobs makes no sense when you recognize that originally a portion of the stimulus money

was set aside to extend unemployment. Why not use a small—very small—portion of the overall sum to provide an extension?

Mr. President, I just want the opportunity to have an amendment that we can vote on, to be able to make the case that my amendment is a better alternative than what we are doing today. It uses unobligated stimulus funds to pay for the extension. It just simply says to the Office of Management and Budget: Go to the unused accounts—and having been a Cabinet member myself, I will tell you that those funds will be found—and allocate that money to help these people instead of taxing the job creators. My amendment requires only 1 percent—I repeat, 1 percent—of the original stimulus to pay for unemployment benefits. Why not use the money parked in these accounts—which literally is years away from being allocated—to stimulate this economy?

I would respectfully argue that my option gives all Americans a break. It allows the unemployed workers to have that important safety net while they struggle to find a job; it helps businesses that are fighting to stay open and to keep their employees in place, to keep that job in the family, and, my hope, to hire new workers; and it allows us to use taxpayer dollars—taxpayers who are tired of seeing their tax dollars wasted—in a way that I believe they would approve of.

Given the opportunity to submit this amendment on the floor of the Senate, I could ask for its support and we could send a message to the American people that we are listening to their concerns. This amendment immediately puts money back into the economy to pay the bills or wages and to put food on the table. Unfortunately, it appears increasingly likely that I will not be allowed to offer the amendment.

Mr. President, I have not been here a long time. I have been here about the same time as the Presiding Officer. But I have to tell you, one of the things that impresses me so much about this great body, this deliberative Senate, is that we have the ability, whether we are in the majority or the minority, to offer an idea, to craft an amendment—oftentimes that we get from a citizen back home—and to come to the floor and offer that amendment, make our best case, and then get a vote. It is a remarkable system. But what is happening these days is that precious right is being taken away from us.

I think this amendment makes sense. There may be many who will disagree with me. There will be many who will agree with me. All I am asking for is that I be given the right to offer the amendment, to make the case, and then to get a vote on this idea.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by suggesting that at a moment in American history when we probably have more serious problems than at any time since the Great Depression, I find it rather sad and distressing that time after time the response of our Republican colleagues is no, no, no; filibuster, filibuster, filibuster. In fact, what we are seeing now is that the filibuster is the norm. Most Americans think it takes a majority to pass something. Not around here. Our Republican friends, I think, have broken the all-time world's record for bringing forward filibusters—my understanding is 81 in this session alone.

So here you have a crisis in health care, a crisis in the economy, a crisis in global warming, a crisis in foreign policy, a crisis in terms of our national debt, and yet our Republican friends say: No, no, no; filibuster, filibuster, filibuster. So it is easy to understand why the American people are extremely frustrated with what is going on here.

The election in November was all about the American people saying very loudly and clearly: We did it their way for 8 years. We gave the tax breaks to the billionaires that these folks wanted. We went into a war we should never have gotten into. We drove up the national debt to a recordbreaking level. We ignored the crisis in global warming and forfeited enormous opportunities to create jobs addressing that. We did it their way.

Now let me tell you the results of having done it their way.

During the Presidency of George W. Bush, over 8 million Americans slipped out of the middle class and into poverty. Today, nearly 40 million Americans are living in poverty.

During the 8 years of the Bush administration, 7.8 million Americans lost their health insurance. Today, these guys still do not want to address the issue of soaring health care costs and 46 million Americans uninsured.

Under President Bush, 4½ million manufacturing jobs in this country were lost in the Midwest and other parts of this country. We are seeing desolation in areas where workers used to earn good wages, producing real products. In my own small State of Vermont, we have lost 10,000 manufacturing jobs over the last 6 or 7 years.

During the Bush era, 3.2 million American workers lost their pensions—pensions they were dependent upon in order to provide some security when they retired. Incredibly, during that period, median household income declined by over $2,100.

My colleagues may have seen an article in USA TODAY recently which mentioned that from 2000 to 2008, middle-class men experienced an 11.2-percent drop in their incomes. Do you believe that—11.2 percent? That is a reduction of $7,700, adjusting for inflation, during the Bush era. Middle-class women in this age group saw a 4.8-percent decline in their incomes as well.

We did it their way, and the middle class is on the verge of collapse, poverty is increasing, more and more people are losing their health insurance, and the national debt has exploded. And then, after hearing President Bush tell us how robust the economy was, Secretary of the Treasury Paulson saying how strong the economy was, they walked into Congress over a year ago and said: Seems we made a little bit of a mistake. The economy is not actually robust. If we don't get $700 billion within the next couple of weeks, the entire world's financial system will collapse. Sorry about that. We not only have many hundreds of supervisors and the Fed, we have the whole Federal bureaucracy looking at what is going on—we kind of missed it. We are sorry about that.

What ended up happening, as everybody in America knows, the economy plunged as a result of Wall Street greed and illegal behavior and recklessness; the conversion of Wall Street to a gambling casino, to all the deregulation that these guys fought for for years—both parties, by the way, not just Republicans—we ended up with the greatest economic decline since the Great Depression.

Let me tell you a little bit about where we are today when we talk about the need to extend unemployment benefits. We hear the official unemployment statistic of 9.8 percent. That is bad. But that only tells literally half of the story. If we add to the 9.8 percent who are unemployed all those in high unemployment areas who have given up looking for work or who are not part of the official statistic, and we add to that number people who want to work full time but are working part time, do you know what we end up with? We end up with 27.2 million Americans who are unemployed or underemployed. This is over 17 percent of our population.

That is a disaster. That is an absolute disaster causing massive suffering for working families all over this country.

I rise today in the midst of that economic disaster in strong support of the Emergency Unemployment Compensation Act. I am proud to be an original cosponsor of this legislation. I thank Majority Leader REID and Senator BAUCUS, the chairman of the Finance Committee, for their leadership on this legislation. We are in the midst of the worst economic crisis since the Great Depression, and the suffering, from California to Vermont, is enormous.

I am sure my colleagues get the same letters I get:

I lost my job, I am looking for a new job, there is no job available.

I lost my job, I got a new job, but it only pays half of what my old job did.

I lost my job and I lost my health insurance and maybe I am 1 of the 1 million people this year who are going to go bankrupt because of medically related illnesses.

I am a young person, I graduated high school, I want to get a job. I can't find a job.

I graduated college, I can't find a job.

That is what we are looking at. We have to address that problem.

As bad as the current situation is, what we also understand is that long-term unemployment is soaring. It is a bad thing if somebody loses their job. That is always bad. If they get a new job in a couple of weeks, that is one thing. But what is happening now is we are looking at 5.4 million Americans who have been unemployed for over 6 months. That is the highest on record. We have a crisis of long-term unemployment. The average length of unemployment is now 27 weeks, the longest since World War II. In the midst of serious unemployment numbers, the fact we are looking at long-term unemployment at record-breaking levels tells us it is absolutely imperative to extend and increase, expand unemployment benefits.

There are fewer jobs in America today than there were in the year 2000, even though the workforce has grown by over 12 million since that time. We now have the fewest manufacturing jobs at any time since April of 1941. Can you believe that? We have fewer manufacturing jobs, blue-collar jobs, the jobs that made the middle class, since April of 1941.

The American people need our help. That is why it is so important that we pass this legislation and why it is so important that we do this in a bipartisan way. I hope our Republican friends will finally stop saying no and say yes to American working families. This bill provides an additional 14 weeks of unemployment benefits to all 50 States. That is important to me. It is important to me because while I do understand there are States which have a lot higher unemployment rates than the State of Vermont, the truth is there is long-term unemployment in 50 States in America, and I believe we should be extending unemployment for all of our workers.

If we do not pass this legislation, by the end of this year nearly 2 million Americans will see their unemployment benefits expire, including some 2,000 people in the small State of Vermont. In the midst of the worst economic crisis since the Great Depression, and at a time when long-term unemployment is extremely high, we cannot turn our backs on jobless Americans by letting their unemployment insurance expire. That would be driving people into the abyss. We cannot do that. This bill will allow workers who have lost their jobs during the severe recession to get the help they deserve while they try to find new jobs to support their families.

The American people are looking to the Congress for help. These are tough times all over this country. We cannot turn our backs on hard-working Americans who are trying as best they can to keep their families above water. I hope we pass this legislation and we pass it as soon as possible.

I yield the floor.

Mr. THUNE. Mr. President, I want to speak to the bill before the Senate right now and also to an amendment I would like to have voted on as a part of the underlying legislation. But I do want to also react to some of the remarks made by my colleague from Vermont.

When it comes to some of the legislation some are trying to jam through the Congress this year, we believe it is OK to say no to some things. We think it is OK to say no, for example, to 1,500-page bills written behind closed doors, in secret. We think it is OK to say no to higher health care premiums for our constituents in our home States and most Americans in this country who currently have health insurance. It is OK to say no to trillion-dollar spending bills that don't do anything to create jobs. We think it is OK to say no to higher taxes for small businesses and working families who are going to get hit by many of the proposals in front of the Congress, including the health care bill which, according to the Congressional Budget Office, more than half the tax burden is going to fall on families making under $100,000 a year.

We think it is OK to say no to energy taxes that will kill jobs and wreck the economy. We think it is OK to say no to a $2 trillion expansion of the Federal Government in Washington to create a new health care entitlement that will be financed with higher taxes, Medicare cuts, and borrowing from future generations. We think it is OK to say no to a $½ trillion in Medicare cuts that are going to impact senior citizens across this country. It is also OK to say no to the extension of what has become a TARP slush fund, what has become a political slush fund that is now being used for lots of things for which it was not intended.

I do not apologize for saying no to bad policies that are going to wreck the economy, cost Americans jobs, and put more and more of our future generations at risk because we are saddling them with a burden of debt that they will be carrying forever into the future. I think it is OK for people in this Chamber to stand up to bad policies and to say no.

I am going to continue to defend the right of my colleagues in the Senate, whether I agree with them or not. A lot of my colleagues on the other side, they have things they want to do. Some of them I do not agree with. That is why we have the Senate. It is to come here and resolve our differences and try to reach common ground if that is possible. But if there are bad things being proposed, I don't think there is anything wrong with saying no—to higher taxes, higher health care premiums, more borrowing, and more debt we are putting on future generations. I don't particularly have a problem with that.

I do think it is important, however, that we act on legislation that will create jobs, that will provide a better, stronger economic future for people in this country, and that will address the needs of the people who are hurting because of this economic downturn. The legislation we have before us will do just that, and I voted to proceed to that legislation last night so we could have this debate, so we could get on this bill, so we could provide an additional 14 weeks of assistance to people who need unemployment benefits because of what is happening in our economy and this country.

I do not think we will find a lot of disagreement that we need to take those steps that are necessary. I will say the amendment offered by the Senator from Nebraska, Mr. JOHANNS, is a germane, legitimate amendment that ought to be voted on. All he is saying is, if we are going to do this, we ought to figure out a way to pay for it that doesn't lead to higher taxes on small businesses.

I think that is a fair vote to have. It is totally related to the underlying bill. But the underlying bill that would provide and extend unemployment insurance benefits to people in this country who are suffering as a result of the economic downturn, we are not objecting to that. Nobody here is. In fact, we could finish that in the next hour or two if the majority would agree to allow a couple of amendments to be voted on.

Having said that, I do have an amendment on which I think it is important to get a vote, and the reason it is important to get a vote on it now is because we are not going to get many opportunities. The TARP program expires at the end of this year. If Congress doesn't take steps to end it, the Treasury Department can extend it. The reason that is important is because the TARP program has gotten far afield from anything it was designed to do. It was designed to stabilize the economy last year at a very difficult time. So we voted to extend $700 billion in this authority for the Federal Reserve to go out, to buy some of these troubled assets in various financial firms. They decided to take equity positions.

I think it is a very different use of the funds than what many of us intended when we voted for it, but that having been said, it was done to stabilize the financial system in the country. That was a year ago. I think it is fair to say it is not an emergency anymore. In fact, many of the TARP funds that have been extended are now being extended to other types of industries. We have seen the auto industry, to the tune of about $80 billion, come in and get TARP assistance. We have seen insurance companies get TARP assistance. We have even seen TARP assistance made available to help modified home mortgages in this country to the tune of $50 billion, on which the Congressional Budget Office says we will never see any return.

The TARP has become—I hate to call it a political slush fund. I hate to refer to it that way, but at a minimum it has become a revolving fund that can

now be used by the Treasury for all kinds of purposes. In fact, I think from statements that have been made by the Treasury Secretary, the indications are they expect to reuse a lot of those funds even after they are paid back by some of the institutions that have gotten assistance.

So we have the $700 billion TARP authority out there. With payments that have been paid back, there is now over $300 billion that is unused. This is about $213 billion that was never used. And with payments that have now come back from some of the institutions that received assistance, there is a little over $300 billion of unobligated funds in the TARP account. Why is that significant? It is significant because if we do not use those funds for some other purpose than for which they were intended, those funds will be to retire the Federal debt. To me, that is probably as good a use of funds as we could possibly find right now.

We had a deficit last year of $1.4 trillion. We are looking at trillion-dollar deficits as far as the eye can see. If the predictions of the Congressional Budget Office are accurate, in the next 5 years we will double the Federal debt. In the next 10 years we will triple the Federal debt to the point where every American, every household in this country is going to owe $188,000 of debt.

So as a young couple gets married and starts out in their life together, they are going to get a wedding gift from the Federal Government, a big fat IOU for $188,000. The best thing we can do in addition to extending unemployment benefits to people who have lost their jobs and whose coverage is running out is to try to get this debt under control so we are not passing on this enormous liability to future generations.

I would argue if we allow this situation to go unabated, if we continue to borrow money at the rate we are borrowing it today, and we continue racking up debt at the rate we are today, it is going to create all kinds of economic consequences down the road in the form of, perhaps, higher interest rates; we could see inflation pick up down the road. Nobody sees that in the near term, but in the long term, when we start having to print money to monetize our debt, and we are paying back our debt with cheaper dollars, the people who are buying our debt are going to start saying: Wait a minute. I want a better return on my investment.

So the interest rates start to pick up, and that could have some very disastrous consequences for our economy when it comes to homeowners and small business owners and people who are trying to get student loans. There are all kinds of consequences from this incredible binge of borrowing that we are on as a country.

I think the best we can do if we have got unobligated funds in the TARP authority right now is use those funds to pay down that Federal debt. That is what my amendment does. I am coauthoring it with the Senator from Utah, Mr. BENNETT. But we believe we ought to end the TARP authority this year when it is set to expire. If Congress is not heard on this, then the Treasury has the authority to extend it.

I wish to at least have Congress heard. Congress, after all, created the TARP fund. It seems to me that if it is going to be extended, Congress ought to have a vote on that. As I said, that extension or that expiration date is looming. It is December, the end of December of this year. So if Congress is going to be heard, that is going to have to happen in the very near future.

So I wish to see a vote by the Senate on whether we believe that TARP ought to be extended, ought to continue to be used for all of these other ancillary purposes I mentioned that are unrelated to the underlying purpose for TARP when it was created a year ago, and whether we are going to say we think it is a priority that we start paying down this gargantuan Federal debt that is growing by the day, and the interest payments are growing with it.

I wish to see, on this opportunity, this legislation that is moving through here, a vote on whether we can extend TARP. My amendment is one page. In fact, it is only four lines long. It is very simple. It is here for everyone to take a look at. It will not take very long to figure out what it does. I cannot imagine why the majority would not want to have a vote on whether we are going to allow a $700 billion authority of the Federal Government to continue to use these funds, why Congress would not want to be heard when, in fact, it was the Congress that created this program in the first place.

My amendment is very simple. All it says is when TARP expires at the end of the year, it ends. That does not mean that the Treasury does not have the authority to wind down some of the assets in some of the places where it has already invested those TARP dollars. Not at all. All it simply says is the moneys that are not expended out of that account will be used to pay down the Federal debt and no additional moneys will be extended to other programs or other uses.

Some people might say: Well, what if we have another emergency? If we have another emergency, Congress can act again. That is what we do. We are the legislative branch of the government. We have the power of the purse. There is not any reason to think that if for some reason it became clear that a TARP-like authority was necessary down the road that the Congress would not take the necessary steps to address that emergency.

But in the meantime, we have a $700 billion out there which, as people are making payments back in, are now going back out. We have got about $300 billion right now of head room in that fund. It seems to me we ought to take that $300 billion and apply it to paying down the Federal debt, so that future generations of Americans are not having their future mortgaged because we have not been able to live within our means.

It is a one-page amendment, four lines long. The bill that I am told is being written on health care, which is 1,500 pages, the last version of it that I heard or saw—we have not seen the current version of it. But that 1,500-page bill is being written behind closed doors.

This, on the other hand, is one page, four lines long—a very simple, straightforward amendment. It would not take us probably but a half an hour to debate it and vote on it. If the majority does not want to have a vote on this amendment, I am not sure why, because it would seem to me that the Senate would want to weigh in on one of the most important issues of the day, and that is whether we are going to take some of these unexpended funds and use them, apply them to paying down the Federal debt.

With regard to the debate before us on unemployment insurance, it needs to be extended. There is no debate about that. In fact, I think there will be a big bipartisan vote when it happens.

But why wouldn't we, in the interest of having a vote, a fair debate and a vote on amendments, allow amendments such as this which, as I said, because of the expiration date being December 31, it is unlikely, in my view, that Congress is going to get an opportunity, if we do not vote on this now, to vote on whether a $700 billion expenditure of taxpayer dollars is going to be extended. And, if in fact, it has served its purpose—and it has not—then why would we not use that unexpended authority, that unobligated balance to pay down the Federal debt which, I would argue, I think most Americans would agree is one of the most difficult and protracted problems that is going to face the country going forward.

I guess I would simply say that this, in my view, is related to the debate we are having. Because the debate we are having is about the economy. It is about people who have been displaced and who have lost jobs and extending assistance to them, which they need and which we are all supportive of doing.

But if you are talking about things we can do to bring greater stability to the American economy, to provide a better and a brighter and more secure future for future generations, and to try and get this economy back on track, I think it would be a great message to send to the American people that the TARP, which was created for a specific purpose for a specific time, has accomplished that purpose. We do not believe it ought to become a slush fund for other activities. The unexpended balances in that fund ought to be used to pay down the Federal debt

and to provide a better and a brighter future for the taxpayers of tomorrow, unencumbered by a huge mountain of debt that is going to be passed down to them if we are not able to get our fiscal house in order.

I hope the majority will come around to the view that let's have a vote, let's have a 30-minute or hour debate on a couple of these amendments. Let's pass this bill and be done with it. But it seems to me, at least, for some reason—I am not sure what that is—the majority does not want to have a vote on what I think is a very consequential issue of our time, and a very consequential issue for the future of this country.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW.) The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

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

Mr. CORNYN. Madam President, I wish to talk about another one of those consequential issues of our day that we have been talking about a lot lately. That is health care reform. I wish to start by asking a question of my colleagues and anyone who is within the sound of my voice, and that would be: Before we create a new government-run health care plan, why don't we fix the ones we already have? Why don't we do more to fight fraud, waste, and abuse in Medicare and Medicaid?

Of course, Medicare is a government-run plan for seniors. It is part of a commitment we made that people who have achieved a certain age will have health care available to them, and that is a commitment we need to keep. Medicaid, conversely, is for low-income individuals. It is a State-Federal Government share program. But like a new government plan could be dressed up in many different ways, kind of like a child on Halloween, like some calling a government plan a public option, or some talking about opt-outs, opt-ins, and triggers, once the mask comes off, what we are left with is plain and simply another government-run health care plan.

When I was on the floor on Monday and talking about our current government plans, Medicare and Medicaid, I pointed out the very serious fiscal problems that both of these programs have and ones that we should attend to before we go creating another government-run plan with perhaps its own set of fiscal problems.

For example, Medicare, which is health care for our seniors, has $38 trillion in unfunded liabilities and will go bankrupt in 2017 unless Congress acts sooner.

Medicaid, we know, has its own share of problems. It actually reduces access to health care. It promises access on the one hand but denies that access because of unrealistically low reimbursement rates to health care providers. So many health care providers in my State, in Texas and elsewhere, simply will not accept a Medicaid patient. What good is Medicaid, what good is Medicare, if you cannot find a physician who is willing to see you? It is not much good at all.

I agree with our colleague, Senator LANDRIEU of Louisiana, who has asked why don't we fix the two public options we have now instead of creating a new one. This afternoon I wish to talk about how we need to fix another problem with our government plans; that is, how we should do more to fight waste, fraud, and abuse.

I noted earlier this week that both Medicare and Medicaid combined have, by some estimates, as much as $90 billion lost in taxpayer dollars each year, stolen from the intended beneficiaries of those two important government plans.

''60 Minutes'' ran a story on this on Sunday which included the story of a former Federal judge who discovered that someone had billed the government for two artificial limbs on his behalf, even though he still has the ones God gave him when he was born. Someone is using his name and in this instance his billing number in order to defraud the American taxpayer. We ought to be doing more to stop it.

This morning in the Judiciary Committee, we discussed health care fraud. We listened to some witnesses from the Justice Department. Basically what I concluded from that hearing is there are more bad guys than there are good guys, and we are stuck with a lack of resources to deal with this. We need to change the way we approach it to prevent fraud and waste on the front end rather than on trying to chase it down on the back end.

According to the Department of Health and Human Services, $32.7 billion—$32.7 billion—of Medicaid funds were consumed last year by waste, fraud, and abuse. That is about 10 percent of Medicaid's total costs, which were $333 billion.

Medicare has similar problems. Medicare fraud may consume up to 15 to 20 percent of the $454 billion in the Medicare budget. According to Harvard Professor Malcolm Sparrow, that means the amount lost to fraud would be between $70 to $90 billion each year.

Some of the examples of waste, fraud, and abuse should be embarrassing. For example, between 2000 and 2007, more than $90 million of claims were ordered by dead doctors. According to a report of the Senate Permanent Committee on Investigations last year, some of these dead doctors have been very productive. They have been ordering Medicare benefits for up to 10 years.

This past August in Houston the FBI discovered that a doctor and his wife had defrauded health care providers of more than $31 million, one doctor and his spouse, $31 million. They claimed to have administered a number of injections and other treatments that never, in fact, occurred but they still charged the taxpayer for them and were paid because of Medicare fraud.

Defrauding the Federal Government and the Federal taxpayers through their health care programs is so lucrative that Mafia figures and other criminals are getting into the act. According to the Associated Press this month, members of a Russian-Armenian crime ring in Los Angeles were indicted for bilking Medicare of more than $20 million. A week after the FBI issued search warrants related to Medicare fraud in Miami, the body of a potential witness was found in the back seat of a car, riddled with bullets.

Violent criminals are moving into defrauding the government and the American taxpayer because the risks and rewards look better to them than, for example, the drug trade. According to this same AP story, a Medicare scammer could easily net $25,000 a day, while risking a relatively modest 10 years in prison if convicted on a single count. A cocaine dealer, by comparison, could take weeks to make that amount, while risking life in prison. So it is a matter of incentives, risks, and rewards. Apparently, the risk of committing Medicare and Medicaid fraud is so low and so lucrative that it has continued to grow and grow and grow.

We know vulnerability in government programs also facilitates drug abuse. According to a General Accounting Office study of five States released last month, the General Accounting Office found that about 65,000 Medicaid beneficiaries in these States each visited 6 or more providers for the same type of controlled substance. Each of these 65,000 Medicaid beneficiaries visited 6 or more providers for the same type of controlled substance. These controlled substances included Valium, Ritalin, and various amphetamine derivatives. Together, these 65,000 Medicaid beneficiaries charged taxpayers $63 million to feed their habits—in just 2 years.

Sometimes providers aid and abet these drug addicts. The GAO reported that a Florida physician was sentenced to life in prison after writing multiple prescriptions for controlled substances to patients who he knew were drug abusers. Tragically, five people died as a result of the drugs this doctor prescribed.

We know there is a better way to deal with the fraud in the two public options or government-run plans that currently exist. We do not have to accept the 3- to 10-percent loss in taxpayer dollars because of fraud, waste, and abuse. That is 3 to 10 percent of the taxpayer dollars.

Let's just compare that for a second to another industry that deals with huge amounts of money and millions of transactions: the credit card industry. According to the Center for Health Transformation, the credit card industry processes more than $2 trillion in payments ever year from 700 million credit card transactions, used at millions of vendors. Yet fraud in that industry is a fraction of what exists with

Federal Government programs. It is at least 100 times higher.

Then—more close to home—private health insurance companies do a much better job of fighting fraud, waste, and abuse than do government bureaucrats. I know everyone likes to bash the insurance industry, but in this area they sure beat any government plan I have seen. Fraudulent claims in the private sector are much lower. They are roughly 1.5 percent of all the claims submitted, according to a new book called ''Stop Paying the Crooks,'' edited by Jim Frogue. This is because the private sector operates with a different paradigm, a different strategy. They use a ''detect and prevent'' strategy, as opposed to the Federal Government, which will pay first and then we will chase the crooks later on. Because, as I said earlier, there are more bad guys than good guys and our efforts to combat fraud are underresourced, this ''pay first and chase the crooks down'' is not working at all. We need to change that paradigm to one that more closely follows the private sector strategy of ''detect and prevent'' rather than ''pay and chase.''

So why isn't the Federal Government doing a better job of fighting fraud? We heard testimony this morning, as I said, from representatives of the Department of Justice and the Department of Health and Human Services. I congratulated them, first of all, for their service to our country. They have had some modest successes with stepped-up investigations and prosecutions for health care fraud. I say ''modest'' because the volume of the problem, the enormity of the problem, dwarfs any of their successful efforts. Still, the administration—I will give them credit—is trying to get their hands around the problem.

Regarding Medicaid, for example, the inspector general of HHS released a report in August. He said the data collected by the Medicaid Statistical Information System was not timely or accurate enough to help fight fraud, waste, and abuse. Data from the Medicaid Program takes a year and a half to be publicly available, by which time the crooks will have already gotten the money and escaped, perhaps long retired in the Caribbean.

This morning, the administration told us they were going to conduct a national fraud summit. I can tell you, sometimes having a meeting is a substitute for doing something about the problem. So having a summit is fine in and of itself, but I do not have a whole lot of confidence that another meeting or summit is going to solve this problem. Instead, we need to give the Federal Government—and our law enforcement personnel, in particular—and those custodians of the Federal tax dollars better tools to be able to solve the problem.

I have offered a number of pieces of legislation designed to help fight health care fraud in Medicare and Medicaid. For example, earlier this year, I introduced something I call the STOP Act, which is called the Seniors and Taxpayers Obligation Protection Act. This legislation would give Federal agencies greater tools and authority to detect waste, fraud, and abuse before they happen. The STOP Act has bipartisan sponsors, and I believe its provisions should be a part of what we do to reform our health care system.

I had also offered an amendment to the bill in the Finance Committee that would have made sure we fixed the fraud already existing in Medicaid before we expanded the program. Specifically, my amendment would have said that Medicaid had to reduce its improper payment rate to 3.9 percent. That may sound like a lot, and it is still too high, but it is actually the average of improper payment rates across the Federal Government. So my suggestion in my amendment was, just be average. Yet my amendment was voted down largely along partisan lines.

Fraud is not the only problem we see in government health care programs, but it is one reason I am skeptical of the so-called public option or government insurance companies or government takeovers of the rest of the health care sector that they do not currently control. It is a serious problem we ought to address rather than just creating a new plan with a similar set of problems and see 3 to 10 percent of the amount of money we spend on this new program lost to crooks and other criminals.

Madam President, 61 percent of the American people, in one poll, said they believe the issues of fraud and waste in Medicare and Medicaid should be addressed before—before—we create a new government-run program. I believe we should listen to the American people. I believe we should fix the current government-run programs before we create another one.

So, Madam President, I leave with a few more questions that I think must be addressed, will be addressed over the weeks and months ahead.

First of all, we know Senator REID, along with help from Democratic leadership, has merged the Finance Committee bill with another Senate committee bill behind closed doors and sent it to the Congressional Budget Office to be scored or a cost estimate provided. I would like to ask, why can't we see the bill? Why can't we see the bill? Why can't the American people see the bill so they can read it for themselves online and they can tell us how they will either be positively or negatively affected by the provisions in another thousand-page bill?

Secondly, I would like to ask—and I guess we will find out sooner or later, but we do not know now—how much will it cost? Will this be another trillion-dollar-plus bill?

Third, I would like to know how much this bill will raise premiums on people who already have health insurance coverage—as virtually every opinion we have heard surveying the Finance Committee bill, the HELP Committee bill, and the House committee bills has said that Federal controls on health insurance plans will actually raise premiums. So we need to know how much the Reid bill—that is going to come to the floor, that has been written behind closed doors, that we need to see posted on the Internet—we need to know how much it is going to cost. We need to know how much it is going to raise insurance premiums for people who already have health care coverage.

The next question is, How much is it going to raise taxes on the middle class? I know some people around here think you can impose taxes on insurance plans, you can impose fees on medical device providers, you can do all of this, and it will be absorbed by those entities, by those companies, when expert after expert tells us what we know, what our common sense tells us; that is, those costs will be passed down to the consumer and they will be passed down to the taxpayer to pay for them, middle-class taxpayers. How much will this bill raise taxes on the middle class?

Then I think the American people would like to know—and this was in the Finance Committee bill; we will find out, I assume, at some point whether the Reid bill does the same thing—there was roughly $½ trillion in cuts to Medicare. Yes, that is right. It is the same Medicare plan that is scheduled to go bankrupt by 2017. Yet the proposal is, let's take another half-trillion-dollar chunk out of this fiscally unsustainable program, with $38 trillion in unfunded liabilities. We are going to take that, we are going to cannibalize from that plan to create yet another government plan or a public option, as some like to say around here.

Well, I think these are all important questions, and I wish I had the answers to them. I know constituents call my office. They write me. They e-mail me. They tell me in person: We are pretty worried about what we see coming out of Washington these days—with the spending and the debt, the responsibilities we should be meeting today, ourselves, but which we are kicking down the road and going to ask our children and grandchildren to pay for.

This particular subject is one that will affect all 300 million Americans. I know they will be paying close attention, as they should, to the debate as we go forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HEALTH CARE REFORM

Mr. KYL. Madam President, I wish to talk for a moment about health care

since, hopefully, one of these days we will be able to begin a debate on a piece of national health care legislation. I wish to make it clear that Republicans support sensible health care reform, but we believe the bill the majority will bring to the floor could create a whole new set of health care problems. We don't have the specifics yet, but I think we can be sure that certain things are true.

First, the bill is a Washington takeover of health care that will raise taxes, cut Medicare by nearly $½ trillion or more, and increase premiums as new taxes on the insurance industry and medical device manufacturers are passed on to consumers. This much we know. Before any bill is considered and as we debate the legislation, we think it is important to remember Americans have some rights in this process.

They have the right, for example, to have access to all the specifics of the bill and to have time to weigh it and to give us their reactions, their concerns. Let's not forget we function as a result of their consent, the consent of the governed.

Americans also have the right to know what the legislation is going to cost them and their families, including what it will cost their children and grandchildren 10 or 20 or 30 years from now. They have a right to know what it will cost the Treasury and how much debt will have accrued. By the way, if Medicare is a model for the new Washington-run health care program, how can anyone believe it is going to be deficit neutral? In fact, I asked people at a townhall meeting: How many people here believe you can have a $1 trillion health care bill and not add to the national debt? Not a single hand, of course, was raised.

We also have the right to know about the unintended consequences of the bill. A lot of my constituents are concerned because of a Lewin Group prediction that 119 million people will end up on the Washington-run insurance plan. That is of great concern to them, among other things. They also are concerned this will interfere with their sacred doctor-patient relationship. They have a right to have their concerns taken seriously.

I think one of the guarantees we need to give to our constituents is that the President can keep his pledge not to raise taxes on the American people, as he pledged not to increase taxes by one single dime on middle-income Americans. Yet as we read the legislation that has come out of the various committees, taxes are raised on Americans.

Republicans will insist on these protections, these guarantees for our constituents: protections from increased premiums, from Medicare cuts and from increased taxes and, perhaps most importantly, protection from rationing of health care, the delay and denial of care that comes from things such as Medicare cuts of $½ trillion.

We support legislation that features cost-saving measures Americans can support, things such as medical liability reform. But what we want to ensure is that our constituents do not have to suffer high taxes, high premiums, a bill that cuts Medicare and ends up rationing their health care. Americans deserve better.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I wish to speak about jobs and unemployment. I know we are in this period postcloture on the effort to extend unemployment benefits. Frankly, I have great difficulty understanding why we should have to be going through this kind of procedural obstacle in order to extend unemployment benefits to the many Americans who need those benefits. So I hope we can get through that. I hope we can go ahead and pass the extension of unemployment benefits. Frankly, that does not begin to address the overall employment and job needs of the country. I think we all recognize that. I wish to talk a little bit about that today.

Frankly, we need additional policies to create jobs. Even as Congress and the President focus on other critical challenges facing the country, including health care reform and climate change and energy, at the same time those issues are being discussed, we need to also prioritize job creation.

While there has been considerable debate about whether the Recovery Act is working, whether it has raised the gross domestic product, whether it is creating jobs, most economists tell us the Recovery Act has boosted the gross domestic product by 2 to 4 percentage points during the past 6 months. With two-thirds of the funds not yet spent, the Recovery Act certainly has the potential to create or save 4 million jobs, as the administration has expected it would and as all of us hope it does.

I have divided my remarks into three parts. First, I wish to describe the scale of the job-creation problem the country faces. Because of the anemic job creation we have seen in this country over the last 9 years, the economy is short by about 12 million jobs from what we actually need in order to have reasonable employment. Second, there is considerable evidence—and this is the second subject I will address—there is considerable evidence that this recession is much worse than it was expected to be. Critics of the Recovery Act are missing this fundamental point. The Recovery Act is working, but the recession is more severe than the Recovery Act was designed to address. Accordingly, we need to do more.

Finally, I will propose four ideas to create jobs I think Congress should hold hearings on and fully debate. These are, by no means, the only good ideas, but given the size of the problem we face, Congress should consider all ideas that have a potential to create jobs.

I have two charts that illustrate the scale of the job-creation problem. Let me start by putting up this first chart. The black line on this chart shows the monthly change in the number of jobs since January of 2001. The red number, which is right here, this red area represents 100,000 jobs. That is an important number to understand. It is the break-even number. Because our population is constantly growing, we need to create about 100,000 new jobs every month just to maintain our unemployment and our employment level. That is 100,000 jobs per month just to keep unemployment from going up. Every time the black line—this black line you see here—every time that black line is in the red area, which is most of the time in the last 9 years, we are not creating enough jobs to break even and the jobs deficit is getting larger and more Americans are out of work.

As my colleagues can see, for most of the past 9 years, the number of new jobs has been far short of where it needs to be. From 2001 to 2004, the jobs deficit grew by 5.8 million jobs. Even when job creation was above the break-even level—and that is this period where this black line is above the reddish area on the chart—even in that period, it was never high enough to dig us out of the hole we had created in the previous years.

The second chart I wish to show is labeled ''The Jobs Deficit.'' It shows the total jobs deficit that has accumulated over the past 9 years. It illustrates the cumulative effect of 9 years of slow job creation and job losses. The country had 132.5 million jobs in December of 2000. If job creation had kept pace with population growth, today we would have 143 million jobs, but it has not. Today, we are 12 million jobs short of that number. The chart shows how that has happened. Today we have only 131 million jobs. We actually have fewer jobs today than we had before President Bush took office.

The takeaway from these charts is this: The job situation for Americans is dismal. Congress needs to act quickly so new job-creation policies will overlap with and will complement the remaining Recovery Act funds that will be invested this next year. There is no danger of doing too much to create jobs, as I see it. We should learn from Japan's lost decade. Japan was plagued by weak economic growth and lackluster job creation all through the 1990s. Its lost decade, as that period is referred to, was caused by the bursting of an asset price bubble similar to what triggered the financial crisis we experienced last year. The primary lesson from Japan's lost decade is, intermittent stimulus policies are ineffective. We need to take sustained and overwhelming action to reenergize our economy.

Let me speak for a moment about the current recession and data about the current recession. In January of this year, the prospects for the economy were truly grim. The country had lost jobs in every month in 2008—over 3 million jobs in total. Over 1.6 million jobs were lost in just October, November,

and December of 2008. The financial system had suffered a massive self-inflicted wound, causing the biggest crisis since the Great Depression. The prognosis was far from clear. American families in every State were worried about their jobs, their homes, their children's futures, and economists were making dire predictions about what would happen in 2009.

So that was what was happening when we began January of this year. Yet, in January, while the Recovery Act was being designed, these predictions still substantially underestimated how bad the recession would turn out to be. The 54 economists regularly surveyed by the Wall Street Journal said, on average, gross domestic product would shrink by 3.3 percent in the first quarter of 2009. There were only 4 of those 54 economists who predicted the gross domestic product would decline by as much as 5 percent. Yet now we know the economy actually contracted by 6.4 percent in that first quarter, twice as much as the economists had projected. Over the entire year, that is a difference of $420 billion or more than half the size of the Recovery Act.

The effect on jobs and on unemployment was also underestimated. This same group of 54 economists thought job losses would average 154,000 per month in 2009. There were only 3 of those economists who thought it would be more than 300,000 per month. So far this year, the country is losing, in fact, an average of 458,000 jobs every month—3 times more than economists predicted.

In January, these same 54 economists thought the unemployment rate would be 8.2 percent in the first half of 2009. Mark Zandi, at Moody's economy.com, estimated unemployment would be less than 7.5 percent in the first quarter of 2009 and 8.5 percent in the second quarter if the Recovery Act was not enacted. The administration said, if the Recovery Act was not enacted, unemployment would be less than 8 percent in the first half of this year and would peak at 9 percent in 2010. Those were the estimates if the Recovery Act was not enacted. Yet we now know the unemployment rate was already 8.1 percent in February. It grew to 8.5 percent in March and 9.5 percent in the second quarter. Even with the Recovery Act, the unemployment rate is worse than anyone predicted it would be without the Recovery Act.

In January, the administration said that enacting the Recovery Act would keep the unemployment rate below 8 percent. Critics are trying to score political points based on that estimate. But as I have said, the unemployment rate was already 8.1 percent in February, when there had hardly been enough time for the ink to dry on the Recovery Act, let alone for the stimulus funds to be obligated and spent.

In short, with perfect hindsight, it is obvious this recession is much worse than economists had predicted it would be. More jobs have been lost than economists predicted. I say this not to disparage those professionals, only to point out we need to do more to create jobs because the situation is worse than almost anyone thought it would be.

The Recovery Act is working, but the problem is bigger than the Recovery Act was designed to solve. We must all recognize this. Congress and the administration need to work together to enact additional policies to create jobs. We need a combination of policies both to encourage hiring and to increase the demand for goods and services.

I want to talk briefly about four ideas that have been proposed that Congress needs to look at, and look at them hopefully sooner rather than later.

First is a job creation tax credit. Last week, the Economic Policy Institute released a new and noteworthy version of this idea, developed by John Bishop of Cornell and Timothy Bartik of the Upjohn Institute. The EPI proposes to give businesses a tax credit worth 10 to 15 percent of the cost of creating new jobs. Such a credit would help businesses choose to take the risk of expanding and hiring more workers. The authors estimate their job creation tax credit would create 2.8 million new jobs in 2010 that would not otherwise be created. In addition, 2.3 million jobs would be created in 2011 under their proposal, as they predicted, for a total of 5.1 million new jobs over a 2-year period. Their proposal is to put this job creation tax credit into place for 2 years. According to EPI, the cost to taxpayers for each job would be between $4,600 and $15,000. That is expensive, but it is well worth considering if their analysis is correct.

Critics say the job creation tax credit will not work, that only more demand for a business's products and services will cause the business to hire more employees. While there is some truth to this, it is also the case that entrepreneurs frequently start new businesses or expand existing businesses before having a steady stream of new orders. This is the fundamental idea behind innovation. In other words, businesses often create new jobs before there is a confirmed increase in demand. Moreover, a similar but more difficult-to-use tax credit was enacted in 1977 and is thought to have created 700,000 jobs by the end of 1978.

Critics also say that businesses will use tricks to game the system and fraudulently claim the tax credit. This is certainly possible. If Congress pursues this idea, we need to take care to design the credit to eliminate that problem. Already the authors of the proposal recommend that the credit be based on the increase in a business's Social Security wage base, so that a business could not fire and rehire employees in order to claim the credit.

Some of these criticisms may be valid, but there is enough promise in this idea that we need to take the time to fully explore and consider it.

The second idea I want to mention is the possibility of enacting an investment tax credit for manufacturing. Such a credit would subsidize the cost of building new factory space or purchasing new machinery. This credit could be tied to research and development that has been done in the United States in order to ensure Americans get the maximum benefit from that R&D or the credit could be more broadly designed and made available for all manufacturing investments. Manufacturing jobs are critical to the long-term health of our economy, and we need additional policies to create those jobs.

Third, we in Congress need to consider providing additional aid to States. This could be accomplished through the expansion of the Federal role or the Federal share of Medicaid, as we have done in the past. It could be done through additional education funds or other direct grants. The Recovery Act included $144 billion in aid to States and localities, but now we know the total budget shortfall of States is projected to be nearly $360 billion over the next 2 years. Thirty-nine States will face budget shortfalls in 2011. Without additional help, States will have to cut services and raise taxes, making the recession worse and slowing job creation even more. As Nobel laureate Paul Krugman has written, there is a real danger that the States will become ''50 little Herbert Hoovers'' by cutting back on spending, laying off workers, and raising taxes all at the worst possible moment. Enacting additional aid to States could have immediate benefits by curtailing plans to cut State programs. Direct aid to States would complement the new tax credits I have mentioned. It would be a fast, effective way to stabilize and increase demand for goods and services.

Finally, Congress should explore the idea of providing emergency bridge loans to families to help families stay in their homes. The government did provide bridge loans to Wall Street. American homeowners should get the same assistance. The amount of the loan would be equal to up to 2 years of mortgage payments and could be repaid over 10 or 15 years. These bridge loans would also complement the job creation tax credit and the manufacturing investment tax credit by preventing a fall-off in the demand for consumer goods and services. Senator Jack Reed and Congressman Barney Frank have proposed similar ideas to provide bridge loans to homeowners. All of these ideas should be fully discussed and considered.

Over the longer term, Congress and the administration need to consider proposals that address the structural flaws in our economy, including reforming financial regulation, fixing our unemployment compensation system, so that it assists more workers in our economy, and creating additional countercyclical economic policies that

would automatically be triggered during a recession. I hope to discuss some of these issues in the coming weeks.

The four proposals I have outlined today are ideas that could create jobs in the short and medium term. Congress should hold hearings on these and other job creation proposals. We should act quickly to address this issue. If the trend this year continues, another 15,000 jobs will be lost each day we wait. If we do nothing, unemployment is projected to climb past 10 percent next year, more families will lose their homes, our economy will grow weaker, making it more difficult for the United States to compete in the global market. Even as Congress continues working on other strategic challenges such as health care, energy, and climate change—and I support taking action in those areas—we must give renewed priority to job creation in order to strengthen the long-term competitiveness of the United States and the prosperity of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that I be able to have a facsimile of the successful rocket test brought onto the floor for demonstration purposes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the Senator from Nevada be able to follow in the order. He was kind enough to let me go ahead so I might be able to then sit in the chair and preside at the appointed hour.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida is recognized.

SUCCESSFUL ROCKET TEST

Mr. NELSON of Florida. Madam President, this is a facsimile of the rocket that was a successful test today, called the Ares I rocket. The test flight was the Ares IX—X for ''experimental.'' It wanted to show all of the flight control systems. It was an exceptionally successful test. It was only intended to go into suborbit.

The stages that were live were the first four of the five stages of the solid rocket booster, which presently are identical to the solid rocket boosters—the two big candlestick-type things on either side of the space shuttle orbiter and the big external tank, what makes up the stack that we refer to as the space shuttle.

In the design of the new rocket that was extraordinarily successful today, they have added a fifth segment. Instead of that being loaded with solid propellant—which, by the way, has the consistency of a pencil eraser—a dummy fifth stage was constructed, with the same weight and flight characteristics, along with the second stage of the rocket—again, designed and configured and weighed to be exactly what would be the second stage of the rocket. And then, with the upper part here, the capsule looks a lot like the old Apollo capsule, but instead holding six or seven astronauts instead of the three in the Apollo—the crew being known as Orion. And then we have the escape rocket, these rockets here, so that if you had a malfunction and explosion at any time in the first couple of minutes of flight, you could eject the capsule with the humans on board, and it would parachute back. We don't have that capability, for example, in the space shuttle today because, for the first 2 minutes of flight, you are basically married to those solid rocket boosters. If anything goes wrong, there is no escape possibility on the space shuttle. The new rocket is designed so that it has that increased safety factor.

What I wanted to point out to the Senate is that, with this success today—and there is some question about whether it is this rocket—the President will decide, along with his NASA administrator, Marine GEN Charlie Bolden, whether they want to complete this rocket in its present architecture, as the way for us to get into space after the space shuttle has shut down or if they want some other kind of configuration.

But the fact is we had a very successful test today. What I want to say to the Senate is that it is another example of the ability of this country and its people, in science and technology, in its engineering prowess, in its can-do spirit, in its ability to build on experiences that we have had in the past, in order that we can create machines we can marry up with humans and explore the unknown.

Most every child in America in school knows of the Hubble space telescope. That was put up by an astronaut crew. Remember, its lens had been erroneously ground, and it was blind once it was put up. We had to send a second astronaut crew up in a space shuttle, retrieve it, put new glasses on it, and they have had three servicing missions on the Hubble space telescope over the course of the last decade and a half. Of course, Hubble has peered out into the unknown, back to the origins of the universe, to the light that was emitted shortly after the big bang. And with the new upgrades to the Hubble space telescope, we are even going to be able to look back further in time in the universe. This is the prowess, the genius of America. This is what we do not want to give up.

I congratulate the team at NASA for the tremendous success they had today. Whether it is this rocket for the future or some other derivative, America has exhibited her can-do and successful spirit again this morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

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

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

POLICY CZARS

Mr. ENSIGN. Madam President, I rise today to talk about the growing number of so-called policy czars in the current administration and the impact it is having on the Senate's oversight function over the executive branch.

I will begin by saying that I am not here to question the President's constitutional or statutory authority to name advisers. I think we all can agree that the President is entitled to surround himself with experts to help coordinate policy and to provide advice. However, as many of my colleagues are aware, there are some 18 new policy advisers, or czars, in the White House whose job descriptions may be a bit blurred.

While some media reports cite more than 18, I think we can reasonably say that there are at least 18 new positions that have not been established by statute, are not confirmed by the Senate, and have not existed before.

Early in his administration, President Obama sent a memorandum to the heads of the executive departments and agencies stating that ''a democracy requires accountability, and accountability requires transparency.''

Despite this charge, the President has taken it upon himself to nominate a number of advisers who appear to wield a great amount of power and who are seemingly without public accountability.

I am not the only one who is concerned with this lack of accountability. We have seen members of the President's own party express concerns over this unusually high number of policy advisers in the White House.

In February of this year, Senator ROBERT BYRD, the constitutional conscience of the Senate, wrote to the White House and said:

> The rapid and easy accumulation of power by the White House staff can threaten the constitutional system of checks and balances.

Like the senior Member of the Senate, I too am concerned that the Obama administration is creating what can be perceived as a shadow Cabinet by creating policy positions that do not follow the same advice and consent of the Senate as other relevant policy positions in the White House.

In September, Senator FEINGOLD, the chairman of the Constitution Subcommittee of the Senate Judiciary Committee, sent a letter to the White House requesting information on the roles and responsibilities of the czars in question. His letter was specifically focused to ensure that these advisers are not in violation of the appointments clause of the Constitution.

Article II, section 2 of the Constitution says the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by law. . . .''

Unfortunately, because we know so little about the roles and responsibilities about the czars in question, it is simply not possible to determine whether the czars are actually officers and, therefore, constitutional.

In response to Senator FEINGOLD's letter to the administration last month, the White House claimed that the one and only role of the 18 positions in question is to advise the President. Yet when we look at the press releases and Executive orders announcing these policy advisers, they seem to have far more authority than strictly advising the President.

Take, for example, Executive Order No. 13507 on April 8, 2009, announcing the establishment of the White House Office of Health Reform. The order states the office, run by a director, will ''develop and implement strategic initiatives'' and ''work with Congress.''

Is it not the role of the Secretary of Health and Human Services to implement strategic initiatives? In the White House press release announcing key members of his energy and environmental team, President Obama announced that Carol Browner, the new Assistant for Energy and Climate Change, would be ''indispensable in implementing an ambitious and complex energy policy.''

Again, the administration is leaning on its newly created czar positions to implement policy. This question of policy implementation was brought up during a hearing last week in the Homeland Security and Governmental Affairs Committee which I attended. Senator COLLINS, who also wrote the White House with others in September questioning the increasing number of czars in the administration asked the panel of constitutional law experts about the issue of implementing policy.

Dr. James Pfiffner, a university professor at George Mason's School of Public Policy, testified that ''with respect to the implementation of health policy, I think that's very troubling.''

Lee Casey, a former attorney-adviser in the Office of Legal Counsel at the U.S. Department of Justice, testified that ''by law,'' these czars ''cannot implement.'' Casey did suggest, however, that Congress could ask what the administration means by ''implement.''

I believe that is the true question here. What exactly are these czars doing? Are they simply advising the President, or are they actually implementing policy?

A few of my colleagues have come to the Senate floor to offer amendments prohibiting funds to these czars if they are directing actions to the Cabinet officials who have been confirmed by the Senate. Other amendments would ensure that the czars will respond to reasonable requests to testify before Congress, therefore, allowing our proper oversight in this body. Unfortunately, these amendments were defeated on procedural grounds.

I even offered an amendment during the Finance Committee's health reform markup that will require the czar handling health care issues be subject to Senate confirmation. My amendment was defeated on a party-line vote.

What is the answer? How can Congress and the American public feel confident the people who are appointed by the executive branch are appropriately carrying out the duties they are supposed to?

More importantly, how can we be sure the balance of power does not get out of balance? I think we all have the right to know exactly what these policy czars are doing, to whom they are reporting, and who is responsible and accountable if something goes wrong.

If the President can answer these questions for us, I think we will all feel better about this process.

HEALTH CARE REFORM

Madam President, I wish to talk briefly about the health care reform bill that is going to be coming before this body in just a couple of short weeks.

There are certain facts that we know. We have not seen the bill because it has just been written and given to the Congressional Budget Office for the official scoring to be done. What we do know about the bill, though, is that there is over a $400 billion cut in Medicare. We know that. We know that people who currently have health care, their premiums will go up. That is according to the Congressional Budget Office. We know for many Americans—and mostly this will fall on people making less than $250,000 a year—their taxes will go up. We know also there will be government bureaucrats making decisions on health care. We also know people who currently have policies they like, especially those who have Medicare Advantage, millions will lose their current policy because over $120 billion is being taken out of the Medicare Advantage Program.

We need to ask ourselves a couple of very fundamental questions. Does anyone really believe we can have a trillion-dollar health care bill and not add one dime to our deficit, as the President promised? Does anybody seriously believe that? How does adding a government-run plan, this so-called public option, which mirrors the Medicare Program, actually fix the health care problem when Medicare itself is going bankrupt?

Everyone agrees Medicare is going bankrupt. Yet we want to add a new government entitlement program into our health care system? That is going to fix the problem?

Do the American people really trust Washington, politicians, and bureaucrats to run their health care system? I believe we need to design a patient-centered health care system instead of a government system or an insurance company system. Let's design a health care system which makes health care more affordable and more accessible by encouraging people to make healthier choices, such as quitting smoking, eating better, and exercising more. That will improve people's quality of life, but it will also lower the cost of health care for all Americans.

Let's enact real medical liability reform to stop the practice of defensive medicine which, once again, will lower the cost of health care in the United States. It will save the government over $50 billion, and it will save the private sector a similar amount, and these are both conservative estimates.

Lastly, instead of taking $400 billion out of Medicare to fund a new entitlement program, let's work on getting the fraud out of Medicare and let's use that savings to preserve that system that has been so incredibly important for seniors for the last several decades.

I believe we need to start over. We do need to take a bipartisan approach to health care reform. We need to actually forget about whether we are Republicans or Democrats and let's just be Americans. Let's sit down together ahead of time, not based on ideology but based on what systems can work in America for the American people to achieve better quality, lower costs in our health care system today that puts the patient at the center of our health care system instead of a government bureaucrat or an insurance company.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that at the conclusion of my remarks, the Senator from Pennsylvania, Mr. CASEY, be recognized.

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

Mr. KYL. Mr. President, I thank him for his courtesy in allowing me to precede his remarks this evening.

HEALTH CARE REFORM

A little more than a year ago, President Obama said:

> I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes.

We have not seen the bill yet—the bill written in the majority leader's office—but it is probably fair to assume that the Finance Committee bill will cover most of the tax provisions.

So how does the President's commitment fare under the Finance Committee bill? It turns out that the bill will raise your taxes. In fact, it will raise them in several ways.

First, the Finance Committee bill would levy a host of new taxes on millions of Americans—and I am not just talking about the wealthy—in fact, primarily on middle-income Americans who I think will tell you they already have enough taxes to worry about.

Let me discuss the specific elements of this bill. The first one is on taxing flexible savings accounts. Under current law, employees can make contributions to flexible spending accounts. Many middle-income families enjoy the benefits of these accounts which allow them to set aside tax-free

income for their medical expenses. In fact, the Employers Council on Flexible Compensation estimates that the median income for those 35 million Americans who have an FSA is $55,000. The bill would limit their contributions to $2,500. So the less they can contribute, the more their taxable income rises. The total cost for taxpayers? It is $15 billion over 10 years.

The Finance bill would also tax many Americans through their insurance plan by imposing a 40-percent excise tax on certain high-cost plans. So while another part of the bill taxes you if you don't buy insurance, this provision will tax you if you buy too much. So tax No. 2, if you don't buy insurance; tax No. 3, if you buy more than Washington thinks you should.

Tax No. 4, Americans who suffer catastrophic illnesses and the chronically ill would face a harmful change in the IRS Code, the Tax Code. Currently, catastrophic medical expenses are deductible if they exceed 7.5 percent of income. The bill would raise that threshold to 10 percent. Mr. President, 87 percent of Americans who would be hit by this tax earn less than $100,000 a year. Seniors, who already face hardships through Medicare cuts, would be exempt from this tax for only 4 years.

In addition to raising these four taxes, the bill taxes insurance which would be passed on to everyone who buys health insurance. Specifically, the bill would impose an annual $6.7 billion so-called fee on the insurance industry. The entire amount collected by this tax: $67 billion over 10 years would be passed on to patients in the form of higher premiums, according to the Congressional Budget Office. That is tax No. 5.

The bill would also impose a new tax on medical devices, $40 billion over 10 years. The entire cost of this tax, too, would be passed on to patients in the form of higher premiums, according to the CBO.

The medical device tax will be assessed against thousands of products such as contact lenses, stethoscopes, hospital beds, artificial heart valves, and advanced diagnostic equipment, thereby increasing costs for consumers, physician practices, hospitals, and the sickest patients who require the most care.

There is serious, bipartisan concern over this provision. But the last time we looked, it is still in the bill.

So here are six ways Americans earning less than $250,000 will be taxed, contrary to the President's promise. Some are direct taxes, such as the IRS tax if you don't buy the exact insurance policy Washington says you must. Others are indirect but a tax nonetheless because the first target, be it the device manufacturer or the insurance company, will, according to the CBO, pass it on directly to you.

The bottom line, Mr. President, is that the tax provisions in the bill will, in fact, violate a fundamental promise President Obama has made about health care—not to raise taxes on middle-income Americans. The American people have a right to expect some guarantees from Washington. Keeping the President's promise on tax increases is one of them. But that is not the direction in which this bill is moving. This bill would increase taxes on working families, seniors, and the chronically ill by more than one-half trillion dollars over 10 years. Republicans have better ideas, starting with protection from taxes and premium increases. The whole point of health care reform is to make things better for American families. These taxes only make things worse.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the unemployment insurance issue and the bill that is before the Senate.

Sometimes in a bad economy and when we have so many families, so many communities that are hurting, maybe the best way to convey information, other than a personal story, is in the few words of a headline. Unfortunately, in Pennsylvania today—and I am sure this is true in many communities throughout the country—the headlines in just the last 24 or 48 hours have told the whole story or at least most of the story.

This is a headline you may not be able to see clearly, so I will read it. This is from the Times Tribune, my hometown newspaper. This was from yesterday: ''Jobless rate hits 9.5 percent.'' The subhead says: ''Regional unemployment reaches highest level since December '93; highest in 15 years in northeastern Pennsylvania.'' Then we go to southwestern Pennsylvania—Pittsburgh and that region, some 5 hours by car from where I live—and this is what the Pittsburgh Post-Gazette said on the same day, October 27: ''Region's jobless rate hits 23-year high in southwestern Pennsylvania.'' That is a part of our State that has been hit hard over a couple of decades now by the loss of manufacturing jobs and steel jobs. We know that tragic story. So a corner of the State that was doing much better than the national average is having its numbers go up. Northeastern Pennsylvania is at a 15-year high and southwestern Pennsylvania is at a 23-year high in unemployment.

But this last one might tell the story even more graphically for those who have a sense of the Pennsylvania economy. This is from the Harrisburg Patriot-News. This is from our capital city, Harrisburg, but it is in a region of the State that is more south central Pennsylvania, which has had a lower unemployment rate historically and more recently. ''Jobless rate in region hits 26-year high.'' The subhead reads as follows: The midstate is faring better than the State as a whole and the Nation, but we are still hurting. Professional and retail jobs disappeared while health care and education held steady. But other than those two sectors, all the other sectors are hurting—Dauphin County, 8.4 percent—right where the capital is; Cumberland County, 7.2 percent; Lebanon County 7.4; Perry County, 8.8.

For some parts of our country, one might say: Well, 7.2 or 7.4 sounds a lot better than a lot of communities. But you have to put it in the context of this region of Pennsylvania, where the unemployment rate is usually at 4 or 5 percent. So we are way above that now, and it is in places where we don't expect it.

Unfortunately, in Pennsylvania, as I am sure is true in many States—in the State of Florida, the Presiding Officer's home State, I am sure he sees this—this isn't limited to big urban areas. Philadelphia has a lot of unemployment, but there are small rural counties in northwestern Pennsylvania and now we see even in south central Pennsylvania that are hurting. And in some places, it is not just 7.2 or 7.4 but 11 and 12 and 13 percent in a very small area in terms of population.

So these job figures and these headlines tell the whole story. And we know now, just as we knew weeks ago, that the Senate has stalled too long on providing an extension of unemployment insurance. Think of it this way: Each day, 7,000 Americans lose their unemployment benefits. Over 23,000 Pennsylvanians have lost unemployment insurance just through the month of September, and that number is expected to go to over 60,000 by the end of the year. Pennsylvania ranks fifth highest in the Nation with respect to the number of persons who will lose unemployment benefits by the end of the year if the Senate and the Congress overall do not act.

As I mentioned before, our statewide unemployment rate is about 8.8 percent. Someone living in another State might say: Well, that is not nearly as high as this State or another State. But 8.8 percent in Pennsylvania means roughly half a million people are unemployed. And there are some people here in the Senate who say: Well, we shouldn't act on this now. We don't have time for it. We don't think it is important to act. Well, I would like to have them say that to the half million people in Pennsylvania who are out of work or the tens of thousands right now who are losing their unemployment insurance month after month, week after week.

The legislation that is before the Senate would provide needed relief by extending benefits to all States by 14 weeks. At the expiration of those 14 weeks, if a State has an unemployment rate of higher than 8.5 percent, it would receive an additional 6 weeks of unemployment insurance benefits. So it contemplates an extension for everyone by 14 weeks and then additional help if a State is above the 8.5-percent level.

I have to commend the work of our majority leader, Senator REID, who has made this a central focus, as it should be, in the midst of a recession.

One of the biggest challenges we face in the midst of a recovery—even the beginnings of a recovery—is that you don't see the unemployment rate get much better. You don't see the jobless number come down. The unemployment figure is often the last number to come down during a recession. But for an economist or a Senator or anyone else to say: Well, the unemployment rate is a lagging indicator, that is not much comfort to someone who is out of work, and it is not a very good reflection on the urgency of the problem. So we have to be concerned with the unemployment rate even in what we hope is the beginning of a recovery.

Even though our economy has shown promising signs of a recovery, which I just spoke of, the rate of unemployment is far too high. In order to boost our economy, passage of this unemployment extension would benefit so many communities.

Another way to look at this is not just from the vantage point of the most important thing here, which is helping those who are unemployed, though that is reason alone to get this passed, but also what we will get for the rest of our economy, the kind of positive impact it has. It certainly has a positive impact for someone out of work—that is obvious—for his or her family and their community. But there is another way to measure it as well. Moody's chief economist, Mark Zandi, who is not a partisan either way, is a skilled and capable economist who says that every dollar spent in unemployment benefits generates $1.63 in new demand. So if you spend $1, you get $1.63 back. There is a return on investment for the overall economy when we target resources for unemployment insurance.

The Congressional Budget Office, quoted widely in our health care debate, has also stated that unemployment benefits are one of the most cost-effective forms of economic stimulus. I mentioned some of the rates throughout Pennsylvania, throughout both urban and rural areas. All of these communities—whether a small town, a rural area, suburban or urban area—would benefit by keeping our citizens at work and not facing the threat of joblessness. I think it also helps our overall economy.

We have tried to move the unemployment extension through the Senate two times by the so-called unanimous consent process. A lot of things move through the Senate by agreement on both sides. So you would think that would be the case in the midst of a recession, in the midst of these unemployment numbers, in the midst of week after week of bad news on jobs. And we know the unemployment rate doesn't choose between a Republican area and a Democratic area. The unemployment rate does not have a Republican or Democratic flavor to it. Everyone is out of work no matter who they are or of what party. But what has happened? We tried to move the unemployment extension through the Senate by unanimous consent, and the Republican side of the Senate blocked it both times. We could have had this done weeks ago but for one reason: the Senate Republicans blocking the unemployment extension going forward.

It is tragically and I think painfully ironic that we are having to face this difficulty with our Republican colleagues because I keep hearing the following argument in the context of another topic. We are having an argument as to what our President should do with regard to our policy in Afghanistan and Pakistan. We hear people on the other side of the aisle, and pundits around Washington, saying the President has to decide on Afghanistan right now. They were saying that 3 or 4 or 5 weeks ago. They didn't want to give him more than a few days to decide on what our policy should be. I have a strong disagreement with that. I think when you are committing men and women on a field of battle, you ought to have a policy that you have thought about and where all the options are analyzed and reviewed thoroughly, completely, and with the kind of scrutiny we should apply to that question. Some Republican Members of the Senate wanted to move very quickly and wanted to have the President decide in a matter of days—not weeks but days. They wanted him to make up his mind on Afghanistan in days. Yet when we went to them with the sense of urgency about unemployment insurance and an extension of that, where you can literally document the impact of a delay on real people's lives and real jobs and real communities across our country, many of them in Republican communities, what do we hear from the other side? No, we don't think we want to do that right now.

So they want what I think is a kind of dangerous and, I would argue, irresponsible speed on a decision about war, the grave question of war, but they want to delay and block and be an impediment to an extension of unemployment insurance, which is an urgent problem. We can document exactly the number of people who are running out of their unemployment insurance. We can document the exact number of people who are out of work in a State or in a community.

So I think they have it backward. I think when it comes to a question such as the President is facing regarding Afghanistan, he should take a couple of weeks to analyze it, and thank goodness he has. But on unemployment insurance, I think it is a much simpler question: We are either going to extend it now and help people who are out of work or not. And I think it is long overdue for the Republicans in the Senate to release their hold or their blockade of this.

So we tried on October 8, and now it is late October. Over 140,000 Americans have lost their coverage in the past 20 days—140,000 Americans—because we have people on the Republican side of the aisle blocking what we have tried to do. Thousands of Americans have withdrawn their last dollars from their savings accounts over the past 20 days. Thousands of Americans have been wondering for the past 20 days how they are going to provide a meal for their families or keep a roof over their head, pay the mortgage, pay the bill for their electricity, or make an investment in their children's future.

Every day for the last several weeks, Jackie, from Monaca, PA, out in southwestern Pennsylvania, which, as I said, is suffering a 23-year high in unemployment, has called our office. She is wondering whether we are going to pass a bill. Her benefits expired at the end of September. So this isn't theoretical to Jackie and to her family and to many people like her. She used the last of her savings to pay her rent at the beginning of the month and now is struggling to get by on nothing—nothing right now. She waits every day to see if we will provide her with just a lifeline—not some handout, not some promise, but a lifeline to get from here to there, to get her over the bridge, so to speak, from where she is now to where she hopes to be in a couple of weeks or months. She looks for work and she tries to keep up with her bills, but her story is similar to that of thousands of others who have been directly impacted by the Senate Republican blockade. It is vitally important we pass this legislation right now.

Finally, I will conclude with a comment about health care in the context of the unemployment rate and our economy. In addition to the obvious problem with unemployment insurance benefits that we should pass and get done, a lot of people are losing their health care at the same time. The recovery bill, the bill we passed and the President signed back in March, the Recovery and Reinvestment Act, provided a subsidy of 65 percent, where an individual pays 35 percent of the coverage for so-called COBRA coverage for those who were involuntarily terminated from their job. This subsidy only lasted for 9 months and is expected to expire at the end of the year.

Following passage of an unemployment insurance extension, we should also, in addition, push for an extension of the COBRA health care subsidy. If we pass an unemployment insurance extension and do not provide an extension of COBRA health care subsidy, Americans who are out of work will have to decide between using their unemployment check to pay for a drastic increase in their monthly premium or no health insurance, no health coverage at all. I urge the Senate to swiftly pass not only the unemployment extension but, when we get to it in the next couple days or weeks, an immediate extension of COBRA and health care.

We have to do both to protect people from the ravages of this economy which, as I said before, knows no party, which is not a partisan issue. It is an issue that affects all of America, urban

and rural, big city and small town. We have to continue to push hard. I urge my colleagues on the other side of the aisle, the Senate Republicans, to allow this to go forward because, if they do not, I think their own constituents are going to be as harmed as many of my constituents are, in both parties.

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. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I think it is important, as we approach this monumental debate on health care reform and health insurance reform, to understand what it is we are trying to achieve at the end of the day. I don't think there are very many people in America who would say the present system of health insurance and health care delivery is sufficient, given the fact there is uncertainty as to whether someone will be able to continue in their health insurance and whether, even if that health insurance is available, it is going to be affordable today. Availability and affordability are two of the goals. As we go through this amendatory process once the bill comes to the floor, we have to remember that is the goal.

If you listen to our good friend, the Senator from Arizona, he ticks off a whole bunch of things he says are additional taxes, fees, and so forth on the people. Let's examine that.

First of all, if you do nothing, we have a system that is not serving our people. I am going to round the percentages, but this is approximately the case: About half the American people get their health insurance through their employer in a group policy. Indeed, what we are finding out, as those policies are being renewed, is employers are coming back to their employees and are saying: We have this humongous increase in premium we are going to have to pay to continue to give you the same benefits in group health insurance policies. One of the executives of one major telecommunications company told me they were forced, by the insurance company, to endure a 47-percent increase in premiums and, he said, we negotiated that down from a 53-percent increase.

Let's not lose sight, as we get into the nits and gnats, of what we are trying to achieve. About half of us are insured through group policies through our employers. Then there is another 16 percent of us or so for whom our health care is taken care of by Medicare. There is another 10 percent of us whose health care is taken care of by Medicaid—because we are either poor enough or we are disabled enough to qualify under the Federal law that has a joint Federal-State financial responsibility. Generally, that split is about 55 percent of Medicaid paid by the Federal Government and 45 percent paid by the State government.

How much of the entire populous of the country have we already talked about? About half employer-based health insurance, about another 15 or so percent Medicare, another 10 percent—we are up to about three-quarters of the American people.

What is the remaining 25 percent? About 5 percent of us, we don't have an employer or our employer doesn't offer it, but we desperately need health insurance. Where do we get it? We go to an insurance company and we get an individual policy. Of course, since it is only our life, there is not a big pool of people to spread that health risk over. Guess what happens to our premiums if we have an individual policy. The premiums go through the roof. Oh, by the way, don't even try to get an insurance policy on your health if you have a preexisting condition.

What does that leave in the American population with regard to health care through health insurance? About 20 percent don't have any health insurance. They are uninsured. A major part of this health reform bill that will come to this floor in a few weeks is to try to bring them into the system, the uninsured, and get them insured. Why? First of all, it certainly makes sense, from a quality of life standpoint, that we have someone able to get preventive care from a doctor before it turns into an emergency. But that is not now the case. They don't have health insurance, they can't afford it or they choose not to get it—but they get health care. Where do they get it? They go to the most expensive place, which is the emergency room, at the most expensive time, and that is when the sniffles have turned into pneumonia. Of course, the care is exceptionally more costly.

By the way, who pays for that? All the rest of us back here pay for that. Do you know how we pay for it? With our increased premiums on the policies we are paying for, either individually or through our group employer-sponsored health insurance. Do you know what that cost is? It is, on the average in America, about $1,000 more per year for a family insurance policy that we are paying to take care of those people who are uninsured but still get health care.

When you come out here for the nits and the gnats, saying: It is wrong here, we are going to have a fee here and a tax there, let's not lose sight of the goal of what we are trying to do, which is bring everybody into the system, let the principle of insurance operate for you, where you spread the health risk over millions of lives so you bring down the health costs, get a system of health insurance for those who are uninsured and those who cannot afford insurance and especially those who are getting stuck in the wallet through individual policies—get them into a health insurance exchange, where there is competition and where there is no barrier if you have a previous existing condition; so you have a guarantee you can get health insurance, and it is going to be at a competitive price.

We have had a rhubarb in this country over something known as a public option. Most people do not realize that 90 percent of the American people will not be affected by a public option. But the 10 percent who will be getting their health insurance in the previously uninsured or unaffordable group, who is now going to get it in this health insurance exchange, where insurance companies are going to come in and compete for that business—that public insurance company, if it is in existence by the time the final bill passes, will compete in that health insurance exchange against those insurance companies on an even-steven competitive basis.

Let's remember the goal. We are trying to bring in folks who cannot get insurance, the folks who do not have insurance but still get health care that all the rest of us pay for. It lowers our bills over here by not having to pay for them. When we bring them into the system, into this new health insurance exchange, those who do not have health insurance—some of them cannot afford it, but they are not poor enough to qualify for Medicaid in their State—the bill that will come to the floor will provide a series of subsidies according to the person's income, based on their percentage of the poverty level, that will assist them to get that health insurance in the private insurance sector.

I come back to the beginning, the reason I asked the Senator from Pennsylvania if he would sit in the chair so I could come back to my desk and make a response in response to Senator KYL.

Is everyone satisfied with what we have? Clearly no. Is health insurance available to everybody? The answer is no. Is it affordable for everybody? The answer is no. Can it be streamlined by us changing the health delivery system, which we want to do? That clearly is the case.

We can do it with electronic records and accountable care organizations. We can do it by following the patient, instead of the patient going to this specialist and this specialist and this specialist, and none of the specialists are talking to each other and they are duplicating all of the tests. We can put primacy on a primary care physician who will follow that patient. We can do it with those kinds of delivery reforms. This is the desirable goal. This is why we have to have health insurance and health care reform.

My final point is this: The previous Senator who spoke, the Senator from Nevada, said we are going to take a lot of money out of Medicare. In the bill that is coming to this floor, the money that is coming out of Medicare is the money that is going to be contributed

to the reform of the system coming from the Medicare providers, not the Medicare beneficiaries, in other words, not the senior citizens.

The Senator says: But there is $120 billion that is coming out of Medicare Advantage. Well, what was Medicare Advantage? Medicare Advantage is a fancy term for a Medicare HMO. You know what a Medicare HMO is? It is an insurance company. When it was originally set up 10 or 15 years ago, a Medicare HMO was going to save money to the Federal Government, Medicare, by paying only 95 percent of what Medicare fee for service did.

But then the people in the rural areas did not get it, so it did not work. Along comes this famous prescription drug bill 6 years ago, and added to it is this fancy new thing called Medicare Advantage that creates an advantage for the insurance companies by giving them an additional 14 percent of reimbursement over the standard Medicare fee for service.

Guess who gets to keep most of that. The insurance company gets to decide what they are going to do with most of it. It is true that in the 75 percent that the insurance company keeps per Medicare senior citizen in Medicare Advantage, that money often is given as a break to the senior citizen in things such as copays and the premium payments for Medicare Part B and Medicare Part D.

That is why this Senator in the Finance Committee offered an amendment that would say: Okay, we are going to get Medicare back to being standardized where we are not going to give a cushy 14-percent extra to the insurance companies called Medicare Advantage. Instead, we are going to start getting that on a more competitive basis over time to bring those payments down. But it would not be fair to take it away from the seniors who already have it, so this Senator offered an amendment to grandfather in the seniors who have it now.

So do we need health reform? You bet we do. And the Senator from Utah is over here. I commend him. Because he and I are cosponsors on another health reform bill that is even more visionary than what the two of us think is going to come to the floor. But it is a recognition that we have to reform the present system.

I want to take this opportunity to try to set the record straight on some of the statements that have been made here. I look forward to continuing this debate on all sides of the issues as the bill comes to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

TRIBUTE TO IRIS MORALES

Mr. KAUFMAN. I rise once again to recognize the service of one of America's great Federal employees. Right now the Congress, the President, and the American public are engaged in historic discussions about the future of our health insurance system. This is one of the most important issues facing the country.

The dedicated public servant I will speak about today works for a government-run health insurance program already serving 44 million Americans. Medicare was established in 1965. Its mission is to provide coverage for all Americans over the age of 65. At the time of its creation, Medicare faced criticism from those who were apprehensive of a government-run health insurance program. Today, however, Medicare is praised as a great success. Indeed, its fiercest defenders sit on both sides in this Chamber.

Medicare continues to protect nearly one out of every seven Americans against what would be otherwise prohibitive medical costs. The reason for its success is not only that it provides a much needed service to America's seniors; one of its greatest strengths is that the men and women who administer Medicare benefits are among the most outstanding Federal employees. They work for an agency called the Centers for Medicare and Medicaid Services or CMS. The CMS employee I will talk about today has worked as a Medicare benefits administrator for 11 years. Iris Morales joined the CMS Chicago Regional Office after having first served several years in the Navy. She has been on the front line as a benefits administrator helping to set at ease those who contact the CMS with inquiries about their coverage.

Iris has called her job incredibly rewarding, and she is one of so many Medicare administrators who spend their days solving problems for America's seniors. On one day she might work to make sure a cancer patient has access to lifesaving chemotherapy. On the next Iris might reassure beneficiaries that their copayments are low enough for them to afford critical treatments.

Iris is set to retire next year, and when she does, she will join the ranks of Medicare beneficiaries herself. I know that Iris, as a beneficiary, will receive from those helping her in the years to come the same kind of attention to detail, diligence, and professionalism she has demonstrated through her years at CMS.

Iris Morales and all of the hard-working employees of CMS are proof of the constructive and important role our government already plays in ensuring Americans' access to affordable health care. I hope my colleagues will join me in recognizing this unsung hero and all of the employees at CMS. I honor their contributions, and I thank them for the great job they do every day. I know that America's seniors are grateful for their patience, their caring, and their service to the Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

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

TARP

Mr. BENNETT. Mr. President, it has been a little over a year since a group of us met in the Foreign Relations Committee room headed by the distinguished Senator from Connecticut, Mr. DODD, to talk about the financial crisis we were facing and how we would deal with that. We came out of that meeting, held a press conference where we sounded perhaps more optimistic than we should have at the time about having a solution to that problem. And out of that has come now a name that is well known throughout the country called TARP. We did not call it that at the time.

But we talked it through in a completely bipartisan and substantive way and voted for the rescue package that came out of that discussion. I voted for that package. I voted for the original disbursement of TARP. I stand by that vote a year later. It was the right vote, the right situation, the right time, and the right thing to do.

But I will share now some of the thoughts that went into my participation in that particular meeting and some of the things that came out of it. In anticipation of the meeting, I called some people whose judgment I trust and discussed this. I was told Treasury cannot physically push $700 billion out the door. You cannot sign that many contracts. That is far too much money.

The suggestion I made was: Why don't we give them $50 billion, because I was told that is the most they could spend in any one month. Why don't we give them $50 billion for 5 months or $250 billion and see how it works before we buy into the $700 billion number that Secretary Paulson was talking about.

No, Secretary Paulson let us know he had to have $700 billion as the headline. He could not calm down the markets, the international markets, unless he had a number that big. We talked it over in that room and came up with this solution, which I think was a good one. We would give them a $700 billion headline, because we authorized $700 billion, but we actually only gave him $350 billion and said he would have to come back to the Congress for the second 350.

Also in that group—and it was not by any means my suggestion or anyone else's suggestion—it was overwhelmingly the consensus: We have to put some controls in here. We have a congressional oversight committee that we created. We have to create an inspector general. I remember one of the members of the group saying: I do not trust any Treasury Secretary, no matter how bright he is, with $700 billion and absolutely no reporting or transparency or control situation.

One of the things that was discussed and that I thought was put in the bill was that when the money starts to come back—because, understand, TARP was not a bailout program in the sense that we gave money to people never to recover anything. It was a program where we were acquiring things, either acquiring collateral or acquiring stock. When the money starts to come back, it will be used to pay down the national debt. If we are going to expend $700 billion to stabilize the system, when the $700 billion comes back, it goes to reduce the debt that was created when it went out. That was my understanding of the agreement we made.

Well, I voted for the TARP and I voted for the first $350 billion. After we came to the second tranche, the second $350 billion, listening to the inspector general and listening to what the congressional oversight committee had to say, and looking at how well the first $350 billion had worked in stabilizing the situation and getting us past the panic we were facing, I voted against the second $350 billion because I was afraid it would turn into somewhat of a bailout fund that could be used for things other than acquiring assets that could be liquidated and bring money back to the Treasury. That is indeed what has happened, because much of the money went for things very different than that which we were talking about in that room that morning.

The amendment I will offer to the bill, when we get on the bill, will be to sunset TARP at the end of this year. This is where we are. Treasury is sitting on about $370 billion in the TARP fund right now. The recession certainly is not over and the challenge in our economy is still there with tremendous force. But the crisis we were facing when we had that meeting is over, and Treasury, to deal with that kind of a crisis, no longer needs that money.

The fear I have is that Treasury is starting to recycle the money and it is not going to pay down the national debt. It has become something of a slush fund to say: All right, if we have a circumstance here where we wish to spend some money, we cannot get it from the Congress, let's take it out of the TARP. If there is a situation over here where we think it might be helpful, and we cannot get the Congress to support us, let's take it out of the TARP. The temptation, sitting on $370 billion, to spend that money, is overwhelming.

When Secretary Geithner came before the Banking Committee or the Joint Economic Committee—I am sorry, I cannot, with my memory right now, put the exact committee to it—the question arose about repaying the national debt rather than recycling the money. He said the lawyers from the Treasury Department had looked at the act of Congress, and they made it clear we in the Congress had made it clear the money could be recycled, it could be relent, it could go out again. That came as a great surprise to me because I thought the conversation we had in that room, as the bill was being written, made it clear the money had to go to pay down the national debt. But I am not in a position to sue the Treasury and argue with their lawyers, and even if we did over the actual meaning of what was in the bill, it would take so many years to adjudicate there is no point in it.

But it comes as a great surprise, as I say, to me that as the money comes back in—and money is coming back in from TARP—it does not go to pay down the national debt, and that it is being treated as a revolving fund, almost a revolving credit card, if you will, that the Treasury can use for the purposes it deems well.

So I will offer an amendment that will sunset TARP at the end of this year. I will point out, the inspector general and the congressional oversight committee we set up on that occasion still have a number of questions about TARP and the way it is being used, and there is great concern that the transparency we had hoped for is not there.

I had come to the decision to offer this amendment for myself and Senator THUNE—and we will do so, if we are allowed to, when we get on the bill—long before the Wall Street Journal offered an editorial. But on October 27, the Wall Street Journal had an editorial entitled ''Rolling up the TARP,'' which I ask unanimous consent be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BENNETT. The lead paragraph I wish to quote. It says:

> The Troubled Asset Relief Program will expire on December 31, unless Treasury Secretary Timothy Geithner exercises his authority to extend it to next October.

They obviously did not know about my amendment or I am sure they would have endorsed it.

> We hope he doesn't. Historians will debate TARP's role in ending the financial panic of 2008, but today there is little evidence that the government needs or can prudently manage what has evolved into a $700 billion all-purpose political bailout fund.
>
> We supported TARP to deal with toxic bank assets and resolve failing banks as a resolution agency of the kind that worked with savings and loans in the 1980s. Some taxpayer money was needed beyond what the FDIC's shrinking insurance fund had available. But TARP quickly became a Treasury tool to save failing institutions without imposing discipline (Citigroup) and even to force public capital onto banks that didn't need it. This stigmatized all banks as taxpayer supplicants and is now evolving into an excuse for the Federal Reserve to micromanage compensation.

I think we take the decision for Secretary Geithner and we sunset TARP on December 31, and that will be the amendment I will offer when we get on the bill.

EXHIBIT 1

[From the Wall Street Journal, Oct. 27, 2009]

ROLLING UP THE TARP

The $700 billion for banks has become an all-purpose bailout fund.

The Troubled Asset Relief Program will expire on December 31, unless Treasury Secretary Timothy Geithner exercises his authority to extend it to next October. We hope he doesn't. Historians will debate TARP's role in ending the financial panic of 2008, but today there is little evidence that the government needs or can prudently manage what has evolved into a $700 billion all-purpose political bailout fund.

We supported TARP to deal with toxic bank assets and resolve failing banks as a resolution agency of the kind that worked with savings and loans in the 1980s. Some taxpayer money was needed beyond what the FDIC's shrinking insurance fund had available. But TARP quickly became a Treasury tool to save failing institutions without imposing discipline (Citigroup) and even to force public capital onto banks that didn't need it. This stigmatized all banks as taxpayer supplicants and is now evolving into an excuse for the Federal Reserve to micromanage compensation.

TARP was then redirected well beyond the financial system into $80 billion in ''investments'' for auto companies. These may never be repaid but served as a lever to abuse creditors and favor auto unions. TARP also bought preferred stock in struggling insurers Lincoln and Hartford, though insurance companies are not subject to bank runs and pose no ''systemic risk.'' They erode slowly as customers stop renewing policies.

TARP also became another fund for Congress to pay off the already heavily subsidized housing industry by financing home mortgage modifications. Not one cent of the $50 billion in TARP funds earmarked to modify home mortgages will be returned to the Treasury, says the Congressional Budget Office.

As of the end of September, Mr. Geithner was sitting on $317 billion of uncommitted TARP funds, thanks in part to bank repayments. But this sum isn't the limit of his check-writing ability. Treasury considers TARP a ''revolving fund.'' If taxpayers are ever paid back by AIG, GM, Chrysler, Citigroup and the rest, Treasury believes it has the authority to spend that returned money on new adventures in housing or other parts of the economy.

A TARP renewal by Mr. Geithner could thus put at risk the entire $700 billion. Rep. Jeb Hensarling (R., Texas) and former SEC Commissioner Paul Atkins sit on TARP's Congressional Oversight Panel. They warn that the entire taxpayer pot could be converted into subsidies. They are especially concerned about expanding the foreclosure prevention programs that have been failing by every measure.

TARP inspector general Neil Barofsky agrees that the mortgage modifications ''will yield no direct return'' and notes charitably that ''full recovery is far from certain'' on the money sent to AIG and Detroit. Mr. Barofsky also notes that since Washington runs huge deficits, and interest rates are almost sure to rise in coming years, TARP will be increasingly expensive as the government pays more to borrow.

Even with the banks, TARP has been a double-edged sword. While its capital injections saved some banks, its lack of transparency created uncertainty that arguably prolonged the panic. Federal Reserve Chairman Ben Bernanke and former Treasury Secretary Hank Paulson recently admitted to Mr. Barofsky what everyone figured at the time of the first capital injections. Although

they claimed in October 2008 they were providing capital only to healthy banks, Mr. Bernanke now says some of the firms were under stress. Mr. Paulson now admits that he thought one in particular was in danger of failing. By forcing all nine to take the money, they prevented the weaklings from being stigmatized.

Says Mr. Barofsky, ''In addition to the basic transparency concern that this inconsistency raises, by stating expressly that the 'healthy' institutions would be able to increase overall lending, Treasury created unrealistic expectations about the institutions' conditions and their ability to increase lending.''

The government also endangered one of the banks that they considered healthy at the time. In December, Mr. Paulson pressured Bank of America to complete its purchase of Merrill Lynch. His position is that a failed deal would have hurt both firms, but this is highly speculative. Mr. Barofsky reports that, according to Fed documents, the government viewed BofA as well-capitalized, but officials believed that its tangible common equity would fall to dangerously low levels if it had to absorb the sinking Merrill.

In other words, by insisting that BofA buy Merrill, Messrs. Paulson and Bernanke were spreading systemic risk by stuffing a failing institution into a relatively sound one. And they were stuffing an investment bank into one of the nation's largest institutions whose deposits were guaranteed by taxpayers. BofA would later need billions of dollars more in TARP cash to survive that forced merger, and when that news became public it helped to extend the overall financial panic.

Treasury and the Fed would prefer to keep TARP as insurance in case the recovery falters and the banking system hits the skids again. But the more transparent way to address this risk is by buttressing the FDIC fund that insures bank deposits and resolves failing banks. The political class has twisted TARP into a fund to finance its pet programs and constituents, and the faster it fades away, the better for taxpayers and the financial system.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Connecticut.

Mr. DODD. Madam President, I ask unanimous consent that I be allowed to speak as in morning business.

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

Mr. DODD. Madam President, before I get to the substance of my remarks, let me comment briefly, if I can, on the comments of my colleague and friend from Utah, Senator BENNETT. He has been an invaluable Member when it comes to these issues of economics in our country. His background and experience has brought a wealth of talent to this institution at some very critical moments.

I want my colleagues to know, as the new chairman of the Banking Committee after the election of 2006, I happened to have been in the position of being asked to manage a situation that began, as many will recall, back in September of last year. September 18 is a date which will be forever emblazoned in my mind and memory. It was on that evening that a small group of us were asked to gather in the office of the Speaker of the House, where Chairman Bernanke of the Federal Reserve Bank and Secretary Paulson, the Secretary of the Treasury, announced to us that we had a matter of days to act as a Congress or we would face a meltdown of our financial system in this country and elsewhere.

In some ways, it was the economic equivalent to 9/11. It took all the oxygen out of the room, I can tell you. I was sitting next to DICK SHELBY, my friend from Alabama. As I say, there were about 10 or 12 of us in that room that evening who received that message.

Within 2 weeks, from September 18 to the end of the month, we ended up voting here on the floor that night—we all sat in our chairs, as we do on rare occasions when there is a moment of significant import. Every single Member cast a ballot from their seat.

I knew that evening, by the way, as I listened to the call of the roll, that there were several of our colleagues here who were 40 days away from the election, and that probably they were going to lose their seats if they supported the proposal. And they did. But they did what I thought was the courageous and right thing to do. And 74 people voted that night in favor of it; 25 against. Our colleague from Massachusetts was not here that evening, Ted Kennedy. There were 99 Senators.

As long as I live, I will never forget that vote that evening because I think it is what the Founders sort of had in mind. We recall—those of us who were here, I am sure my friend from Florida remembers, it made the townhall meetings pale by comparison—the reaction over those 2 weeks across the Nation. There will be historians who debate the wisdom of the specifics of the bill.

But I recall with great clarity the morning my friend from Utah just described, with about five of us in the room, and that was S–116, one floor down from where we stand this evening. We met to try and fashion together something on a bipartisan basis that we could present to our colleagues and the administration and others that would incorporate the protections we thought we could pull together in a space of days to respond to this, and with the necessary resources.

BOB BENNETT was the author, as I recall, who insisted we break up this proposal into two parts so we would have a chance to evaluate the success of it. I think it was a remarkable and very valuable suggestion that contributed significantly to the outcome of that vote. It also offered those an opportunity at a later date to determine whether to proceed with it.

There were differences of opinion about that, and, again, historians will debate this. But the people of this country ought to know that a guy named BOB BENNETT from the State of Utah, along with several others, played a role which I think helped save our country at a critical moment. We have a lot of disagreements around here. I am a Democrat from New England. He is a Republican from Utah, although, as he well knows, my wife's family is from Utah, so I have some Utah connections. But it was one of those moments where I think Americans would like to think we can act around here when a crisis occurs.

While we differ and disagree on a lot of issues, as he knows, despite our friendship—as long as I live, in the years I have served here, that morning, that occasion, and the events that followed in the short days afterwards, I think, helped keep this country on a stable footing and we avoided the kind of depression and collapse that could have occurred.

I did not intend to speak about this, but since he addressed the issue—I have kept a lot of notes about those 2 weeks. I have copious notes, almost 500 pages of them, that describe the events of those 2 weeks in great detail because I was involved in every meeting and every drafting session. So I can tell you down to every dotted ''i'' and crossed ''t'' what happened during those 2 weeks. It was a moment of great import, and I thank my friend from Utah for his contribution to all of that.

Madam President, I want to address the issue of the Unemployment Compensation Extension Act. I am sorry we are still here debating this. This legislation was introduced nearly 3 weeks ago, and twice the adoption of this bill has been stopped, despite overwhelming support. Yesterday 87 of us voted to get us one step closer to extending unemployment benefits. We all would prefer to be talking about how we can get people back to work than extending benefits. It would be far better for the Nation if we could talk about what we are doing to create jobs.

But in the interim, while we have not created as many jobs as we would like, providing benefits is crucial. Let me take a moment to add that we would not be here at all without the work of our colleague from New Hampshire, Senator JEANNE SHAHEEN, who has championed this issue over the last month or so as a new Member. We are neighbors in New England, but she speaks for the country when she talks about the importance of this issue and what a difference it has made in the lives of families, as they struggle to keep their homes and provide the necessary resources for their children and others.

As part of this effort—and I know there is some debate—I wanted to also recognize my colleague and friend from Georgia, JOHNNY ISAKSON. The two of us have been working, as many of my colleagues know, on a proposal to extend and expand the first-time home buyer tax credit. Senator ISAKSON has been the leader on this issue. I commend him for it, and I want to thank him and his staff for their work to get this extension before the credit runs out on November 30.

Already we have seen the impact of this credit on jump-starting the housing sector. Sales of existing homes rose

9.4 percent in September—the highest level in 2 years. Extending this credit, in our view, temporarily through the slowest housing sales months would help maintain the recovery.

The great fear everyone has is that without swift action these good signals we have been getting—and while certainly not a recovery yet, they are an indication we may be heading now in the right direction—will stall during these critical cold months, and the winter months are difficult months for the housing sector. I think inaction would be a great mistake.

This legislation he and I have authored would extend the current credit through the spring, increase the income limitations, and provide a slightly smaller credit to the so-called move-up market—not just first-time home buyers, but the move-up market—helping to make more than 70 percent of current home buyers eligible for this credit.

I want to stress, as my colleague from Georgia has on numerous occasions, including during a hearing I held only a few days ago of the Senate Banking Committee—where he testified eloquently, I might add, that this tax credit needs to be temporary. Democrats and Republicans on the committees, I think, were deeply impressed with how knowledgeable JOHNNY ISAKSON is about real estate issues. He spent more than three decades in the business and knows it well, and he impressed, I think, all of us with his knowledge of this industry and what a critical component it is of our economy.

That aspect he advocated for, as I mentioned before, is that the effectiveness of this credit depends on it being temporary, which it is. That will encourage, we believe, prospective home buyers to buy that home now—those who are thinking about it. Extending it continuously would not.

I want to indicate to my colleagues that this credit should remain temporary and not become a tax extender that we extend year after year after year after year, as we do in certain other areas of our economy.

But neither the unemployed nor prospective home buyers will be helped by stalling on the speedy passage of this legislation.

Every night for 3 weeks now—going back to the unemployment compensation issue—we have gone home and not had to worry about how we are going to make those mortgage payments or feed our families. We are Senators, and so we have these jobs that provide us with more than a decent income, and we never have to feel that gnawing worry about whether there is going to be enough money to allow us to keep our homes or to see to it that our families are going to have the basic necessities they need.

Every night—every night—7,000 more Americans in our Nation have exhausted their unemployment benefits. So for 3 weeks—7,000 people a day have had their jobless benefits run out. They do not have jobs. They do not have benefits to help them. These are hard-working people who contribute to our economy and contribute to our country, their families, and their neighborhoods. They have been good providers. And because of a collapsing economy—which they did not create—they find themselves in the dire circumstances where they are unable to meet those obligations at home.

Over the years I have been in this body, we have come together during critical moments like this—never quite as serious as this one—and have extended those benefits to people because we know how important it is to them. We have been able to come together to get it done. Yet now, for nearly 3 weeks, we have been stalled in our effort to provide needed relief.

I mentioned early we provided relief for the banks, $700 billion in relief, in less time than it is taking us to provide relief to jobless workers. That is what BOB BENNETT and I were doing. We had a crisis in the country. So we worked on the legislation for 2 weeks. From September 18 to October 1, that is how long it took for us to come together and vote 74 to 25 to provide $700 billion to stabilize the financial institutions in this country. I think we did the right thing. History will debate it. Here we have been nearly 3 weeks and we can't even come up with unemployment compensation for the 7,000 people every day who are losing these benefits.

You explain that to the American public. This collapse occurred in our economy not because they did anything wrong, but because they lost their job. Here we are still 3 weeks later dithering about whether we can get some special amendment we would like added that has nothing to do with this issue—ACORN payments or other proposals. I don't question the sincerity of people, but why would they allow that to obstruct an extension of jobless benefits that hundreds of thousands of Americans so desperately need?

In total, since playing politics with this issue, 140,000 Americans have exhausted their benefits. That is my math. We know this is important. Last night we had 87 votes to move to the motion to proceed, but here we are running out 30 more hours while another 7,000 people are losing those benefits.

So I don't have to tell my colleagues how vital this lifeline is for families back home in their states. They all know it. People can't find work. They need a little help to put food on the table and make ends meet until they can find that job again. Unfortunately, this recession is hitting families in all of our States.

According to the National Employment Law Project, nearly 14,500 people in my home State of Connecticut and 400,000 people nationwide have already exhausted all of their unemployment benefits. By the end of the year, that will rise to 20,000 people in my State, 1.4 million people across the country.

One of my constituents wrote in desperation the following:

> I have been without benefits for two months now. I have a family of 5. Every day is a struggle. My husband and I have been looking for work every day. There are no jobs! Something has to change. I ran out of my benefits. Please have someone help not only me, but everyone that is without work.

It is not just these people who will suffer when these benefits run out; it will be their children. It will be the local businesses whose customers can't afford to buy their products anymore. It will be the local governments who lose tax revenues that pay the salaries of our policemen and firefighters.

We have a good bill that I worked on with Senator BAUCUS, Senator REID, and, as I said, Senator SHAHEEN of New Hampshire, who has been our champion on this issue. Our new freshman Senator from New Hampshire has led the way, and again, her leadership has been invaluable.

Madam President, 140,000 people over 3 weeks whose benefits have run out while Republicans have stood in the way of this important legislation, I think, deserve better. We managed to give the banks $700 billion in 2 weeks; we ought to be able to take care of people who are losing their benefits by passing a bill that they need so desperately.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Thank you, Madam President. I wish to thank Senator DODD from Connecticut for his kind words and for all of the work he has done to try and move an unemployment extension for people, and for his eloquence in talking about the need to help those people who are currently running out of their benefits. As is the Senator from Connecticut, I am here one more time to voice my support for the Unemployment Compensation Extension Act.

I am pleased, as the Senator from Connecticut is, that yesterday the Senate voted by an overwhelming majority to move this legislation forward. But like the Senator from Connecticut, I remain very disappointed that even with 87 votes to move forward, we are still here today. Another day has gone by, a day when 7,000 more workers have lost their benefits, and the opponents of this extension are still playing politics to hold up the help that so many people around the country need.

During the delay of the past 3 weeks, more than 100,000 Americans have exhausted their unemployment benefits. Without this extension, nearly 2 million jobless workers will lose their benefits by the end of the year. The American people should be outraged by this continued delay.

I would like to read an e-mail I got this morning from Jane McDermott from Stoddard, NH. Jane has been unemployed for over a year, and she will

exhaust her remaining benefits in the next 2 weeks. She writes:

Right now, receiving unemployment means I can eat and I can pay for my medication. Those of us who are still unemployed still have bills and property taxes to pay. With the rug being pulled out from under us, it means being on the edge of homelessness.

She writes to me:

I urge you to make this fight a priority. Here in New Hampshire there are many, including myself, who depend on having heat, lights, and even enough gas in our cars to search for employment each and every day, especially over the holidays.

She signs her e-mail: Sincerely, Jane McDermott from Stoddard.

Jane McDermott is out looking for work every day, but with more than six people out of work for every job opening, she hasn't been able to find that new job. She is like millions of hard-working Americans from every community and every State and every part of our country. This is just one out of dozens of calls and e-mails my office gets every single day.

So I urge my colleagues to stop playing politics and to pass this extension. It is the right thing to do for our unemployed workers, and it is the right thing to do to stimulate our economy. Let's not let one more day go by without extending unemployment benefits for the tens of thousands who need them all across this country.

Madam President, I yield the floor.

Mr. UDALL of New Mexico. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent to speak as in morning business for 1 hour. I also ask unanimous consent to engage in a colloquy with other Senators who may join me.

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

Mr. UDALL of New Mexico. Madam President, first, let me speak on the issue that Senator JEANNE SHAHEEN spoke about before me just briefly. I wish to compliment her for being such a champion for extending unemployment compensation. We are talking about people who, in many cases, through no fault of their own, lost employment. They may well be the only provider for their family. They don't have the wherewithal to support their family.

We have in this recession, this deep recession we are in the middle of, several times for people like that, extended unemployment benefits. Senator SHAHEEN and Senator DODD and others who have spoken have described the personal circumstances people are in. We can't believe we can't move this legislation along to extend unemployment compensation benefits. These people need help in the recession and most likely they are the dollars that will be spent in the economy.

I wish to describe the procedure that has occurred. We had 87 Senators vote on a motion to proceed. The first thing we did to get on to a piece of legislation such as this unemployment benefits compensation legislation was we filed a motion to proceed because we didn't have the consent of the Republican leadership. We were then required to let that motion for cloture ripen over a 2-day period. So as many have watched, there hasn't been necessarily a lot of debate. It has ripened. We had the vote after 2 days—87 votes. Then, after 87 said we should move forward on the motion to proceed, there was a 30-hour postcloture period.

Well, what has happened with that is we also haven't had that much debate occurring on the Senate floor, but the time continues to run. So these delay tactics—they are called filibuster tactics, but in a way it isn't a filibuster. There is nobody here filibustering most of the time. So it is a delay tactic to do something the Nation needs.

So I compliment all of the Senators who are standing up for this legislation. I know Senator WHITEHOUSE is also one who believes we should pass unemployment compensation legislation very quickly.

HEALTH CARE REFORM

Madam President, we are here again this evening as a group of Senators—Senator WHITEHOUSE has joined me—to strongly support the inclusion of a public option in health care reform legislation. I encourage other Senators who support the public option to come down and join us.

We were heartened earlier this week when majority leader HARRY REID announced that he would include a public option in the bill he is merging from the Senate Finance and HELP Committees. Senator REID showed real leadership in developing a compromise that includes the public option, something that a wide majority of Americans support and want included in this reform.

This is another step in the direction of meaningful reform, but we are by no means finished with this debate. We expect defenders of the status quo, as well as those who continue to put insurance company profits over people, to step up their attacks and step up their misinformation campaign. The bottom line is that a public option is the best proposal on the table to help keep the insurance companies honest. It will insert much needed competition into the insurance market, and it will give Americans another affordable, quality choice for their health insurance needs.

So with all of that said tonight, I want to continue by highlighting a story out of New Mexico. It is a letter I received from a woman from Placitas, NM. She is a small business owner who wrote to tell me about a rate increase notice she got from her health insurer. She was told to expect a 9- or 10-percent increase next year. For two people, that will mean $2,300 a month in premiums she will have to pay. Here is what she wrote:

We can't afford it. I am now faced with the likelihood of having to drop insurance which for two cancer survivors is not the right answer.

I know I speak for many of my colleagues here tonight when I say our offices get dozens and dozens of e-mails and letters like this each and every week. Americans are struggling, and they are looking to us for relief from an impossible situation they cannot fight or win.

There was a story in the newspaper over the weekend that I think illustrates how urgent this situation has become. It illustrates why a public option must be a part of this reform. In the newspaper it was reported that many small businesses are facing the steepest rises in insurance premiums they have seen in years. That is saying a lot considering that insurance premiums have already more than doubled over the past 9 years.

In this news story, insurance brokers and benefits consultants said their small business clients are seeing premiums go up an average of about 15 percent for next year and in some places as high as 23 percent. That is double the rate of last year's increases which were already unacceptably high. Do you know why these small businesses are seeing such big increases? This report said it is because insurers are trying to raise their premiums ahead of anything we do legislatively that might reduce their profits.

Health insurance companies are only looking out for themselves and their own profits. It is up to us to look out for hard-working Americans. It is up to us to look out for America's entrepreneurs, those small business men and women whose companies employ some 40 percent of American workers.

With that, I will open the floor to my colleagues. Let's talk about what a public option would mean for small businesses and how difficult it is for American entrepreneurs to keep their heads above water as health insurance companies continue to raise their rates, deny them coverage, or drop them completely when they place a claim to be reimbursed.

I see Senator WHITEHOUSE here. He has been a champion throughout this process in terms of the public option. I will yield to him. I also see Senator DURBIN here, our majority whip, who I hope will join us, who has also been an incredible champion when he stands up in leadership time and throughout the day on the public option.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, I thank the Senator from New Mexico for organizing this time.

What do we mean by a public option? To begin with, I will explain a little

what our public option is and why it is so important. Then I have some stories from people in Rhode Island who have contacted me and who are exactly the reason we need to do this.

The first thing you will hear is our friends on the other side saying that the public option is a government takeover of the health care system, that it is going to squeeze out private providers and it will be subsidized by taxpayers and all these things. I know something about the public option that came out of the HELP Committee because, along with SHERROD BROWN and KAY HAGAN, I wrote it. So I know a little bit about what it does. Those things are just not true.

The design of the public option is that it exists State by State. In each State, it has to stay solvent. It can't lose money. The government puts up the money any insurance company needs to start with, the initial capital. After that, the public option in each State, from its revenues, the premiums it charges, has to make money and stay solvent. If not, it fails like any other company. Secretary Sebelius of HHS is mandated to make sure each State's operation runs on a solvent basis. So there is no taxpayer bailout. It is head-to-head competition on a level playing field, and the insurance companies, frankly, should not be frightened of it. They are, but the reason they are has a lot to do with their bad practices and very little to do with anything about the design of the public option.

One of the reasons we need it, to give a little background on this, you have to remember where our national health expenditures are going. Look at this chart. This is how much we spend on health care.

I was born in 1955, when we were spending $12.5 billion a year on health care in this country. We probably spend that much a day now. In 1979, just after I graduated from college, by then we had gone from roughly $12 billion a year to $220 billion a year. In 1987, which was about when my daughter was born, we were over $500 billion or $½ trillion a year. In 1992, we were at $849 billion a year. In 2009, we are at $2.5 trillion a year. You can see the shape of the curve on the chart. It is not going out and leveling off. It is getting steeper and steeper. Costs are going through the roof, and the private insurance industry is driving that.

There are big savings that can be achieved. The President of the United States, President Obama, and his Council of Economic Advisers issued a report in July of this year that said:

> Efficiency improvements in the U.S. health care system potentially could free up resources equal to 5 percent of the U.S. GDP.

They continued:

> It should be possible to cut total health expenditures by about 30 percent without worsening outcomes . . . which would again suggest that savings on the order of 5 percent of GDP could be feasible.

If you do the math, based on GDP, 5 percent is more than $700 billion a year—that is $700 billion with a ''b''—in excess costs in our health care system. So we have a big target this public option can shoot for.

People say: Well, if there is no subsidy involved, how is it that the public option is going to be able to compete against these private insurers and save costs? Well, three ways:

No. 1, no profits necessary; they will be not-for-profit. In Rhode Island, about a year ago, United Health Care, a big private insurance company which has a 16-percent market share in Rhode Island—and we are a small State; we are not like Illinois or even New Mexico; we are only a million people. So this is a company in a State of a million people with only a 16-percent market share, and they asked to remove $37 million in profits from that 1 year out of the State to go back and pay for salaries of CEOs and shareholders and all that. Think how much $37 million could have been delivered in health care to 16 percent of the insured population of Rhode Island, a State of only a million people, if it didn't have to go out in profit. So that is one thing. Profits don't have to be sucked out of the system.

Second is administrative costs. One of the reasons this cost keeps going up is because the administrative costs of the insurance companies go up. In 2000, while these costs were going up, they were raising their administrative costs by more than 100 percent. What did they do with those administrative costs? They make it more difficult for you to get care and harder for your doctor to get permission to give you the treatment you need.

You hear the other side talking about government bureaucrats standing between you and health care. They don't stand between you and your health care; insurance company bureaucrats stand between you and your health care. And they are getting better at it all the time. The armamentarium they are creating to make it difficult for providers to get paid and get authority to go forward is getting more complex and expensive every year.

In addition to the fact that those costs have doubled, gone up more than 100 percent, what do the doctors and hospitals have to do? They have to fight back or else they will get rolled.

So you have this whole other cost. I went to the Cranston Community Health Center, a wonderful community health center in Cranston, RI. They told me that 50 percent of their personnel are not dedicated to providing health care but are dedicated to fighting with the insurance companies to get paid and to get prior authorization. On top of that, 50 percent of their personnel—they pay almost $300,000 a year to fancy consultants whom they have to hire to fight back against the insurance industry.

So one thing they can stop doing is taking the profits out. Another thing they can do is to wind down all that administrative cost, stop torturing the doctors and hospitals, let them wind down their administrative costs, and bring down the arms race over claims payments and approval we are living with right now. That is something a public option can do in addition to not taking out profits.

The third thing is to reform the health care system. We have all heard the testimony and seen the steps we put into our legislation to improve the quality of health care. When you improve the quality of health care, it saves money. It is interesting the way that works. When you improve the infection rate in intensive care units, people get out sooner and they don't get those postoperative infections, and it costs about $60,000 for infections, on average. It saves money. Everybody is out sooner and the costs are less. In Michigan, in 15 months, they saved $150 million and 1,500 lives just by cleaning up and preventing infections in hospital intensive care units.

So you can save money and save lives if you are focused on improving quality instead of torturing the doctors and the providers and denying care and trying to throw people out when they get sick. It is a different way of going about the business. But it is something a public option can do.

The same logic applies to the prevention of illness. We don't do anywhere near enough to prevent illness in this country. A public option is willing to invest in prevention. We will invest in health information technology and in promoting better public health records for everybody. We will make sure people understand the value of the treatments they get, how much they cost, and whether they work. People will make better decisions about their care.

Finally, through the public option we will be able to stop paying doctors and hospitals for doing more and more tests and procedures and pay them for results. That will help change the direction of American medicine. That is how you get to the $700 billion a year the President's Council on Economic Advisers said could be saved in our health care system.

People talk about the Lewin Group, which is a knowledgeable group about health insurance and health care costs. Here is what they say:

> Current levels of spending could be reduced by limiting excess consumption, managing disease, promoting competition and improving transactions.

Here are the sources of potential excess costs. Right now, they are at $2.4 billion, the total cost. You can save $151 billion in excess costs from incentives to overuse services; $519 billion in excess costs from poor care management and lifestyle factors; $135 billion from excess costs due to competition and regulatory factors; $203 billion from excess costs due to transactional inefficiency. That is a fancy way of talking about administrative warfare between insurers and doctors.

There are big savings to be had out there, and this legislation builds in

those tools—quality, prevention, transparency, information technology, and payment reform. The key to making them all work their best is a public option that will pick them up and do the job for the American people.

The question fundamentally for this legislation is, Do you trust the private insurance industry? Do you trust the people who, if you have a preexisting condition, won't let you in the door or will deny coverage for that? Do you trust the people who, the first time you show up after having been a loyal customer for years, the first thing they do is go back to look at the form to see if you filled it out wrong so they can throw you off because suddenly you became ill and expensive? Do you trust the people who, when you get sick and your doctor recommends treatment, butt in and say: No, no, no, we don't want you to get that treatment; we want something different than what your doctor recommends. They will say it is because of quality, but what you will notice is that every single time the insurance company steps in to prevent your care from coming from your doctor, what they recommend is something that is cheaper for them. They have never once said: Wait a minute, what the doctor recommended is not right, you need a more expensive regime of care because we want to treat you right. No, they say: Sorry, that is too expensive; we are cutting you off. Do you trust that industry to lead America out of this cost problem and into this new future? I don't. That is why we need the public option. And I think there are other reasons.

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

Mr. WHITEHOUSE. Yes, I am happy to.

Mr. DURBIN. One of the aspects of the bill now being considered by the Congressional Budget Office is the opt-out provision. We have heard from the Republican side of the aisle for as long as this debate has gone on about their resistance and opposition to the idea of so-called government-run health care.

I have yet to hear the first Republican Senator come to the floor and suggest we eliminate Medicare, which is a government-run health care program which some 40 million Americans use every day to protect themselves when they need health insurance; nor have they suggested eliminating Medicaid, which involves health insurance for the poorest in America. Some 40 million to 50 million Americans are covered by Medicaid. They have not suggested eliminating veterans health care, another government health care program which helps millions of those who served our country; nor have they suggested eliminating the Children's Health Insurance Program, a creation of the Federal Government, so that literally millions of children across America have this kind of protection and the parents have peace of mind.

By my estimation, more than a third of the people in America have protection from government health insurance. Although our friends on the Republican side are critical of government health insurance, they do not want to eliminate any part of it, but they are arguing that basically Americans do not like it.

The polls say otherwise. When you ask the American people, throughout this debate, they say: We are generally confused, but we do know one thing; that is, if we have a chance to get Medicare for everybody, two out of three would like to see that. That is a government health program that two out of three Americans would like.

Senator HARRY REID, the Democratic majority leader, prepared a bill with a public option with an opt-out provision. I ask the Senator from Rhode Island what the opt-out provision will mean for those political leaders or people or legislatures or Governors in the States who might come to the same conclusion as our Republicans here, that they are opposed to any form of a public option that might involve the government.

Mr. WHITEHOUSE. The opt-out plan, as I understand it, would allow States to decide they don't want a public option in their State, so they don't have to have one. Each of us comes here representing a State. My colleague is the very distinguished majority whip, but he is also the Senator from Illinois. Our distinguished friend, Mr. UDALL, is the Senator from New Mexico.

The health care our constituents get is delivered to them almost entirely in our States. So one would think it would be satisfying to the people on the other side who object to a public option that they could go home and they could say: You know what. This public option is a terrible idea. You know what I have done. I have worked out an opt-out and have protected you from it. It is only these crazies in places such as Rhode Island who want to take advantage of the public option. But I have saved you, and it is their funeral.

The way we designed it, as I mentioned earlier, is State to State it has to be solvent. There is no cross-subsidization, that one State has to carry the water for another State. They would not have to pay for Rhode Island's costs if they got out of control, whether they have a public option or they do not. So they are protected.

One would think that would be an adequate argument for them. The fact that it is not an adequate argument suggests to me there is a little bit more at stake; that the real party in interest is not the constituents of their own States, it is the private insurance industry.

Mr. DURBIN. If the Senator will yield, to put clarity and a final point on this, if this is enacted into law and a Governor or some leaders in any given State decide that the public option in their State, giving the people who live in that State an additional choice when it comes to the health insurance they want to buy, if they decide that is too extreme, too socialistic, too French—whatever they happen to decide—they could initiate an effort to eliminate the public option under this law so it would not apply to anyone living in their State. Whether these are the folks inspired by the tea party folks or others, they have their chance. They have the last word as to whether there will be a public option in their State.

Mr. WHITEHOUSE. Absolutely, it is wide open, as the distinguished majority whip has pointed out. The choice would entirely be theirs.

I suspect what we would see is, many people who are railing against the public option right here would find that their States, when they actually had the choice, would take it. Ninety-four percent of U.S. insurance markets are deemed highly concentrated by the U.S. Department of Justice. That is like the alarm going off in those markets, saying that if you find anticompetitive behavior, because that market is highly concentrated, you focus on it. You have to act.

Ninety-four percent of our major urban areas are in that situation. So to add another choice for those consumers I think is something that when practical people look at it in real life and see what its effects will be in real people's homes and in their jobs and in their finances and in their world, it will be a lot harder to keep it going, but it will be their choice.

Mr. DURBIN. If I can make one last point in a question. I know the Senator from Rhode Island is a former prosecutor, as is the Senator from New Mexico. When we come to the competitive nature of insurance companies—I know the Senator from Rhode Island was with me at a hearing recently in the Senate Judiciary Committee on the McCarran-Ferguson law, which in the 1940s exempted insurance companies—in this case, health insurance companies and medical malpractice insurance companies—from antitrust regulations, so that literally the executives of insurance companies—in this case health insurance companies—could all meet in a room and decide what the premiums would be in any given place in America, across the Nation. They could meet together and come to a common agreement as to which States would be dominated by which companies and, as I understand the McCarran-Ferguson law, the Federal Government would have no power to stop them.

We can stop virtually any other group of companies trying to do the same anticompetitive things, but there is no power to stop the health insurance companies because of McCarran-Ferguson under our Federal antitrust laws.

I say to the Senator from Rhode Island, does this not also suggest that when the health insurance companies threaten they are going to raise premiums, we ought to take them seriously? They have the power to do it,

and they certainly have a long, rich history of doing that. So when they say: If you pass health care reform, we are going to raise premiums, count on it; they are going to do it.

If we do not create the competition of a not-for-profit public option health insurance company, they literally will not face competition.

Mr. WHITEHOUSE. Yes, exactly correct. Unless they are involved in boycott or coercion, they can fix prices, carve up territories, do innumerable anticompetitive things that any other industry in America would have to answer for in a court of law. They get a pass on it because of the McCarran-Ferguson Act. But it shows, as the Senator from Illinois is pointing out, how vitally important competition is because that public option, I doubt it is going to sit down with private insurance industry and fix prices or carve up territories. It will have a public purpose and a public function, and it will be serving the people rather than the shareholders of the insurance company.

Mr. UDALL of New Mexico. Madam President, I say to Senator WHITEHOUSE, let me join in here with him and Senator DURBIN because the thing he pointed out—and that is the crux of this argument, right here on this chart—that when we talk about a public option—and the Senator has hit it over and over again and Senator DURBIN mentioned it—it is competitiveness. That is what we want to see, competitiveness. We are not talking about a government takeover. We are not talking about single payer. We are not talking about all these things our friends on the other side of the aisle say about this reform. We are talking about making the system more competitive.

People may not realize that in many of our States, when you talk about insurance company monopolies, there are States where more than 75 percent are covered by just two insurers. So we have the State of Montana with two insurers, more than 75 percent of the market. Look at Minnesota, Iowa, all these darker States, Maine. These States have very little competition going on.

What the Senator talked about is, No. 1, the Federal Government cannot move in. I don't know if Senator DURBIN heard this. But at the beginning, there was a big national news article that said the insurance companies are getting ready to raise the rates because they know reform is coming, and there is not a single thing the Federal Government can do about it. We have a great antitrust unit over in the Justice Department, but they cannot do anything about it because we have these laws in place.

This is, once again, what we are going to see. This is the pattern in the past: Skyrocketing insurance premiums, sky-high insurance company profits. In the last 7 years, a 428-percent increase, and all that is going on while these 47 million Americans are without insurance, premiums doubled in 9 years, and these huge CEO salaries.

I think the public option is the key to bringing competitiveness to this market. I am glad the Senator from Rhode Island and the Senator from Illinois are working in committee to see that our antitrust units may be able to get involved in these kinds of situations in the future.

(Mr. BENNET assumed the chair.)

Mr. WHITEHOUSE. If the distinguished Senator will yield, the way this works out in individual people's lives—it is important for us as policymakers to understand what the Senator from New Mexico pointed out; that is, a 428-percent increase in insurance company profits in just 7 years, while they are turning people down and pushing them off coverage, even 47 million Americans uninsured, denying their claims, while the profits are going up like that. That is a very important story.

But then you get down to the actual people who get tangled up in this and what it does to their lives. Nicole from Providence, RI, wrote to me. In 2008, her doctor prescribed a number of tests she needed to take because she was experiencing stomach problems. Similar to many Americans who have gotten into these nightmares, they come in thinking they are all set, they have good health insurance.

Nicole thought she had good health insurance. She never imagined she would have any problem covering her medical costs. But the insurance company, once it started getting the bills, went scurrying around through its files and started to look for a way to get out of having to pay. Sure enough, they decided that her condition was ''preexisting.'' The magic word so they don't have to pay. Sure enough, they denied thousands of dollars of Nicole's claims.

So now there is Nicole. She thought she had insurance. She thought everything was fine. She had this stomach illness. She had to take these tests. She sends in the bills to the insurance company and they say: No, sorry, that is preexisting. So she is scrambling to pay off thousands and thousands in debt. That starts you off into the whole set of other problems, those administrative costs I was talking about. Those administrative costs are spent fighting patients, fighting their clients.

Here is Nicole constantly on the phone trying to get the correct documentation from her doctor to the insurance company, trying to get it to match up, and it never does and the bills keep coming. It is not only that she did not get the health care she needed and the company would not pay for it, it is when she tries to sort it out, she gets into this bureaucratic nightmare with that bureaucracy that grew 109 percent just in this decade arming up to fight people such as Nicole.

Here is what she concluded. This is a regular person from Providence, RI, snarled in the health insurance system. She says:

> I have a full-time job with a good salary. I own a home. I have health insurance. I am a middle-class American doing everything I think I should. And yet I am now saddled with thousands of dollars in medical bills that I cannot afford to pay.

The stories go on and on of people in this system. Coreen from Cranston, RI, wrote me. She has health insurance through her employer, but the insurance company jacked up its premiums so high this year that her husband's employer was forced to switch to a high-deductible plan. She has a deductible of $2,000. So now Coreen and her husband take turns who is going to see the doctor, depending on which one of them they think is the most ill. The healthier one doesn't go and lets the one they think is sicker go. Do they know? Of course not, they are not experts, they are not doctors, but they have to make this decision because they have had this limitation put on their policy.

She wrote to me:

> We have no other option but to be held hostage by our insurer. In our current system, people come second and profits come first.

For all the big picture stuff we are talking about, it is important to remember that all these big pictures come down to homes and families and people and workers all across this country, all of whom find that this health care system is a nightmare for them under the private health insurance regime.

Mr. DURBIN. If the Senator will yield, I would like to note that I received a similar letter from a man in Illinois who had a $5,000 deductible because he had a history of illness. So in order to buy health insurance he could afford, he had to be willing to first put out $5,000 in cash out before they would cover the first dollar. He was told by his doctor, because of an examination, that he would need a colonoscopy, which is rather common and certainly a thoughtful thing to do when there is an indication. But he found it would cost him $3,000 out-of-pocket for a colonoscopy, and he would have to pay that because the insurance plan didn't cover it. He didn't have the $3,000.

Mr. WHITEHOUSE. May I inquire back if the insurance company, to the Senator's knowledge, actually checked to see if by taking the $3,000 colonoscopy they might find out something about his health so that in the long run everybody would save money because they did the test at the right time?

Mr. DURBIN. Well, I don't know the answer to that, but I would suspect that they did not because the concern for that insurance company is the bottom line for that quarter. They are not concerned, as they should be, about the long-term health of this man. If there is an indication that leads to a colonoscopy, it makes common sense that you would do it because things

discovered early can often be treated successfully, and things that you don't treat can turn into very expensive and deadly diseases.

Mr. WHITEHOUSE. The public option, therefore, might be much more adept and likely at making that investment in the constituent's health because it is worth spending $3,000 for a colonoscopy if it will help prevent a catastrophic illness later on.

Mr. DURBIN. That is the key word, ''prevent.'' We have to move toward a new mindset that health insurance companies don't think about—wellness and prevention. If we put a little money into those, we can keep people healthier and keep costs down.

I am sure the Senator from Rhode Island and the Senator from New Mexico will recall the visit we had from the CEO of a major grocery store chain—Safeway/Dominix—and how they decided for their management to try to do preventive care. I recall the CEO telling us that because of preventive care, they have been able to keep their health insurance, which is a self-insured plan, even for 3 straight years without increases.

So prevention and wellness not only keep people healthier but reduce cost. But if you were trying to drive the bottom line and just said no to people who need a colonoscopy or need a mammogram or prostate cancer treatment, diabetes maintenance—if you are saying no to all of those things and those people—the ultimate cost in human life and in dollars goes through the roof.

Mr. UDALL of New Mexico. If the Senator will yield, the Senator from Illinois has hit on an example that comes home to me because I had a gentleman write to me from a small community in New Mexico—Pena Blanca—about his wife. He said his wife had reached the age of 50, and she wanted to do what she could in preventive care, which is what we want to encourage, as the Senator is talking about, to get out in front of illnesses and try to do that preventive care. So she wanted a colonoscopy, and she went to the insurance company that said: Well, it is going to cost you $3,000. They didn't have $3,000, so she had to forgo the colonoscopy. That was when she was 50 years of age.

At 54 years of age, she was diagnosed with colon cancer. So he writes to me saying that his wife is dying and he is in this situation now where he realizes if they had had that kind of preventive care, he would have his wife with him and would have her with him a lot longer.

It demonstrates what the Senator has just said, that if we reorient our health care system to prevention, to wellness, if we use the public option—we use the nonprofit method—we will then be moving in the direction of getting way out in front of these illnesses rather than having tragedies such as this gentleman from the small town of Pena Blanca, NM, describes. It is a crying shame to see that kind of thing happen to a family.

As Senator WHITEHOUSE has said, we talk about all these things—skyrocketing premiums and profits and everything—but it comes down to families and individuals with serious health care problems. In many cases, those problems are not being dealt with in our health care system.

Mr. WHITEHOUSE. The story the Senator just told, reminds me of one. I do regular community dinners around Rhode Island. I go to a community, and we put out nothing fancy—pasta and meatballs, a salad and punch, and we invite people to come in and just have a general discussion about the issues that concern them.

At one of my recent community dinners, a lady spoke about some difficult run-ins with the health care system. The worst part of it was about her sister, who had the same situation as the Senator's constituent. She did not have health coverage and she missed an appointment with the doctor. She didn't want to put out the money, so she went without. By the time she actually did go to the doctor, the condition had worsened.

The doctor told the woman at my dinner: Your sister's condition, if she had come in earlier, we could have cured her. But as advanced as it is now, I don't think there is much we can do about it. They tried what they could, and it was very expensive, obviously, but ultimately they could not save her.

So when we don't get this right, and when people forgo health care because they can't afford it, and because our system is set up to not pay for things that are essential preventive care, people lose their lives. It is a matter of statistics and it is a matter of cost and it is a matter of tragedy, but ultimately it is also a matter, for many people, of life and death.

Mr. DURBIN. If the Senator would yield once again, I would like to make note for the record that we are on the Senate floor this evening, and we have time to speak on this important issue because the Republicans are blocking our efforts to pass a bill that sends unemployment compensation to literally hundreds of thousands of Americans who have been out of work for a long time and need these checks to keep their families together. They have now resisted us for 21 days to extend unemployment benefits to these people across America. I am sure in each of our States, as I found in Illinois, many of these unemployed people have also lost their health insurance as a result of losing their jobs.

I would like to ask either or both of the Senators to comment on what this health care reform proposal that we are talking about would do for a person who has either lost a job or is in a low-income category; someone who is scraping by with a low-wage job, hoping for something better, or maybe that is the best they can come up with.

Would either of the Senators like to respond as to what this legislation, our health care reform bill, is proposing?

Mr. UDALL of New Mexico. Well, Mr. President, to talk a little about that situation, I think it is important to understand, first of all, that we have so many people out there who are uninsured—absolutely uninsured. As Senator DURBIN has described, many times they lose their job and they lose their insurance, and that is what this reform is all about. We are not going to have that connection any longer. We are going to say to Americans: You are going to have your health care coverage, and if you go from job to job, you are going to be able to continue your health care coverage. If you are unemployed, you are going to be able to continue your health care coverage.

That is a big new step for us, to take people who didn't have insurance, who were subject to the vagaries of existence out there, and point the way to where they are going to get insurance. They are going to get help for their families, and I would just say that we are at the right place at the right time. Things have aligned.

We have President Obama, we have a Democratic Senate, we have a Democratic House, and we need to get this done in this time period. We know we are going to be opposed. Our friends on the other side are going to do the same thing the Senator mentioned on unemployment benefits. They are going to stand up and use every trick in the book. They are going to use all these filibuster rules, and they are going to make us file everything. But we will stay here long nights, we will stay through to the end so that we can help the individuals like those we have been talking about to get insurance regardless of what their personal circumstances are, regardless of things such as preexisting conditions and serious illnesses and getting dropped by insurance companies.

Senator WHITEHOUSE.

Mr. WHITEHOUSE. I would add another element in responding to Senator DURBIN's question. They may very well be eligible for Medicaid or Medicare, in which case they would go on to those programs. But, if not, they would very likely be eligible under this health care reform for a significant subsidy to help them pay for health insurance.

What is interesting about the way that works is that they do not have to go into a government program to get the subsidy. We are trying to make health insurance more available to more middle-class families. So what they do is go to the health insurance exchange, which is like a market for health insurance or, if they work for a big company or the State or county or Federal Government, there is a period where they go and sign up for the health insurance they want.

Your H.R. person says: OK, now is the time to choose your policy for the coming year. They give you your choices and you select from your choices. You have a labor agreement or a contract agreement or a statutory provision that lets you know how much

your employer is going to contribute, but you get to choose, just like the Federal Employees Health Benefits Plan we are in—that all Federal employees are in.

That is the model, so that somebody who can't afford the insurance they want will get their stipend from the government and then they will go to the exchange and be able to choose. That is why it is called the public option. If there is a public option in that State, they will be able to choose the public option. If they do not like the public option, they can choose Aetna or Blue Cross or Wellpoint or Cigna or whoever is doing business in that State and buy through the exchange.

So for people in the circumstance the Senator talks about, who are in economic straits, this will be an easier way to buy health insurance. It will be a way they can afford health insurance, and it is a way that leaves the choice up to them. That is where the public option comes in because when they have that choice, I think for a lot of Americans looking at the way costs are going and looking at the way they get treated by the health insurance companies, they are going to say: The choice between all those for-profit health insurers, that is no choice at all. That is, which enemy do you have to sign up for? I use the word ''enemy'' because I have had people tell me the terrible thing about getting ill in this country is that they have to, on the one hand, fight the disease and, on the other hand, fight the insurance company. And they do see them, when they get involved in that, as the enemy.

When they have a choice between a whole bunch of insurance companies and they all share the purpose of trying to throw them off coverage if they are sick, trying to deny them coverage when they get sick, trying to deny the claims their doctor puts in, trying to interfere with what their doctor wants them to do to get better, if those are all their choices, that is not much of a choice.

That is where the public option can provide a real choice to people when they come in. They will have the dignity of being able to make that choice for themselves and their family through this program in our reform.

I see we are joined by the distinguished Senator from Colorado, Mr. BENNET.

(Mr. UDALL of New Mexico assumed the chair.)

Mr. BENNET. I have been listening to the debate, and I wanted to join in and respond to Senator DURBIN's question about people leaving their insurance carrier and going on Medicare and Medicaid today, if they are eligible; and if they are not eligible, they are just out of luck. I think it is important, as we think about what this reform will bring, to remind people about what is happening with the status quo as it exists right now.

We are having all this debate about whether a public option is a good idea, whether the other insurance reforms are a good idea, accusations that this is just a government takeover of health care. What people are ignoring is what is happening right before our eyes.

In my State, median family income has actually declined by over $800 over the last 10 years. That is before this recession we are in right now. In the country it has gone down $300. In my State, the cost of health premiums over that same period of time went up 97 percent—it doubled. We are saying to working families, you are going to earn less but the cost of health insurance is going to go up by twice. Not only that, but the cost of higher education is going to go up 50 percent. Working families are getting squeezed.

What is happening is—because they are having double-digit cost increases every year, because small businesses are spending 18 percent more than large businesses to cover their employees—we are seeing already fewer and fewer people getting insurance from their employer. The number of people who are insured by employers in my State is dropping like a stone. The number of small businesses that are able to offer insurance anymore to their employees is dropping like a stone, which is heartbreaking to a lot of people because a lot of these businesses are family businesses where they pride themselves on having offered insurance for many years.

Where do these people end up in this debate we are having right now about a public option versus not? If they are poor enough, they end up on Medicaid, a government program. If they are not, they end up going to the emergency room where they get uncompensated care that we all pay for as taxpayers.

In the case of my city, in Denver, we have an excellent public hospital. They did a study 3 years ago that showed that in 1 year they spent $180 million treating people who were uncompensated, who were employed by small businesses. These are people working for a living every day but who do not have insurance. Who pays that bill? We, the taxpayers.

What I would say to people on the other side, or even on our side who are saying this is a bad idea, to give people more choice, more option, is that the system we have right now is landing people in public government options or landing them in the emergency room where the taxpayers are having to cover them with uncompensated care. We are just doing it in the least intentional way possible. We are doing it in the least thoughtful way possible and in many respects doing it in the most expensive way possible. People are not getting the kind of preventive care they ought to be getting, the screenings they ought to be getting on the front end so they don't show up in the hospital emergency room when they are dreadfully sick.

When I hear the objections to this and I realize how painful the status quo is right now for working families and small businesses—in the State of Colorado, but I also know in other States as well—I wonder sometimes what people are fighting against. What we are fighting for is a much more intentional approach to coverage, a much more intentional approach to quality, a much more intentional and rational approach to how we finance all of this.

It has been a pleasure to hear you tonight. I wanted to come and be part of the discussion.

Mr. WHITEHOUSE. Of course, anybody in the situation Senator BENNET described, if they don't like the idea of a public option under this legislation they are completely free to not sign up for it. Nobody in America will be forced into the public option. We don't even connect the subsidy, the stipend that makes health care affordable for American families, to the public option. We give it at the exchange in this legislation.

If you want to spend your government stipend to help make health care more affordable on Blue Cross, on Aetna, on Cigna, on whoever does business in your home State, you are welcome to do that. The public option is an absolute free choice. There is not a single person in this room, not a single person in the United States who, if the public option passes and they choose not to participate, has any adverse consequence at all.

The one thing they may have happen to them if the public option is successful is—if it is not sucking profits out of the system, if it is not building that huge administrative superstructure to fight with the doctors and hospitals so that they have to build a matching one to fight back from, if they are actually investing in, as you say, prevention and quality improvement and electronic health records and paying doctors in a sensible way so they don't have to run up procedures to get paid—if they do all that successfully, they will drive down the cost. Because it is competitive, those private insurance companies will have to follow. What you may get if you do not like the public option is you will get your stipend just like anybody else, if you are in the right income category. You will say I don't like the public option. I have no business with anything to do with the government health care, I don't want any part of it, I am going to the private sector—and you can buy that. You may in that circumstance actually see your private sector insurance rates come down because of nothing you did but because of the public option being out there and being competitive.

If the public option is uncompetitive and its rates go up, that is not going to hurt you. You are still in that private insurance company anyway. It is a ''heads I win, tails you lose'' situation for you; you are the winner on both sides.

Mr. BENNET. If the Senator will yield, there is one other important component to this that people in my State have been talking to me about a

lot over the last 6 weeks or so. It has become clear that as part of this reform, because this is the way insurance needs to work if you are going to cover everything, as part of this reform there is a requirement that everybody have insurance.

People are saying to me: MICHAEL, I want you to make sure you give me as many options as possible. If you are going to make a requirement as part of this, I want to maximize my choice. I want to be able to look at everything, whatever you call it—whether it is private insurance or public option, nonprofit plans—I want to be able, they say, to make the best decision that is in the interest of my family or make the best decisions in the interests of my business.

I don't know why we would want to say on the one hand we are going to require you to have insurance and on the other hand say we are going to constrain the range of choices that you can make on behalf of your family. We should not be making those choices here in Washington. Those are choices our families should be making for themselves.

Mr. DURBIN. If the Senator from Rhode Island will yield, on his chart on national health expenditures, I have heard my colleagues on the other side of the aisle, the Republican side, come to the floor many times and decry this whole effort because it was going to cost $1 trillion. We are not sure if that will be the exact number, but take it as an example. We are talking about $1 trillion over the next 10 years. If you accumulate the cost of health care in America over the next 10 years, starting this year at $2.5 trillion, and assuming it goes up to at least $3 trillion, maybe $3.5 trillion, it seems to me we are dealing, over that period of time, with an accumulated cost of health care in America over 10 years of $30 to $35 trillion, I think, is probably a fair estimate.

Mr. WHITEHOUSE. I agree.

Mr. DURBIN. One trillion dollars as a percent of that comes out to less than 3 percent of the overall cost of the system and the savings we are trying to build into this approach, by trying to find ways to reduce costs, to reduce the fraud and waste that is part of health care today, to give people options so that they have more competition, bringing down the cost of premiums—I would say to my friends on the other side of the aisle arguing that $1 trillion is a huge sum, certainly when you deal with $1 trillion it is, but in comparison to the overall cost of health care over the next 10 years it is less than 3 percent of what we anticipate. And it is largely made up of savings within the current system. I think that is the point they miss when they use that figure on the floor so frequently.

Mr. WHITEHOUSE. I think the Senator has made a very good point. I add to it by going back to the figures from the President's Council of Economic Advisers that suggest we could save $700 billion every year out of this health care system if we could wring the excess costs out of it—the unnecessary MRIs because you don't have an electronic health record and you have to go out and replicate it because you don't have the file with you; the totally unnecessary staff fighting with each other over who should get paid and who should not get paid; the $60,000 it requires, on average, when you get a hospital-acquired infection in the intensive care unit. If you could prevent it, you save. Those are the kinds of numbers that add up to these numbers. If you could save $700 billion a year—I am not saying you could do it, but it is a big target out there—investing $1 trillion over 10 years to get a piece of that back only makes sense. It is plain business sense.

If you were in the manufacturing sector and if you had an assembly line and that assembly line was creating costs like this, so the price of your product had to go up and up and you were having all those casualties, people were getting their hands caught in the machine and mangled and it was lighting up on fire because it was running out of oil, and you were having all these problems with the system, somebody would come in and say: You know what, you ought to spend a little money upfront to get a good system put in to fix up your assembly line because you will save costs in the long run. That is all we are expecting to do right now, is get those. There are so many disasters in the health care system right now, and to get that cleaned up and put a little money down for that, that is only good common business sense, particularly when there is a big target such as that $700 billion a year savings and, as you said, the cost of the next 10 years will be well north of $30 trillion if we do not do anything about this.

(Mr. BENNET assumed the Chair.)

Mr. UDALL of New Mexico. Mr. President, the example on the savings is right there, in the examples before us. We just talked about Medicaid. Medicaid has a 3-percent administrative cost. We are talking about a program, when I go into my townhall meetings and visit with people, people say they like Medicaid, they like what they have. Here is a program that is running with 3 percent administrative costs.

When we talk about the insurance companies, because of what the Senator mentioned, how they fight the claims and you have to get all these people in the doctor's office trying to prove claims, and then back and forth—doctor's offices many times told me 50 percent of the people in the office are there doing this administrative work because of what the insurance companies have created.

When you ask the big question to insurance companies, how much is your administrative cost on the health insurance industry—30 percent. I think there is enormous room for improvement when we are talking about the hundreds of billions of dollars that are out there, from 3 percent in Medicare to 30 percent or more in the health insurance industry.

There is no doubt that the savings can be squeezed out of this system. That is what the public option does. That is what we have been tonight talking about, night after night. I am so thankful that Senator WHITEHOUSE, in the HELP Committee, his service in the HELP Committee, volunteered to write the public option for that health bill. That contributed so much to this debate. It gave us the outside parameters for what we are debating right now, and our leader, Senator REID, has now stepped forward and said he wants a public option with this opt-out provision.

Mr. WHITEHOUSE. If I may step in——

Mr. UDALL of New Mexico. Please.

Mr. WHITEHOUSE. It was a team effort. I want to make sure that Senator BROWN of Ohio, our friend SHERROD BROWN gets recognized. He had a very important role in it. As the Senator knows, he is very committed on this issue and fights very hard to protect the interests of consumers. Senator KAY HAGAN, our friend from North Carolina, also was extremely helpful. Because she has a more conservative perspective than we do, there was a wide range of views that were brought together. I think that is reflected in the fact that when the so-called Blue Dogs, the conservative Democrats over in the House, wanted to work out a public option, the public option they signed off on was the Senate HELP public option.

I think it has good appeal for conservative Democrats as well as progressive Democrats, that it reaches across the whole aisle. I hope by the time the dust settles, reasonable Senators of the other party will also join us in this because it only makes sense. If, as the President's Council of Economic Advisers says, it is ''possible to cut total health expenditures by about 30 percent without worsening outcomes,'' if there is 30 percent of waste and fighting you are talking about, and it adds up to $700 billion as the President's Council of Economic Advisers said, and if you add up the numbers from the Lewin Group, this here—they actually anticipate bigger savings, they anticipate $1 trillion a year in potential savings if—you could get all the excess costs out—it is $1 trillion a year—it is a phenomenal target to shoot for.

That is why making the public option competitive is such a good idea.

With this cost we cannot keep doing the same old thing and subsidizing. We have to change the direction of the health care system and the public option will do that.

Mr. UDALL of New Mexico. We are near the end of our hour right here. I wish to read one more letter and then Senator WHITEHOUSE may have some concluding remarks. But I think this letter drives home what we have been talking about all night. I received a

letter from a man in Carlsbad, NM. This man's wife was denied insurance benefits after she fell at the school where she is a teacher. And here is what he said:

Her orthopedic surgeon told us that her fall aggravated her degenerative condition in her knees and spine. He felt he could no longer treat her without surgery and recommended that she have both knees replaced. She had one knee replaced . . . , but before she could have the other knee replaced or her back treated, she was summoned to Albuquerque where she had to appear before a panel of three doctors.

The lead doctor on this panel rules that she needed no further treatment of any kind. One of the doctors wrote a dissenting opinion, but her coverage was cut off. The dissenting doctor later apologized to my wife, stating that he hated serving on those panels because the lead doctor always ruled in favor of the insurance company and against the patient.

The health insurance industry cannot be trusted. Without the public option the American people will not have the choice they deserve. The public option would bring needed competition to the industry. I strongly urge you to support the public option.

That is my constituent writing me. He has really hit it on the head. I think the gentleman from Carlsbad said it best when he said: The public option would bring needed competition to the industry.

You saw this chart earlier here about the lack of competition and how we have these insurance companies with a monopoly. Right now health insurance companies are basically monopolies or duopolies, at best. In New Mexico, we have two companies that hold 65 percent of the market. This kind of control means there is no incentive for competition. There is no incentive to drive down those costs. A public option would insert that competition back into the market and it would keep those insurance companies honest.

I thank Senator WHITEHOUSE, Senator DURBIN, Senator BENNET from Colorado, for being down here. We have been doing this for weeks now and we are going to continue this. I do not know if you have any concluding remarks. But I think this has been a very productive session. I hope we will continue until we get health care reform done and with a public option as part of it.

Mr. WHITEHOUSE. Only to thank the Senator for organizing this time so we could engage in this colloquy on a matter that is so important to Americans on a matter where so much of what has been said has been so misleading and unhelpful.

The chance we have to talk about the actual public option as it is in real life, not some overheated imaginary public option that has been cooked up by the other side for the purpose of knocking it down, I think is very helpful to help the American people understand the direction we are trying to go. The Senator's role in getting this done is very much appreciated.

Mr. UDALL of New Mexico. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AFGHANISTAN

Mr. WHITEHOUSE. Mr. President, I have just returned from Afghanistan. I was there over the weekend. I wanted to take a moment and share a few impressions. I traveled with Senator BURR, who is a colleague of mine on the Intelligence Committee, and with Senator LEMIEUX of Florida. We visited Kabul, Jalalabad, and a military location further out in the field.

It was my third trip to Afghanistan. That makes me no expert. But I do hope my observations might be of some interest or use to my colleagues. Before I begin, our colleagues should know the perception in Kabul of how extremely valuable the efforts of our colleague Senator KERRY have been. It was clear the resolution that we saw to the election dilemma could not have happened without Senator KERRY.

The more our officials in Afghanistan knew about that situation, the stronger their views were about Senator KERRY's irreplaceable role. Even President Karzai commented on it in our meeting with him. So a well earned ''well done'' to our colleague and friend.

While the situation in Afghanistan is obviously complex and difficult, the best news for us is that the Taliban remains very unpopular. The Taliban's strength comes from the fact, not unreasonably, that many Afghans are terrified of them.

If the Taliban are willing to ride into town and cut off the ears of the village elder's son in front of the whole village, it requires considerable courage and confidence on their part in us and the Afghan Government for that village to stand up to those Taliban.

The Afghan people do not lack courage. Indeed, their courage and resistance in standing up to the Soviet invasion are among the reasons the Cold War is over, and why America is largely out of the shadow of that nuclear threat. When we think of our role in Afghanistan, it is worth considering our obligations in the light of what their struggle against the Soviet Union has meant for our country, our safety and our liberty. So courage is not something that Afghans lack.

But there is a compelling need for the Afghan people to feel confidence in their government and confidence in us. The best avenue to increasing Afghani confidence in their government will be reducing government corruption. It is a pernicious cancer throughout much of the Afghan Government.

Once this election is settled—and I will assume that President Karzai will emerge victorious—President Karzai can then turn his attention to his new administration. And then I think it is vital—and it is unanimously seen to be vital by the officials I spoke to—that vigorous efforts against corruption be a leading part of President Karzai's commitment to the Afghan people.

Confidence in us is equally important, but confidence in us must be measured against its counterweight, which is dependence on us. President Karzai, his ministers, and his challenger, Dr. Abdullah, are extremely grateful for the sacrifice that America has made for the benefit of their people, and they do not hesitate to say so. But at the same time, it is a realistic human impulse to be pleased if someone else will do something for you that you would otherwise have had to do yourself.

So, on the one hand, assuring the Afghan people of our reliable and enduring commitment to their struggle, while, on the other hand, ensuring that the Afghan Government meets its responsibilities, rather than just relying on us to fight their war, is the difficult balance we must achieve.

The more President Karzai—after this election is settled—can assume the mantle of a wartime President and accept responsibility that he is the military leader of this struggle, as well as the newly elected leader of Afghanistan, the better it will be. But it also seems to me that a strategic agreement with the Afghan Government, a strategic agreement that more clearly lays out the responsibilities and the commitments on either side, would be a good vehicle to set that balance.

The confidence of the Afghan people in our steadfastness is necessary to their willingness to fight this enemy, and the Afghan Government stepping up clearly to its responsibilities is necessary to our willingness to fight this enemy. Together, where those goals intersect, we can win. Divided, we cannot.

Sorting this out will not be easy. For too many years, we have been ''muddling through'' in Afghanistan. President Obama's appointee, General McChrystal, has now called for a new strategy. I think the President is wise and patient to think this through carefully as he leads us out of the muddle and develops a winning strategy.

No one I spoke to in Afghanistan thought the need for new troops was immediate. The 21,000 additional troops President Obama sent are still being absorbed. Winter is coming with its seasonal lull in the violence. Questions about Pakistan's role supporting the Taliban in Afghanistan are unresolved, questions whose answers will make our challenge in Afghanistan either far more easy or far more difficult. This is not simple and should not suddenly be rushed now, after years of muddling.

In evaluating the decision that President Obama faces, it is worth considering the actual report that General McChrystal provided. We have heard a lot about it, and most of it has had to do with the immediate deployment of troops.

The report, if you look at it, has a slightly different cast. In his report, General McChrystal identified ''two fundamental changes''—that is his quote—''two fundamental changes'' that are required.

One is this—and I quote—

ISAF must focus on getting the basics right.

ISAF is International Security Assistance Force. It is the international force that America leads in Afghanistan. Here is one: ''ISAF must focus on getting the basics right.''

Two:

ISAF must also adopt a new strategy.

Those are his one and two points—''getting the basics right'' and ''adopt a new strategy.''

To continue quoting General McChrystal's report:

The key take away from this assessment is the major need for a systematic change to our strategy and the way we think and operate.

Let me quote that again:

The key—

This is the McChrystal report quoted verbatim—

The key take away from this assessment is the major need for a systematic change to our strategy and the way we think and operate.

That is the task on which the President has embarked, and after years of muddling, I think he is entitled to a reasonable time to get it right.

I would like to highlight three of the areas that General McChrystal emphasized in his report.

I will quote again. One:

Tour lengths should be long enough to build continuity and ownership of success.

Afghan society is deeply complex, personal, and it is governed by codes of conduct and honor. Our decisionmakers on the ground need to know the social terrain to be effective. That message has been loud and clear from my trips to that country. But the conclusion from the general is that ''Tour lengths should be long enough to build continuity and ownership of success.'' This will be hard on our troops and their families, and it will also be hard on the back-office bureaucracies that have to accommodate this. But that is what he said. There it is.

This is another quote. Two:

ISAF must operate differently. Preoccupied with force protection, ISAF has operated in a manner that distances itself, both physically and psychologically, from the people they seek to protect.

An example of this is that the reconstruction of a bridge or a school is good and important and valuable, but if the convoy of MRAPs ran everybody off the road in all the villages that they went through on the way to that school or bridge, the signal that we are there to help is lost.

This is a hard point that General McChrystal has made: reducing the cocoon of force protection around our civilian and military personnel creates greater exposure to casualties. General McChrystal has faced this point squarely.

Third, and somewhat amazingly—I will quote again—

Major insurgent groups outperform GIROA and ISAF at information operations.

Again, ISAF is the International Security Assistance Force. GIROA is the acronym for the Government of the Islamic Republic of Afghanistan. So I plug that into the quote and it says: Major insurgent groups outperform the Government of the Islamic Republic of Afghanistan and the International Security Assistance Force at information operations.

I will tell you, for a country that invented Madison Avenue advertising and public relations, this is a bitter pill. And this was confirmed during our trip. Although we saw a few areas that gave us hope, overall, officials acknowledged that information operations appear to be operating with far less sophistication and energy than tactical military operations.

I have the impression that for too long this function has been seen really as information supply rather than information combat. Everybody in this Chamber has gotten here—or at least almost everybody has gotten here—after having won an election in which they had to engage in prolonged information combat against the other side to get their message across. Our information operations do need to be improved in Afghanistan, and it is commendable that General McChrystal has recognized it.

Let me be clear. This is not propaganda. This is not making up a lot of spin. This is getting the facts out faster and better. As General McChrystal noted in his report—and I quote again—''this is 'a deeds-based' information environment,'' but we do have the deeds. We have villages peaceful. We have markets opened. We have Taliban fighters turning in their guns to seek reconciliation.

We have, on the negative side, horrific Taliban atrocities that offend Afghan culture as well as our own—so that we can tell a winning and truthful story to the Afghan people, but, as General McChrystal has acknowledged, we have to get better at this.

I will conclude with an expression of gratitude and a final observation. We should be extraordinarily grateful to our Americans serving in Afghanistan, not just for their courage and sacrifice, which are remarkable in themselves, but also for their skill to fight an enemy of lunatics, criminals, and fanatics for whom no brutality is too offensive, while, at the same time, protecting the civilian population within which the enemy operates—all while protecting the values we Americans hold dear. That is no small trick.

The men and women who have developed this to an unprecedented level of competence—even mastery—deserve our commendation: the Rangers, on long and arduous patrols through harsh terrain; the special operations teams, working by night to disable enemy leaders; the interrogators, working far from home to develop intelligence about this enemy, well within the bounds of decency and the norms of military conduct, and very successfully; the analysts, at work 24/7, processing that intelligence to maintain nearly immediate situational awareness for our forces; the pilots, delivering goods and personnel wherever and whenever required; and the vast support structure that keeps those aircraft operational in one of the harshest environments on Earth; the marines, clearing and rebuilding villages in Helmand Province, not just rebuilding villages but rebuilding trust and security for those families; our silent services, whose only reward is their success and the respect of their peers; the reconstruction teams, working to bridge barriers of culture and language, and our own bureaucratic barriers, to rebuild the infrastructure of civilized life: schools for girls, roads to market—that is all just a slice of the courage, devotion, and skill that Americans are bringing to this challenge.

My final observation is this: Wherever I have been on three visits now, American soldiers of all ranks have a tangible respect and affection for their Afghan counterparts. The Afghan soldier could be centuries behind us technologically, but he comes from a martial tradition lasting thousands of years, producing men who are brave, resourceful, hardy, principled, and willing to fight.

I remember a bearded special forces officer telling me about the commandoes he was training, that when he went out on patrol with them, he had no hesitation. They called each other brothers. And he said there was not a man in his group who would not lay down his life to protect him. For all the difficulties we will face—and this is not easy—I think this aspect provides a platform for some optimism about growing an effective Afghan national military and police to assume its necessary role protecting Afghanistan's security and sovereignty and speeding our return home.

I thank the Presiding Officer. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

ENGAGEMENT WITH BURMA AND THE 2010 ELECTIONS

Mr. McCONNELL. Mr. President, I rise today on the floor of the Senate to discuss events involving the troubled country of Burma.

Earlier this year, I encouraged Secretary of State Clinton to make Burma a priority and to see how the United States could better achieve its policy objectives toward the regime. Several weeks ago, the administration unveiled its review of existing Burma policy. The result is that the administration has undertaken a diplomatic effort with the State Peace and Development Council, SPDC, in pursuit of the fundamental U.S. goals of peace, democracy and reconciliation in Burma.

Let me say that I wish the administration well with its diplomatic efforts. I am hopeful this policy will meet with some success. In addition, I believe that this interaction should not be limited to talks merely with the SPDC but should also include discussions with the National League for Democracy, NLD, and representatives from Burma's ethnic minorities. That said, I am not sanguine about the prospects for engagement with the regime. The military junta has shown no inclination whatsoever to compromise on any issue that might jeopardize the regime's hold on power. According to news reports, in July of this year, just weeks before the unveiling of the new Burma policy, the State Department at the highest levels offered to drop the U.S. investment ban against Burma if the regime released Aung San Suu Kyi. This was a major test of how the regime would respond to diplomatic engagement, providing a golden opportunity for the SPDC to demonstrate that it had indeed changed its spots. Instead of accepting this offer and freeing Suu Kyi, the regime promptly sentenced her to an additional 18 months of imprisonment. That does not augur well for diplomatic engagement.

As part of its new strategy, the administration indicated that, while it will place a high priority on diplomatic engagement, it will maintain the economic sanctions in place against the regime. It seems to me that, as matters now stand, there are three significant tests of whether or not the junta's relationship with the United States has improved to the degree that we should even consider moving away from a policy of sanctions: No. 1, the release of all political prisoners, including Suu Kyi; No. 2, the free and fair conduct of the 2010 elections; and No. 3, Burma's compliance with its international obligations to end any prohibited military or proliferation related cooperation with North Korea. Short of tangible and concrete progress in these areas, the removal of sanctions seems to make little sense. It is after all the most significant leverage our government has over the SPDC. Sanctions make clear that the military junta has not achieved legitimacy in the eyes of the West.

It is that search for international legitimacy that has apparently driven the SPDC to hold elections next year. But the 2010 elections are fraught with problems. As a preliminary matter, for these elections to be meaningful, the new ''constitution'' should be amended to provide for truly open electoral competition and democratic governance. As it stands now under the junta's charter, if Suu Kyi's party the NLD won 100 percent of the contestable parliamentary seats in next year's election it would still not control the key government ministries: Defence and Home Affairs. No matter what they will remain firmly under military control. Moreover, the NLD cannot amend the constitution to improve the charter because the military is guaranteed a quarter of the parliament's seats. That means the junta can block any constitutional change. Finally, Suu Kyi may not even hold a position in the government; she is excluded from office by the charter. I would say to my Senate colleagues, this is hardly a prescription for democratic governance.

But putting the flaws in the constitution to one side, there would need to be a profound change in the political environment in Burma for next year's elections to be meaningful. For example, candidates would need to be permitted to freely speak, assemble, and organize. So far as I can tell, none of that has occurred. There would also need to be international election monitors allowed in the country well in advance of election day. This was not permitted during the 2008 ''referendum.'' Simply holding an election is not enough; the elections must pass muster.

With respect to next year's balloting, the NLD, the clear winner of the 1990 elections which the regime abrogated, faces a Hobson's choice. It can either participate in the elections which are almost certain to be unfair and thereby legitimize the flawed constitution or boycott the elections and be treated as a member of an unlawful organization. Participation means casting aside its 1990 victory; nonparticipation means becoming outlaws. I am likely to support the NLD in whatever decision the party makes in this regard though I am not blind to the profound dilemma it faces.

I would just close by paying special tribute to Aung San Suu Kyi. Her grace and courage are an inspiration not only to the people of Burma but to us all. Her imprisonment is a reminder of the paramount importance of the need for freedom and justice in her homeland. I want her to know that I stand with her in her efforts to bring freedom and reconciliation to the people of Burma.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. PAIGE BAKER

• Mr. JOHNSON. Mr. President, today I pay tribute to Dr. Paige Baker, superintendent of Badlands National Park. Dr. Baker is retiring from the National Park Service at the end of this year, and his leadership at the park will be greatly missed. I have enjoyed working with Dr. Baker in his capacity as superintendent and want to take this opportunity to recognize his dedication to public service.

Dr. Baker grew up on the Fort Berthold Indian Reservation in western North Dakota. Education has been a strong theme throughout his life, and his commitment to educating others is evident in his work at the Badlands. He attended college at the University of Mary in Bismarck and went on to earn both his master's and doctorate in education administration at Pennsylvania State University. Prior to joining the National Park Service, he worked at several universities and for the Bureau of Indian Affairs. In 2004, he became superintendent of the Casa Grande Ruins National Monument in Arizona. In late 2005, Dr. Baker came to southwestern South Dakota to serve as superintendent of the Badlands National Park. The Baker family has been kind to the National Park Service and South Dakota; his brother Gerard Baker serves as superintendent of Mount Rushmore National Memorial.

At the Badlands, Dr. Baker has overseen the management of a unique and treasured landscape visited by more than a million people each year. Badlands National Park encompasses 244,000 acres of some of the most spectacular scenery in the world. The Badlands formations contain rich geology and paleontological resources, and the mixed-grass prairie within the park offers visitors from around the world the chance to view bison, bighorn sheep, and other wildlife. Dr. Baker's charismatic and respected leadership has no doubt had a positive impact on the experience of each visitor to the park.

The Badlands also have strong historical and spiritual significance to the Lakota people. Dr. Baker has expanded visitors' understanding of the Badlands through interpretation programs that recognize the cultural significance of the area. Among his most significant contributions, Dr. Baker has helped to improve relationships with tribes and bridge cultural divides. He has brought Native and non-Native students to the Badlands to learn from one another and find common ground. He has also fostered greater communication with tribes, particularly with regard to the South Unit of the Badlands that is currently comanaged with the Oglala Sioux Tribe. Dr. Baker has brought a level of understanding and respect to these multi-faceted issues that deserves recognition.

In closing, I thank Dr. Baker for his service at Badlands National Park and wish him all the best in his retirement. Dr. Baker's work at the Badlands will leave a lasting legacy, and I congratulate him on his accomplishments.•

RECOGNIZING IBEC CREATIVE

• Ms. SNOWE. Mr. President, our Nation has long recognized that small businesses are the true innovators in our economy. Indeed, according to the U.S. Small Business Administration, our Nation's 27 million small firms generate a majority of the innovation coming from American businesses and produce 13 times more patents per employee than their larger counterparts. But to continue this trend, we need a new, younger generation of entrepreneurs to rise to the forefront and open their own small businesses. That is why I am proud to rise today to recognize the entrepreneurial spirit and ingenuity of a young woman from my home State of Maine whose graphic and Web design company is providing clients with, in her words, '' fresh ideas that grow results.''

iBec Creative was founded in 2006 by entrepreneur Becky Stockbridge. As a senior at the University of Southern Maine, Ms. Stockbridge wrote a business plan to start a Web and graphic design business for medical professionals. She realized that this critical segment of our economy was in desperate need of innovative and creative ways to promote their expertise, including through brochures, logos, and informational Web sites. With a $4,200 grant from the Libra Future Fund, a Maine-based nonprofit organization that supports young entrepreneurs, as well as free office space awarded by the Maine Center for Enterprise Development, she embarked upon her fledgling entrepreneurial career. To overcome a slow start, Ms. Stockbridge soon began designing Web sites and graphic designs for small businesses in other fields and by seizing upon these additional opportunities, she greatly broadened her client base.

In her continued efforts to present clients with cutting-edge technology, Ms. Stockbridge's innovative assortment of development, design, and monitoring services have turned iBec Creative into a well-respected five-person small company with an expected $350,000 in revenue for 2009. iBec currently specializes in providing a wide range of marketing and consulting services to its clients, such as Web design and search engine optimization, SEO, consulting, branding, internet marketing, traditional marketing, and project management. Additionally, iBec Creative utilizes emerging media to promote its clients various brands.

Ms. Stockbridge's creativity, vigor, and entrepreneurial commitment were recently recognized by BusinessWeek as she was named a 2009 finalist in the America's Best Young Entrepreneurs competition. She is the only person nominated from my home State of Maine and the first finalist from Maine since the contest began 5 years ago. Ms. Stockbridge is competing against 24 other young entrepreneurs from around the Nation in this unique online challenge, and I look forward to hearing about her successful outcome at the end of the competition.

iBec Creative is a remarkable small business whose story demonstrates how community involvement and encouragement can help entrepreneurs of all ages realize their aspirations and dreams. I commend Becky Stockbridge for her innovation and determination and wish Ms. Stockbridge and everyone at iBec Creative the best of luck with their burgeoning business.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:33 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2489. An act to authorize a national cooperative geospatial imagery program through the United States Geological Survey to promote use of remote sensing data.

The message also announced that the House has passed the following bill, without amendment:

S. 832. An act to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Messrs. DICKS, MORAN of Virginia, MOLLOHAN, CHANDLER, HINCHEY, OLVER, PASTOR, PRICE of North Carolina, OBEY, SIMPSON, CALVERT, LATOURETTE, COLE, and LEWIS of California as managers of the conference on the part of the House.

At 11:40 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1929. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The President pro tempore (Mr. BYRD) reported that he had signed the following enrolled bill and joint resolution, which had previously been signed by the Speaker of the House:

H.R. 1209. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

H.J. Res. 26. A joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

At 6:12 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3632. An act to provide improvements for the operations of the Federal courts, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1694. An act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 177. Concurrent resolution raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as ''Celebrate Safe Communities'' Week, and October as ''Crime Prevention Month''.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3632. An act to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 177. Concurrent resolution raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as ''Celebrate Safe Communities'' Week, and October as ''Crime Prevention Month''; to the committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3617. An act to provide an extension of Federal-aid highway, highway safety, motor

carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

S. 1963. A bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1692, a bill to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters, and for other purposes (Rept. No. 111–92).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Rafael Borras, of Maryland, to be Under Secretary for Management, Department of Homeland Security.

*David S. Ferriero, of North Carolina, to be Archivist of the United States.

*Susan Tsui Grundmann, of Virginia, to be Chairman of the Merit Systems Protection Board.

*Susan Tsui Grundmann, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2016.

*Anne Marie Wagner, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2014.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ISAKSON:

S. 1941. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. ISAKSON:

S. 1942. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. ISAKSON:

S. 1943. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. ISAKSON:

S. 1944. A bill to suspend temporarily the duty on Regent 800; to the Committee on Finance.

By Mr. ISAKSON:

S. 1945. A bill to suspend temporarily the duty on Triticonazole; to the Committee on Finance.

By Mr. ISAKSON:

S. 1946. A bill to extend the temporary suspension of duty on Solvent Red 227; to the Committee on Finance.

By Mr. ISAKSON:

S. 1947. A bill to extend the temporary suspension of duty on 2-Aminothiophenol; to the Committee on Finance.

By Mr. ISAKSON:

S. 1948. A bill to extend the temporary suspension of duty on 3 ,4-Dimethoxybenzaldehyde; to the Committee on Finance.

By Mr. ISAKSON:

S. 1949. A bill to extend the temporary suspension of duty on Pyromellitic Dianhydride; to the Committee on Finance.

By Mr. ISAKSON:

S. 1950. A bill to suspend temporarily the duty on mixtures of Chlorsulfuron (2-Chloro-N-[(4-methoxy-6-methyl-1, 3, 5-triazin-2-yl)aminocarbonyl]benzenesulfonamide) and metsulfuron methyl (Methyl 2[[[[(4-methoxy-6-methyl-1, 3, 5-triazin-2-yl)arnino]carbonyl]amino]sulfonyl] benzoate) and inert ingredients; to the Committee on Finance.

By Mr. ISAKSON:

S. 1951. A bill to suspend temporarily the duty on Gum Rosin; to the Committee on Finance.

By Mr. ISAKSON:

S. 1952. A bill to suspend temporarily the duty on Firestorm; to the Committee on Finance.

By Mr. CASEY:

S. 1953. A bill to suspend temporarily the duty on p-toluidine; to the Committee on Finance.

By Mr. CASEY:

S. 1954. A bill to suspend temporarily the duty on p-nitrotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 1955. A bill to suspend temporarily the duty on acrylic resin solution; to the Committee on Finance.

By Mr. CASEY:

S. 1956. A bill to suspend temporarily the duty on Benzenamine, 4 Dodecyl; to the Committee on Finance.

By Mr. SCHUMER:

S. 1957. A bill to amend the Public Utility Regulatory Policies Act of 1978 to authorize the Secretary of Energy to make loans to publicly owned electric utilities to finance and refinance projects to comply with any Federal energy efficiency resource standard, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 1958. A bill to suspend temporarily the duty on medium molecular weight solid epoxy resin; to the Committee on Finance.

By Mr. KAUFMAN (for himself, Mr. LEAHY, Mr. SPECTER, Mr. KOHL, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 1959. A bill to improve health care fraud enforcement; to the Committee on the Judiciary.

By Ms. COLLINS:

S. 1960. A bill to suspend temporarily the duty on propylene glycol alginates; to the Committee on Finance.

By Ms. COLLINS:

S. 1961. A bill to suspend temporarily the duty on certain alginates; to the Committee on Finance.

By Ms. COLLINS:

S. 1962. A bill to reduce temporarily the duty on sodium alginate; to the Committee on Finance.

By Mr. AKAKA:

S. 1963. A bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes; read the first time.

By Mr. AKAKA:

S. 1964. A bill to require disclosure of financial relationships between brokers and dealers and mutual fund companies, and of certain commissions paid by mutual fund companies; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU:

S. 1965. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine; to the Committee on Environment and Public Works.

By Mr. DODD (for himself, Mr. CORKER, and Mr. DURBIN):

S. 1966. A bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRAPO:

S. 1967. A bill to extend the suspension of duty on formulations of thiamethoxam, difenoconazole, fludioxonil, and mefenoxam; to the Committee on Finance.

By Mr. CRAPO:

S. 1968. A bill to extend the suspension of duty on mixtures of difenoconazole and mefenoxam; to the Committee on Finance.

By Mr. CRAPO:

S. 1969. A bill to extend the suspension of duty on difenoconazole; to the Committee on Finance.

By Mr. CRAPO:

S. 1970. A bill to suspend temporarily the duty on mixtures containing ethyl (R)-2-[4-(6-chloro-1 ,3-benzoxazol-2-yloxy)phenoxy]propionate (Fenoxaprop-p-ethyl) (CAS No. 71283-80-2), 5-hydroxy-1,3-dimethylpyrazol-4-yl 2-mesyl-4-(trifluoromethyl)phenyl ketone (Pyrasulfotole) (CAS No. 365400-11-9), 2,6-dibromo-4-cyanophenyl octanoate (Bromoxynil octanoate) (CAS No. 1689-99-2__, and 2,6-dibromo-4-cyanophenyl heptanoate (Bromoxynil heptanoate) (CAS No. 56634-95-8) (provided for in subheading 3808.93.15); to the Committee on Finance.

By Mr. CRAPO:

S. 1971. A bill to extend the suspension of duty on Mesosulfuronmethyl; to the Committee on Finance.

By Mr. CRAPO:

S. 1972. A bill to extend the temporary suspension of duty on mixtures of methyl 4-iodo-2-[3-(4-methoxy-6-methyl-1,3 ,5-triazin-2-yl)ureidosulfonyl] benzoate, sodium salt (Iodosulfuron methyl , sodium salt) and application adjuvants; to the Committee on Finance.

By Ms. CANTWELL:

S. 1973. A bill to extend the temporary suspension of duty on suspension system stabilizer bars; to the Committee on Finance.

By Ms. CANTWELL:

S. 1974. A bill to suspend temporarily the duty on certain flavored green tea in immediate packings of a content not exceeding 3 kilograms; to the Committee on Finance.

By Ms. CANTWELL:

S. 1975. A bill to suspend temporarily the duty on flavored green tea (not fermented); to the Committee on Finance.

By Ms. CANTWELL:

S. 1976. A bill to extend the temporary suspension of duty on magnesium peroxide; to the Committee on Finance.

By Ms. CANTWELL:

S. 1977. A bill to extend and modify the temporary suspension of duty on 9,10-Anthracenedione; to the Committee on Finance.

By Ms. CANTWELL:

S. 1978. A bill to suspend temporarily the duty on modified steel leaf spring leaves; to the Committee on Finance.

By Mr. CASEY:

S. 1979. A bill to suspend temporarily the duty on certain fiberglass sheets used to make ceiling tiles; to the Committee on Finance.

By Mr. CASEY:

S. 1980. A bill to suspend temporarily the duty on certain fiberglass sheets used to make flooring substrate; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 1981. A bill to provide for the liquidation or reliquidation of certain line items in entries of tailored garments from Costa Rica; to the Committee on Finance.

By Mr. BROWN (for himself, Ms. STABENOW, Mr. LEVIN, Mr. FEINGOLD, and Mr. SPECTER):

S. 1982. A bill to renew and extend the provisions relating to the identification of trade enforcement priorities, and for other purposes; to the Committee on Finance.

By Mr. WICKER:

S. 1983. A bill to extend the temporary suspension of duty on certain used compression-ignition internal combustion piston engines used in remanufacture; to the Committee on Finance.

By Mr. WICKER:

S. 1984. A bill to extend the temporary suspension of duty on certain used fuel pumps used in remanufacture; to the Committee on Finance.

By Mr. WICKER:

S. 1985. A bill to extend the temporary suspension of duty on certain used gear boxes used in remanufacture; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, Mr. TESTER, Mr. HARKIN, and Mr. KERRY):

S. 1986. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR:

S. 1987. A bill to suspend temporarily the duty on certain aluminum vacuum mugs with lids; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1988. A bill to suspend temporarily the duty on certain bamboo vases; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1989. A bill to suspend temporarily the duty on certain children's wallets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1990. A bill to suspend temporarily the duty on certain plastic children's wallets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1991. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1992. A bill to suspend temporarily the duty on certain inflatable air mattresses; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1993. A bill to suspend temporarily the duty on certain reusable fabric [cotton] bags; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1994. A bill to suspend temporarily the duty on certain reusable fabric bags; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1995. A bill to suspend temporarily the duty on certain soap and lotion pumps; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 1996. A bill to suspend temporarily the duty on certain swimming pools; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 1997. A bill to extend the temporary suspension of duty on Propargite; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 1998. A bill to extend temporarily the suspension of duty on cerium sulfide pigments; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 1999. A bill to extend temporarily the suspension of duty on certain high tenacity rayon filament yarn; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2000. A bill to suspend temporarily the duty on 3-Bromo-N-[4-chloro-2-methyl-6-[(methylamino)carbonyl]phenyl]-1 H-pyrazole-5-carboxamide (Chlorantraniliprole); to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2001. A bill to extend temporarily the suspension of duty on certain high tenacity rayon filament yarn; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2002. A bill to reduce temporarily the rate of duty on 2-chloro-N-(4'-chlorobiphenyl-2-yl)-nicotinamide; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2003. A bill to reduce temporarily the rate of duty on Methyl N-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-oxymethyl] phenyl)-N-methoxycarbanose; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2004. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2005. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2006. A bill to reduce temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2007. A bill to suspend temporarily the duty on 2-butyne-1,4-diol, polymer with (chloromethyl)oxirane, brominated, dehydrochlorinated, methoxylated and triethyl phosphate; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2008. A bill to extend temporarily the suspension of duty on 4 ,4N-Oxydiphthalic anhydride; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2009. A bill to extend temporarily the suspension of duty on 3,3',4,4'-Biphenyltetracarboxylic dianhydride; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2010. A bill to suspend temporarily the duty on Daminozide; to the Committee on Finance.

By Mr. BARRASSO:

S. 2011. A bill to extend temporarily the suspension of duty on nylon woolpacks used to package wool; to the Committee on Finance.

By Mrs. LINCOLN:

S. 2012. A bill to extend the temporary suspension of duty on triacetonamine; to the Committee on Finance.

By Mrs. LINCOLN:

S. 2013. A bill to extend the temporary suspension of duty on crotonaldehyde; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. Res. 326. A resolution recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. LEAHY, Mr. KOHL, Mr. FEINGOLD, Mrs. GILLIBRAND, Mr. CRAPO, Ms. COLLINS, Mr. SPECTER, Ms. LANDRIEU, Ms. STABENOW, Mr. KAUFMAN, Mr. DURBIN, Mr. BROWN, Mr. BURRIS, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mrs. BOXER, and Mrs. HAGAN):

S. Res. 327. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month 2009 and expressing the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence; considered and agreed to.

ADDITIONAL COSPONSORS

S. 384

At the request of Mr. LUGAR, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 546

At the request of Mr. REID, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 801

At the request of Mr. AKAKA, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 801, a bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 827, a bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds.

S. 870

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open loop biomass.

S. 1030

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1030, a bill to amend the Internal Revenue Code of 1986 to eliminate the reduction in the credit rate for certain facilities producing electricity from renewable resources.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. REED), the Senator from Louisiana (Mr. VITTER) and the Senator from Massachusetts (Mr. KIRK) were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1147

At the request of Mr. KOHL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1301

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 1301, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 1422

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1422, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1556

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1556, a bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1660, a bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 1681

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 1822

At the request of Mr. MERKLEY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1822, a bill to amend the Emergency Economic Stabilization Act of 2008, with respect to considerations of the Secretary of the Treasury in providing assistance under that Act, and for other purposes.

S. 1833

At the request of Mr. UDALL of Colorado, the names of the Senator from California (Mrs. BOXER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1833, 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.

S. 1834

At the request of Mr. AKAKA, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1834, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 1927

At the request of Mr. DODD, the names of the Senator from Colorado (Mr. BENNET), the Senator from Michigan (Mr. LEVIN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from California (Mrs. BOXER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1927, a bill to establish a moratorium on credit card interest rate increases, and for other purposes.

S. 1928

At the request of Mr. BAUCUS, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1928, a bill to extend and modify the temporary suspension of duty on golf bag bodies made of woven fabrics of nylon or polyester sewn together with pockets, and dividers or graphite protectors, accompanied with rainhoods.

S. 1930

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1930, a bill to amend the Internal Revenue Code of 1986 to enhance the administration of, and reduce fraud related to, the first-time homebuyer tax credit, and for other purposes.

S. RES. 316

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAUFMAN (for himself, Mr. LEAHY, Mr. SPECTER, Mr. KOHL, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 1959. A bill to improve health care fraud enforcement; to the Committee on the Judiciary.

Mr. KAUFMAN. Mr. President, it is no longer a secret that fraud represents one of the fastest growing and most costly forms of crime in America today. In no small part, our current economic crisis can be attributed to unchecked mortgage fraud. Mortgage fraud itself was spurred by rampant accounting fraud, which enabled crooked executives to fatten their larders on a bubble of fake equity. And on the backend, securities fraud, in the form of market manipulation and insider trading, hastened the eventual market crash and maximized its impact on Main Street and average American investors. In response, this body passed the Fraud Enforcement Recovery Act, FERA, which directed critical resources and tools to anti-financial fraud efforts.

FERA was passed in response to an unprecedented financial crisis. Americans should expect Congress to do more than simply react to crises after their most destructive impacts have already been felt. We owe it to our constituents to be proactive and to seek out and solve problems on the horizon so that disaster can be averted.

In the midst of the debate concerning comprehensive health care reform, we must be proactive in combating health care fraud and abuse. Each year, criminals drain between $72 and $220 billion from private and public health care plans through fraud. We pay these costs as taxpayers and through higher health insurance premiums. As we take

steps to increase the number of Americans who are covered by health insurance, and to improve the health care system for everyone, we must also ensure that law enforcement has the tools that it needs to deter, detect, and punish health care fraud.

The Finance and HELP committees have worked long and hard to find ways to fight fraud and bend the cost curve down. They have done a great job. There's more work to be done, however, which is why today I, along with Senators LEAHY, SPECTER, KOHL, SCHUMER, and KLOBUCHAR, introduce the Health Care Fraud Enforcement Act of 2009.

This bill makes straightforward but critical improvements to the Federal sentencing guidelines, to health care fraud statutes, and to forfeiture, money laundering, and obstruction statutes. The bill would also make available more Federal resources to activities specifically designed to target health care fraud. Taken together, these measures send a strong and unmistakable signal to those who would engage in health care fraud that they will be caught, and they will be punished.

The bill makes important changes to the Federal sentencing guidelines to ensure that health care fraud offenses will be punished commensurate with the cost that these offenders inflict upon our health care system. Health care represents ⅙ of our national economy, and so unchecked health care fraud has the potential to inflict devastating harm to our national prosperity.

Despite the enormous losses in many health care fraud cases, analysis from the United States Sentencing Commission suggests that health care fraud offenders often receive shorter sentences than other white collar offenders in cases with similar loss amounts. And according to statements from cooperating health care fraud defendants, many criminals are drawn to health care fraud because of this low risk-to-reward ratio. For this reason, the bill directs the Sentencing Commission to increase the offense score of health care fraud offenses by two to four levels, depending on the dollar amount involved in the crime.

The bill also clarifies that courts should refuse to entertain arguments by defendants that they can avoid stiff punishment because only a portion of their fraudulent claims were likely to be paid.

In addition, the bill updates the definition of ''health care fraud offense'' in the Federal criminal code to include violations of the anti-kickback statute, the Food, Drug and Cosmetic Act, and certain provisions of ERISA. These changes will allow the full panoply of law enforcement tools to be used against all health care fraud.

The bill also strengthens whistleblower actions based on medical care kickbacks, which tempt by health care providers to churn unnecessary medical care at great risk to patients and great cost to the taxpayer. By making all payments that stem from an illegal kickback subject to the False Claims Act, this bill leverages the private sector to help detect and recover money paid pursuant to these illegal practices.

The Department of Justice has had success both prosecuting illegal kickbacks and pursuing False Claims Act matters based on underlying violations of the Anti-Kickback Statute. Nevertheless, defendants in such FCA cases continue to mount legal challenges that sometimes defeat legitimate enforcement efforts.

For example, a court recently held that, even though a device company may have paid a kickback to a doctor to use a particular medical device, the bill to the government for the procedure to implant the device was not false or fraudulent because the claim was submitted by the innocent hospital, and not by the guilty doctor. In other words, a claim that results from a kickback and that is fraudulent when submitted by a wrongdoer is laundered into a ''clean'' claim when an innocent third party finally submits the claim to the government for payment. This has the effect of insulating both the payor and the recipient of the kickback from False Claims Act liability. This obstacle to a successful action particularly limits the ability of the Department of Justice to recover from pharmaceutical and device manufacturers, because in such instances the claims arising from the illegal kickbacks typically are not submitted by the doctors who received the kickbacks, but by pharmacies and hospitals that had no knowledge of the underlying unlawful conduct.

This bill remedies the problem by amending the anti-kickback statute to ensure that all claims resulting from illegal kickbacks are ''false or fraudulent,'' even when the claims are not submitted directly by the wrongdoers themselves. I want to emphasize that in such circumstances, neither anti-kickback nor False Claims Act liability will lie against the innocent third party that submitted the claim.

The bill also addresses confusion in the case law over the appropriate meaning of ''willful'' conduct in health care fraud. Both the anti-kickback statute and the health care fraud statute include the term ''willfully.'' In both contexts, the Ninth Circuit Court of Appeals has read the term to require proof that the defendant not only intended to engage in unlawful conduct, but also knew of the particular law in question and intended to violate that particular law.

This heightened mental state requirement may be appropriate for criminal violations of hyper-technical regulations, but it is inappropriate for these crimes, which punish simple fraud. The Finance Committee health care reform bill, America's Healthy Future Act, addresses this problem for the anti-kickback statute, but not for the general health care fraud offense. Accordingly, the Health Care Fraud Enforcement Act tracks the Finance bill and clarifies that ''willful conduct'' in this context does not require proof that the defendant had actual knowledge of the law in question or specific intent to violate that law. As a result, health care fraudsters will not receive special protection that they don't deserve.

Next, the bill provides the Department of Justice with critical subpoena authority for investigations conducted pursuant to the Civil Rights for Institutionalized Persons Act, also known as CRIPA.

Pursuant to that important statute, the Civil Rights Division of the Department of Justice investigates conditions in publicly operated institutions, such as nursing homes, mental health institutions, facilities for persons with disabilities, residential schools for children with disabilities, as well as jails and prisons, where there has been an allegation of pattern or practice of violating residents' Federal civil rights. Under CRIPA, only injunctive relief is available; the statute does not provide for the award of damages.

CRIPA investigations commonly concern allegations of inadequate medical and mental health care, unsafe living conditions, and the failure to protect residents from harm. The majority of CRIPA investigations are conducted with the voluntary cooperation of state and local jurisdictions. When unlawful conditions are identified, CRIPA investigations are typically resolved through a negotiated settlement agreement that addresses the reforms necessary to correct policies, procedures and practices to address the identified deficiencies.

Some jurisdictions, however, have refused to cooperate with the Division. CRIPA does not authorize the Department of Justice to issue subpoenas for documents, records, or even for access into the institution that is the target of the investigation. As a result, investigations have been hamstrung and the effectiveness of CRIPA to remedy systemic abuse of institutionalized persons has been unnecessarily limited.

For example, in a CRIPA investigation of a county nursing home in New Jersey, the local jurisdiction would not cooperate. The Division's investigation revealed inadequate medical and mental health care, unlawful restraint, and inadequate nutrition and hydration. In one particularly serious incident, which occurred weeks after a meeting with the county officials to request their cooperation with the investigation, a resident was fed so quickly by staff that she aspirated and died. Emergency room physicians extracted a volume of mashed potatoes from the resident's lungs that filled a Ziploc bag. Another nursing home resident slowly starved to death because staff improperly positioned that resident's feeding tube. The Division was compelled to file suit, resulting in a negotiated settlement more than 4 years after the investigation began. To be sure, these

abuses are a civil rights issue that demand attention even in the absence of fraud prevention. But substandard care also represents fraud and waste, because taxpayers have paid for the provision of satisfactory medical services at facilities that fall under CRIPA jurisdiction.

The absence of subpoena authority enables non-cooperating jurisdictions to obstruct and delay the Division in its mission to ensure that the Federal rights of persons in the custody of state and local officials are respected. The resultant litigation when jurisdictions exploit the absence of subpoena power is extraordinarily costly, yet the substantive outcome, appropriate injunctive relief, is the same.

The bill addresses the problem by authorizing the Department of Justice to issue subpoenas for access to any institution that is the subject of an investigation related to a violation of CRIPA, and for any documents, records, materials, files, reports, memoranda, policies, procedures, investigations, video or audio recordings, and quality assurance reports of such institution.

In a final substantive change, the bill corrects an apparent drafting error by providing that obstruction of criminal investigations involving administrative subpoenas under HIPAA, the Health Insurance Portability and Accountability Act of 1996, should be treated in the same manner as obstruction of criminal investigations involving grand jury subpoenas.

Finally, the Health Care Fraud Enforcement Act provides the resources needed for law enforcement to uncover and go after these frauds. Health care fraud cannot be fought effectively without more investigators and prosecutors. This bill authorizes the appropriation of $20,000,000 each year from 2011 through 2016 for investigations, prosecutions, and civil or other proceedings relating to fraud and abuse in connection with any health care benefit program. The bill authorizes the United States Attorneys' Offices to be appropriated an additional $10,000,000 each year for this purpose, the Criminal Division of the Department of Justice, $5,000,000 each year, and the Civil Division of the Department of Justice, $5,000,000 each year.

As we move toward meaningful health care reform, we must ensure that criminals who engage in health care fraud, and those who contemplate doing so, understand that they face swift prosecution and substantial punishment. Congress should move quickly to pass this legislation so that American taxpayers can be confident that their government has the tools and resources necessary to protect its investment in the health and welfare of our Nation.

I urge my colleagues to support the Health Care Fraud Enforcement Act of 2009.

Mr. LEAHY. Mr. President, I am pleased to join Senator KAUFMAN, as well as Senators SPECTER, KOHL, SCHUMER, and KLOBUCHAR, to introduce the Health Care Fraud Enforcement Act of 2009. This legislation builds on the impressive steps the administration has already taken to step up health care fraud prevention and enforcement, and on the real progress represented by the anti-fraud provisions of the Finance and Health, Education, Labor and Pension Committee bills already before Congress. I was glad to contribute to those efforts.

I feel strongly, though, that more needs to be done. This bill will provide prosecutors with needed tools for the effective investigation, prosecution, and punishment of health care fraud. By making modest but important changes to the law, it ensures that those who drain our health care system of billions of dollars each year, driving up costs and risking patients' lives, will go to jail, and that their fraudulent gains will be returned to American taxpayers and health care beneficiaries.

For more than 3 decades, I have fought in Congress to combat fraud and protect taxpayer dollars. This spring, I introduced with Senator GRASSLEY and Senator KAUFMAN the Fraud Enforcement and Recovery Act, the most significant anti-fraud legislation in more than a decade. When that legislation was enacted, it provided law enforcement with new tools to detect and prosecute financial and mortgage fraud. Now, as health care reform moves through the Senate, I want to make sure we do all we can to tackle the fraud that has contributed greatly to the skyrocketing cost of health care.

The scale of health care fraud in America today is staggering. According to conservative estimates, about three percent of the funds spent on health care are lost to fraud—more than $60 billion a year. In the Medicare program alone, the Government Accountability Office estimates that more than $10 billon was lost to fraud just last year. While Medicare and Medicaid fraud is significant, it is important to remember that health care fraud does not occur solely in the public sector. Private health insurers also see billions of dollars lost to fraud. That fraud is often harder for the Government to track. Private companies have less incentive to report it, and in some cases, are responsible for the fraudulent practices themselves. Reining in private sector fraud must be a part of any comprehensive health care reform.

The Health Care Fraud Enforcement Act of 2009 makes a number of straightforward, important improvements to existing statutes to strengthen prosecutors' ability to combat health care fraud. The bill would increase the Federal sentencing guidelines for health care fraud offenses. Despite the enormous losses in many health care fraud cases, offenders often receive shorter sentences than other white collar criminals. This lower risk is one reason criminals are drawn to health care fraud. By increasing the Federal sentencing guidelines for health care fraud offenses, we send a clear message that those who steal from the Nation's health care system will face swift prosecution and substantial punishment.

The bill also provides for a number of statutory changes to strengthen fraud enforcement. For example, it would expand the definition of a ''Federal health care fraud offense'' to include violations of the anti-kickback statute and several other key health care-related criminal statutes, which will allow for more vigorous enforcement of those offenses, including making their proceeds subject to criminal forfeiture. It would also amend the anti-kickback statute to ensure that all claims resulting from illegal kickbacks are considered false claims for the purpose of civil action under the False Claims Act, even when the claims are not submitted directly by the wrongdoers themselves. All too often, health care providers secure business by paying illegal kickbacks, which needlessly increase health care risks and costs. This change will help ensure that the government is able to recoup from wrongdoers the losses caused by false health care fraud claims. The bill clarifies the intent requirement of another key health care fraud statute in order to facilitate effective, fair, and vigorous enforcement.

The bill also provides the Department of Justice with limited subpoena authority for civil rights investigations conducted pursuant to the Civil Rights for Institutionalized Persons Act. This provision allows the Government to more effectively investigate conditions in publicly operated institutions, such as nursing homes, mental health institutions, and residential schools for children with disabilities, where there have been allegations of civil rights violations.

Lastly, the bill provides needed resources for criminal and civil enforcement of health care fraud laws. It authorizes the appropriation of $20,000,000 a year to the Department of Justice from 2011 through 2016 for investigations, prosecutions, and civil or other proceedings relating to fraud and abuse in connection with any health care benefit program. Studies indicate a return on investment of anywhere from $6 to $15 in Government recovery of fraud proceeds for every $1 spent on health care fraud enforcement, so this is a prudent and needed investment.

We all agree that reducing the cost of health care for American citizens is a critical goal of health care reform. We in Congress must do our part by ensuring that, when we pass a health care reform bill, it includes all the tools and resources needed to crack down on the scourge of health care fraud. This bill is an important part of that effort.

By Mr. AKAKA:

S. 1963. A bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes; read the first time.

Mr. AKAKA. Mr. President, today I am introducing landmark legislation that will provide critical assistance to veterans and their family caregivers. The Caregiver and Veterans Omnibus Health Services Act of 2009, contains provisions from S. 252, the Veterans Health Care Authorization Act of 2009, and S. 801, the Caregiver and Veterans Health Services Act of 2009. The Committee reported both S. 252 and S. 801, and but they are being held by a single Senator. Today, I reintroduce these vital improvements to veterans' health care as S. 1963.

The bipartisan provisions contained in S. 1963 provide needed assistance and support to family members and others who are serving as caregivers for the most seriously injured veterans of the conflicts in Iraq and Afghanistan. This assistance includes health care, counseling, support and a living stipend. They also expand services for women veterans, those with traumatic brain injury, and veterans that live in rural areas. Because the Nation's veterans and their caregivers cannot wait any longer for this help, I am introducing S. 1963, and asking that it be immediately placed on the Calendar.

S. 1963 has one simple theme: that every veteran deserves access to high quality health care, whether that care is provided by VA, or by a family caregiver. The Congress has previously recognized the contributions of caregivers. S. 1963 also contains many other important veterans' health improvements, including expanding services for women veterans; telemedicine technologies; transportation grants; and scholarship and loan repayment programs; and eliminating copayments for catastrophically disabled veterans. States which have an especially high number of veterans living in rural areas, such as Montana, Nevada, Wyoming, Florida, Arizona, Arkansas, Virginia, Idaho, Oklahoma, and New Mexico, would benefit greatly from the provisions in the bill which are designed to improve health care for rural veterans.

By Mr. AKAKA:

S. 1964. A bill to require disclosure of financial relationships between brokers and dealers and mutual fund companies, and of certain commissions paid by mutual fund companies; to the Committee on Banking, Housing, and Urban Affairs.

Mr. AKAKA. Mr. President, today, I am introducing the Mutual Fund Transparency Act of 2009. Mutual funds are vital investment vehicles for middle-income Americans that provide diversification and professional money management. Many working families rely on their mutual fund investments to pay for their children's education, prepare for retirement, and attain other financial goals.

I first introduced a version of this legislation in 2003. That fall, appalling abuses of investor trust were exposed. Ordinary investors were being harmed by the greed of brokers, mutual fund employees, and institutional and large investors. The transgressions made it clear that the boards of mutual fund companies were not providing sufficient oversight and failed to adequately protect the interests of their shareholders.

After the introduction of my bill, Securities and Exchange Commission, SEC, Chairman William Donaldson proposed several rules that mirrored the provisions in my bill, including a requirement that funds relying on certain exemptive rules have an independent chairman and that 75 percent of board directors be independent. However, legal actions taken against the SEC by the Chamber of Commerce and subsequent inaction under his successor, Chairman Christopher Cox, have prevented the adoption of these rules. The SEC needs additional statutory authority to finish these reforms and ensure that investors can rely on independent mutual fund boards to protect their interests.

My bill will ensure the independence of mutual fund boards, increase the transparency of fees and expenses of mutual funds, and impose a fiduciary duty on all investment advisors.

I have included in this legislation a number of provisions intended to ensure the independence of mutual fund boards. Poor board governance was a contributing factor to the mutual fund scandals in 2003. Independent directors must have a dominant presence on the board to ensure that investors' interests are the top priority. Once again, my legislation requires mutual fund boards to have an independent chairman and that 75 percent of their members be independent. The legislation strengthens the definition of an independent director. These changes will ensure that the interest of investors will be the paramount priority of the board.

My legislation will ensure that investors are provided with relevant and meaningful disclosures from which they can make better informed decisions. Mr. President, my bill will increase the transparency of the complex financial relationship between brokers and mutual fund companies in ways that are both meaningful and easy to understand for investors. Shelf-space payments and revenue-sharing agreements between mutual fund companies and brokers present conflicts of interest that must be disclosed to investors. Without such disclosures, investors cannot make informed financial decisions. Investors may believe that brokers are recommending funds based on the expectation of solid returns or low volatility, when the broker's recommendation may be influenced by hidden broker commissions. I have included a point-of-sale disclosure requirement in my legislation. In my bill, investors would have to be provided with the amount of differential payments and average fees for comparable transactions. My legislation also requires that confirmation notices be provided for mutual fund transactions, which will indicate how their broker was compensated.

Investors are not provided with a complete and accurate idea of the expenses involved with owning a particular fund. Consumers often compare the expense ratios of funds when making investment decisions. However, expense ratios fail to take into account the cost of commissions in the purchase and sale of securities. To further increase the transparency of the actual costs of the fund, brokerage commissions must be counted as an expense in filings with the SEC and included in the calculation of the expense ratio. Currently, brokerage commissions are disclosed to the SEC, but not to individual investors. Brokerage commissions are only disclosed to investors upon request. My bill strengthens brokerage commission disclosure provisions and ensures that commissions will be included in a document that investors have access to and can utilize. The inclusion of brokerage commissions in the expense ratio creates an incentive to reduce the use of soft dollars. Soft dollars can be used to lower expenses since most purchases using soft dollars do not count as expenses and are not calculated into the expense ratio. This change will make it easier for investors to know the true cost of the fund and compare the expense ratios of funds meaningfully.

When I reintroduced a version of this bill in 2005, I added a provision pertaining to the fiduciary duty of brokers. Although I have modified that provision for the current bill, my intent to apply a fiduciary duty to brokers remains the same. This is an essential provision because it ensures that all financial professionals have the same responsibility to act in the best interests of their clients whether they are an investment advisor or a broker.

We must improve the financial literacy of mutual fund investors so that they can make more sound investment decisions. I have included a requirement that the SEC study financial literacy among mutual fund investors. The SEC would be required to develop a strategy to increase the financial literacy of investors that results in positive change in investor behavior. In addition, the bill requires the Comptroller General of the United States to conduct a study on mutual fund advertising and make recommendations to improve investor protections and ensure that investors can make informed financial decisions when purchasing shares.

We must enact this vital legislation to help protect the investments that our working families make in mutual

funds. These reforms are long overdue. I will build upon the administration's regulatory modernization proposal on fiduciary duty for brokers and pre-sale disclosure of mutual fund expenses.

I look forward to working with my friend, SEC Chairman Mary Schapiro, to bring about structural reform in the mutual fund industry and increase disclosures in order to provide useful and relevant information to mutual fund investors.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

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

S. 1964

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 ''Mutual Fund Transparency Act of 2009''.

SEC. 2. DISCLOSURE OF FINANCIAL RELATIONSHIPS BETWEEN BROKERS AND DEALERS AND MUTUAL FUND COMPANIES.

(a) IN GENERAL.—Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

''(13) CONFIRMATION OF TRANSACTIONS FOR MUTUAL FUNDS.—

''(A) IN GENERAL.—Each broker and dealer shall disclose in writing to customers that purchase the shares of any open-end or closed-end company registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8) or any interest in a unit investment trust or municipal securities registered under this title used for education savings plans—

''(i) the amount of any compensation received or to be received by the broker or dealer in connection with such transaction from any sources; and

''(ii) such other information as the Commission determines appropriate.

''(B) REVENUE SHARING.—The term 'compensation' under subparagraph (A) includes any direct or indirect payment made by an investment adviser (or any affiliate of an investment adviser) to a broker or dealer for the purpose of promoting the sales of securities of an entity described in subparagraph (A), and payments made by an underwriter of the fund to a broker or dealer.

''(C) TIMING OF DISCLOSURE.—The disclosure required under subparagraph (A) shall be provided or sent to a customer not later than the date of the completion of the transaction.

''(D) LIMITATION.—The disclosures required under subparagraph (A) may not be made exclusively in—

''(i) a registration statement or prospectus of an entity described in subparagraph (A); or

''(ii) any other filing of an entity described in subparagraph (A) with the Commission.

''(E) COMMISSION AUTHORITY.—

''(i) IN GENERAL.—The Commission shall issue such final rules or regulations as are necessary to carry out this paragraph, not later than 1 year after the date of enactment of the Mutual Fund Transparency Act of 2009.

''(ii) FORM OF DISCLOSURE.—Disclosures under this paragraph shall be in such form as the Commission shall require by rule.

''(F) DEFINITIONS.—In this paragraph—

''(i) the terms 'open-end company' and 'closed-end company' have the same meanings as in section 5 of the Investment Company Act of 1940 (15 U.S.C. 80a–5);

''(ii) the term 'unit investment trust' has the same meaning as in section 4 of the Investment Company Act of 1940 (15 U.S.C. 80a–4); and

''(iii) the term 'education savings plan' means a qualified tuition program described in section 529(b)(1)(A)(ii) of the Internal Revenue Code of 1986.''.

(b) DISCLOSURE OF BROKERAGE COMMISSIONS.—Section 30 of the Investment Company Act of 1940 (15 U.S.C. 80a–29) is amended by adding at the end the following:

''(k) DISCLOSURE OF BROKERAGE COMMISSIONS.—The Commission, by rule, shall require that brokerage commissions as an aggregate dollar amount and percentage of assets paid by an open-end or closed-end company or a unit investment trust or issuer of municipal securities during the 5-year period preceding the date of the transaction be included in any disclosure of the amount of fees and expenses that may be payable by the holder of the securities of such company for purposes of—

''(1) the registration statement of that company; and

''(2) any other filing of that company with the Commission, including the calculation of expense ratios.''.

SEC. 3. MUTUAL FUND GOVERNANCE.

(a) INDEPENDENT FUND BOARDS.—Section 10(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–10(a)) is amended—

(1) by striking ''shall have'' and inserting the following: ''shall—

''(1) have'';

(2) by striking ''60 per centum'' and inserting ''25 percent'';

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(2) have as chairman of its board of directors an interested person of such registered company; or

''(3) permit any person (other than an interested person, as described in paragraph (1)) to serve as a member of its board of directors, unless that person—

''(A) is approved or elected by the shareholders of such registered investment company at least once every 5 years; and

''(B) has been found, on an annual basis, by a majority of the directors who are not interested persons, after reasonable inquiry by such directors, not to have any material business or familial relationship with the registered company, a significant service provider to the company, or any entity controlling, controlled by, or under common control with such service provider, that could reasonably be interpreted as a conflict of interest or cast doubt on the independence of the director.''.

(b) ACTION BY INDEPENDENT DIRECTORS.—Section 10 of the Investment Company Act of 1940 (15 U.S.C. 80a–10) is amended by adding at the end the following:

''(i) ACTION BY BOARD OF DIRECTORS.—No action taken by the board of directors of a registered investment company may require the vote of a director who is an interested person of such registered investment company.

''(j) INDEPENDENT COMMITTEE.—

''(1) IN GENERAL.—The members of the board of directors of a registered investment company who are not interested persons of such registered investment company shall establish a committee comprised solely of such members, which committee shall be responsible for—

''(A) selecting persons to be nominated for election to the board of directors; and

''(B) adopting qualification standards for the nomination of directors.

''(2) DISCLOSURE.—The standards developed under paragraph (1)(B) shall be disclosed in the registration statement of the registered investment company.''.

(c) DEFINITION OF INTERESTED PERSON.—Section 2(a)(19) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)(19)) is amended—

(1) in subparagraph (A)—

(A) in clause (iv), by striking ''two'' and inserting ''5''; and

(B) by striking clause (vii) and inserting the following:

''(vii) any natural person who has served as an officer or director, or as an employee within the preceding 10 fiscal years, of an investment adviser or principal underwriter to such registered investment company, or of any entity controlling, controlled by, or under common control with such investment adviser or principal underwriter;

''(viii) any natural person who has served as an officer or director, or as an employee within the preceding 10 fiscal years, of any entity that has within the preceding 5 fiscal years acted as a significant service provider to such registered investment company, or of any entity controlling, controlled by, or under the common control with such service provider;

''(ix) any natural person who is a member of a class of persons that the Commission, by rule or regulation, determines is unlikely to exercise an appropriate degree of independence as a result of—

''(I) a material business or professional relationship with the investment company or an affiliated person of such investment company;

''(II) a close familial relationship with any natural person who is an affiliated person of such investment company; or

''(III) any other reason determined by the Commission:''; and

(2) in subparagraph (B)—

(A) in clause (iv), by striking ''two'' and inserting ''5''; and

(B) by striking clause (vii) and inserting the following:

''(vii) any natural person who is a member of a class of persons that the Commission, by rule or regulation, determines is unlikely to exercise an appropriate degree of independence as a result of—

''(I) a material business or professional relationship with such investment adviser or principal underwriter or affiliated person of such investment adviser or principal underwriter;

''(II) a close familial relationship with any natural person who is an affiliated person of such investment adviser or principal underwriter; or

''(III) any other reason, as determined by the Commission.''.

(d) DEFINITION OF SIGNIFICANT SERVICE PROVIDER.—Section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)) is amended by adding at the end the following:

''(54) SIGNIFICANT SERVICE PROVIDER.—

''(A) IN GENERAL.—Not later than 270 days after the date of enactment of the Mutual Fund Transparency Act of 2009, the Commission shall issue final rules defining the term 'significant service provider'.

''(B) REQUIREMENTS.—The definition developed under paragraph (1) shall include, at a minimum, the investment adviser and principal underwriter of a registered investment company for purposes of paragraph (19).''.

SEC. 4. FINANCIAL LITERACY AMONG MUTUAL FUND INVESTORS STUDY.

(a) IN GENERAL.—The Securities and Exchange Commission shall conduct a study to identify—

(1) the existing level of financial literacy among investors that purchase shares of open-end companies, as that term is defined

under section 5 of the Investment Company Act of 1940, that are registered under section 8 of that Act;

(2) the most useful and understandable relevant information that investors need to make sound financial decisions prior to purchasing such shares;

(3) methods to increase the transparency of expenses and potential conflicts of interest in transactions involving the shares of open-end companies;

(4) the existing private and public efforts to educate investors; and

(5) a strategy to increase the financial literacy of investors that results in a positive change in investor behavior.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Securities and Exchange Commission shall submit a report on the study required under subsection (a) to—

(1) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Financial Services of the House of Representatives.

SEC. 5. STUDY REGARDING MUTUAL FUND ADVERTISING.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on mutual fund advertising to identify—

(1) existing and proposed regulatory requirements for open-end investment company advertisements;

(2) current marketing practices for the sale of open-end investment company shares, including the use of unsustainable past performance data, funds that have merged, and incubator funds;

(3) the impact of such advertising on consumers; and

(4) recommendations to improve investor protections in mutual fund advertising and additional information necessary to ensure that investors can make informed financial decisions when purchasing shares.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report on the results of the study conducted under subsection (a) to—

(1) the Committee on Banking, Housing, and Urban Affairs of the United States Senate; and

(2) the Committee on Financial Services of the House of Representatives.

SEC. 6. POINT-OF-SALE DISCLOSURE.

(a) IN GENERAL.—Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)), as amended by section 2 of this Act, is amended by adding at the end the following:

''(14) BROKER AND DEALER DISCLOSURES IN MUTUAL FUND TRANSACTIONS.—

''(A) IN GENERAL.—Each broker and dealer shall disclose in writing to each person that purchases the shares of an open-end or closed-end company registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8) or any interest in a unit investment trust or municipal securities registered under this title—

''(i) the source and amount, in dollars and as a percentage of assets, of any compensation received or to be received by the broker or dealer in connection with such transaction from any sources;

''(ii) the amount, in dollars and as a percentage of assets, of compensation received in connection with transactions in shares of other investment company shares offered by the broker or dealer, if materially different from the amount under clause (i);

''(iii) comparative information that shows the average amount received by brokers and dealers in connection with comparable transactions, as determined by the Commission; and

''(iv) such other information as the Commission determines appropriate.

''(B) REVENUE SHARING.—The term 'compensation' under subparagraph (A) shall include any direct or indirect payment made by an investment adviser (or any affiliate of an investment adviser) to a broker or dealer for the purpose of promoting the sales of securities of a registered investment company.

''(C) TIMING OF DISCLOSURE.—The disclosures required under subparagraph (A) shall be made to permit the person purchasing the shares to evaluate such disclosures before deciding to engage in the transaction.

''(D) LIMITATION.—The disclosures required under subparagraph (A) may not be made exclusively in—

''(i) a registration statement or prospectus of a registered investment company; or

''(ii) any other filing of a registered investment company with the Commission.

''(E) COMMISSION AUTHORITY.—The Commission shall promulgate such final rules as are necessary to carry out this paragraph not later than 1 year after the date of enactment of the Mutual Fund Transparency Act of 2009.''.

(b) FIDUCIARY DUTIES.—Section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) is amended by adding at the end the following new subsection:

''(k) STANDARD OF CARE.—Notwithstanding any other provision of this title or the Investment Advisers Act of 1940, the Commission shall promulgate rules, not later than 1 year after the date of enactment of the Mutual Fund Transparency Act of 2009 to provide that the standard of care for all brokers and dealers in providing investment advice about securities to retail customers or clients (and such other customers or clients as the Commission may by rule provide) shall be the fiduciary duty established under the Investment Advisers Act of 1940, including, without limitation, the duty to act solely in the best interest of the customer or client, without regard to the financial or other interest of the broker or dealer providing the advice.''.

OCTOBER 21, 2009.

Hon. DANIEL K. AKAKA,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR AKAKA: We are writing to express our strong support for your efforts to ensure that professionals who advise America's investors are held to the highest standard of care—the fiduciary standard. Section 6(b) of the Mutual Fund Transparency Act of 2009 (''MFTA'') would clearly establish that brokers are subject to a fiduciary duty with respect to investment advice provided to retail investors. This provision eliminates a regulatory gap that has long exposed investors to unscrupulous and harmful sales practices by brokers.

Under current law, brokers are subject to a general suitability standard when providing investment advice to their retail clients. Under a suitability standard, a broker is not required to ensure that his recommendations are what is best for his clients, but only what is generally suitable. The suitability standard allows brokers to recommend investments, for example, based on the amount of compensation the broker receives rather than what is in the best interest of the client. The suitability standard does not even require brokers to disclose their compensation so that their clients can evaluate conflict of interest payments for themselves.

In contrast, investment advisers are subject to a strict fiduciary duty under the Advisers Act. As such, they are required to make recommendations only if they are in the client's best interest and to disclose all material conflicts. By applying the fiduciary standard under the Advisers Act to brokers, Section 6(b) of the MFTA ensures that the protection of a fiduciary standard for retail advisory clients will not depend on an arbitrary regulatory distinction between brokers and investment advisers, but will be applied rationally to provide all Americans who receive investment advice with the regulatory protection that they expect and deserve.

We wish to express our enthusiastic support for your proposal to establish a fiduciary duty for brokers and are available to provide whatever assistance you may need in this respect.

Respectfully submitted,

MERCER BULLARD,
Founder and President, Fund Democracy, Inc.

BARBARA ROPER,
Director of Investor Protection, Consumer Federation of America.

DENISE VOIGT CRAWFORD,
Texas Securities Commissioner and President, North American Securities Administrators Association, Inc.

ELLEN TURF,
CEO, National Association of Personal Financial Advisors.

KEVIN R. KELLER,
Chief Executive Officer, Certified Financial Planner Board of Standards, Inc.

MARVIN W. TUTTLE JR.,
CAE, Executive Director and CEO, Financial Planning Association.

OCTOBER 21, 2009.

Hon. DANIEL K. AKAKA,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR AKAKA: We are writing to express our enthusiastic support for the Mutual Fund Transparency Act of 2009 because your bill will benefit fund shareholders in three significant respects. First, it will strengthen the independence of mutual fund boards to help ensure that the gross abuses of trust committed by fund managers in connection with the recent mutual fund scandal will not be repeated. Second, the bill will require that fund shareholders be provided with full and understandable disclosure of brokers' fees and conflicts of interest, and that when brokers provide individualized investment advice they will be held to the same fiduciary standards to which all other investment advisers are held. Third, the bill will promote competition through increased price transparency, and thereby improve services and reduce costs for the almost 100 million Americans who have entrusted their financial security to mutual funds.

FUND GOVERNANCE

The mutual fund scandal that erupted in September 2003 and continues to be litigated to this day revealed ''a serious breakdown in management controls in more than just a few mutual fund complexes.'' As noted by the Securities and Exchange Commission:

The breakdown in fund management and compliance controls evidenced by our enforcement cases raises troubling questions about the ability of many fund boards, as presently constituted, to effectively oversee the management of funds. The failure of a board to play its proper role can result, in addition to serious compliance breakdowns, in excessive fees and brokerage commissions, less than forthright disclosure, mispricing of

securities, and inferior investment performance.''

The Act directly addresses the governance weaknesses revealed by the scandal by strengthening the independence of fund directors. It plugs loopholes that have allowed former executives of fund managers and other fund service providers, among others, to qualify as ''independent'' directors when their independence is clearly compromised by their former positions. The Act also ensures that the board's agenda will be set by an independent chairman, and not by the CEO of the fund's manager, as is common practice today, and that independent directors will control board matters and the evaluation of independent nominees. The Act's requirement that independent directors seek shareholder approval at least every five years will enhance the accountability of independent directors to the shareholders whose interests they are supposed to serve.

The Act's requirement that funds have an independent chairman and a 75 percent independent board of directors is critical in light of the SEC's failure to take final action on rules imposing similar requirements. Even if these rules were adopted, they would not prevent fund managers from terminating independent chairmen or reducing independent representation on the board to the statutory minimum of 40 percent. The SEC's rules would apply only when the funds choose to rely on certain exemptive rules. If there were a conflict between the fund's independent directors and the fund manager, the fund manager could simply stop relying on the rules and seek to install its own executives in a majority of board positions. More importantly, independent directors know that the protection given them by the SEC is limited, and they therefore will be less likely to stand up for shareholders than they would be if—as you have proposed—the SEC's proposals were codified.

FIDUCIARY DUTIES AND FULL DISCLOSURE FOR ALL INVESTMENT ADVISERS

Recent regulatory investigations and enforcement actions have uncovered persistent and widespread sales abuses by brokers. Regulators have found that brokers have systematically overcharged investors for commissions, routinely made improper recommendations of B shares, accepted undisclosed directed brokerage payments in return for distribution services, and received revenue sharing payments that create incentives to favor funds that pay the highest compensation rather than funds that are the best investment option for their clients.

Five years ago, the Commission promised that it would address the problems that have so long plagued brokers' sales practices, but the Commission's efforts have fallen far short of the mark. Its proposals failed to require full disclosure of brokers' compensation, much less the disclosure of information that would enable investors to fully evaluate their brokers' conflicts of interests. The new disclosure requirements that you have proposed will ensure that brokers will be subject to a fiduciary duty and their conflicts of interest will be fully transparent to investors. Investors will be able to view the amount the broker is being paid for the fund being recommended compared with the (often lesser) amount the broker would receive for selling a different fund, which cannot help but direct investors' attention to the conflict of interest created by differential compensation structures. We especially applaud your proposal to ensure that all broker compensation, including revenue sharing payments, is disclosed in the point-of-sale document, which ensures that disclosure rules will not create an incentive for brokers to favor revenue sharing as a means of avoiding disclosure.

Remarkably, in the wake of a longstanding pattern of brokers' sales abuses, the Commission has effectively repealed Congress's narrow exemption from advisory regulation for brokers who provide only ''solely incidental'' advice. The Commission's strained interpretation of ''solely incidental'' advice to include any advice provided ''in connection with and reasonably related to a broker's brokerage services'' has effectively stripped advisory clients of the protections of an entire statutory regime solely on the ground that the investment advice happens to be provided by a broker. The Commission's position flatly contradicts the text and purpose of the Investment Advisers Act, which, as the Supreme Court has stated: ''reflects a congressional recognition 'of the delicate fiduciary nature of an investment advisory relationship,' as well as a congressional intent to eliminate, or at least to expose, all conflicts of interest which might incline an investment adviser—consciously or unconsciously—to render advice which was not disinterested.''

Your proposal restores crucial components of Congress's carefully constructed regulatory scheme for the distinct and complementary regulation of brokerage and advisory services. It properly recognizes that a ''fiduciary, which Congress recognized the investment adviser to be,'' is also what consumers expect an investment adviser to be, as is generally the case when professional services are provided on a personalized basis. The Act also recognizes the importance of ''expos[ing] all conflicts of interest which might incline an investment adviser—consciously or unconsciously—to render advice which was not disinterested,'' by requiring full disclosure of such conflicts of interests and other material information at the time that the prospective client is deciding whether to enter into the relationship.

FEE DISCLOSURE AND PRICE COMPETITION

Your fee disclosure provisions will do double duty, by addressing conflicts of interest and brokers' sales abuses while also promoting competition, thereby improving services and driving down expenses. Requiring brokers to disclose the amount of differential payments and average fees for comparable transactions will provide the kind of price transparency that is a necessary predicate for price competition and the efficient operation of free markets. In addition, the requirement that funds disclose the amount of commissions they pay will ensure that the fund expense ratio includes all of the costs of the fund's operations and will enable investors to make more informed investment decisions. The best regulator of fees is the market, but the market cannot operate efficiently when brokers and funds are permitted to hide the actual cost of the services they provide.

FINANCIAL LITERACY AND FUND ADVERTISEMENTS

Finally, we strongly agree that there is a need for further study of financial literacy, including especially information that fund investors need to make informed investment decisions and methods to increase the transparency of fees and potential conflicts of interest. Your proposed study of mutual fund advertisements is also timely, as the regulation of fund ads continues to permit misleading touting of outsized short-term performance and other abuses.

Mutual funds are Americans' most important lifeline to retirement security. The regulation of mutual funds, however, has not kept pace with their enormous growth. We applaud your continuing efforts to enhance investor protection, promote vigorous market competition and create wealth for America's mutual fund investors through effective disclosure and truly independent board oversight.

Respectfully submitted,

MERCER BULLARD,
Founder and President, Fund Democracy, Inc.

BARBARA ROPER,
Director of Investor Protection, Consumer Federation of America.

KEN MCELDOWNEY,
Executive Director, Consumer Action.

IRENE E. LEECH,
Virginia Citizens Consumer Council.

WALTER DARTLAND,
Consumer Federation of the Southeast.

DAMON SILVERS,
Director of Policy and Special Counsel, AFL–CIO.

DENISE VOIGT CRAWFORD,
Texas Securities Commissioner and President, North American Securities Administrators Association, Inc.

By Ms. LANDRIEU:

S. 1965. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine; to the Committee on Environment and Public Works.

Ms. LANDRIEU. Mr. President, I rise today to introduce a bill that will be an important component in our efforts to rebuild Louisiana's vast wetlands. Today, the coastline of my home state is the site of one of the Nation's most pronounced ecological disasters: the massive erosion of Louisiana's coastal wetlands. Few are aware that the marsh and wetlands along Louisiana's coast comprise some 40 percent of the Nation's total salt marshes. Louisiana's coastline is a national treasure. Yet, this national treasure is disappearing at an alarming rate due to a number of natural and man-made factors, including the destruction of wetlands caused by non-native feral pig populations that are literally eating away the coast. The loss of our wetlands threatens not only our teeming wildlife, but also land, lives, energy infrastructure, and navigation.

That is why I rise today, to introduce the Feral Swine Eradication and Control Pilot Program Act of 2009, address the challenges these species pose to our efforts to reverse coastal wetland deterioration.

Every 30 minutes, a portion of Louisiana's coast the size of a football field is converted from healthy marsh into open water. Since 1930, 1.2 million acres have been lost—an area roughly the size of Delaware. Scientists predict that Louisiana will lose another 700 square miles of coastal wetlands by 2050—an area the size of the greater

Washington, D.C. and Baltimore metro areas.

Louisiana's coastal land loss problems are caused by a number of natural and man-made factors. The primary factor has been the leveeing of the Mississippi River for purposes of flood control and navigation. Historically, the river would flood seasonally, taking silt from the Midwest and depositing it across the Mississippi Delta. Levees provided the needed flood protection, yet prevented vital land-building sediments and nutrients from replenishing and elevating deteriorating marshes. Additional activity added to the problem, including dredging thousands of miles of access canals for petroleum extraction and navigation. Those canals accelerated saltwater intrusion, further weakening the marsh.

Another human activity that resulted in significant wetland loss was the introduction of two invasive species to the marshland habitat: the nutria and the feral pig. These non-native species are consuming our wetlands at an alarming rate. Nutria were initially introduced by those who wanted to raise them for their furs. Their population exploded in the wild and their appetite for marsh grass is boundless. Scientists estimate that nutria are currently affecting an estimated 100,000 acres of coastal wetlands.

The feral hog is another exotic species which has expanded its range throughout most of Louisiana. Feral swine cause extensive damage to natural wildlife habitat. In Louisiana, the wild omnivores compete with native wildlife for food resources; prey on young domestic animals and wildlife; and carry diseases that can affect pets, livestock, wildlife and people. Scientists now believe that the feral hogs are not only wreaking enormous damage to the marsh, but are also negatively impacting native freshwater mussels and insects by contributing E. coli to water systems.

According to the Louisiana Department of Wildlife and Fisheries, the wild pig is the most prolific large mammal in North America and given adequate nutrition, its populations in an area can double in just 4 months.

As I mentioned earlier, Louisiana's landscape has already been ravaged by the nutria rodent. In 2002, the first program was created to combat the increasing nutria populations. This program, the Coast-wide Nutria Control Program, CNCP, incentivized trappers to catch nutria in return for monetary compensation. This program has proven successful at decreasing nutria populations and significantly reducing their impact to coastal wetlands.

However, more effort was needed to further reduce the nutria damage to wetlands, both in Louisiana and in other marshy environments, including Maryland's Chesapeake Bay. The Nutria Eradication and Control Act was enacted in 2003 to provide a critical supplement of funding to strengthen the Coast-wide Nutria Control Program. In July, I joined my friend and colleague Senator CARDIN in introducing the reauthorization of the Nutria Eradication and Control Act. These two measures have been instrumental in reducing the nutria damage to Louisiana's wetlands.

Now, it is my hope that we can achieve similar success with the problem of feral hogs. Feral swine are listed by the World Conservation Union, IUCN, as one of the top 100 invasive species worldwide. If action is not taken to control the feral swine population, our biologists fear these animals will undo much of the progress Louisiana has made in controlling the nutria population. It is my hope that with the help of my colleagues, we can pass this bill to help eradicate these pests from our vanishing coastline once and for all.

The bill I am introducing today authorizes the Secretary of the Interior to allocate funding to create a pilot program modeled off of the Nutria Eradication and Control Act. This program will assess the nature and extent of damage to the wetlands in Louisiana and develop methods to eradicate or control the feral swine population, and restore the coastal areas damaged by this invasive species.

It is a small program, but rewards it could reap are potentially vast. Consider this, Louisiana's wetlands are not only the home to our famed wildlife, they are also the most effective protection we have against future storm damage.

Coastal wetlands are the last barrier between the sea and the land. Wetlands reduce high winds and absorb the deadly storm surges that often accompany hurricanes. Scientists estimate that every 3 to 4 miles of wetlands can absorb enough water to reduce the height of a storm surge by 1 foot. That protects the millions of hardworking men and women who live along Louisiana's coast.

But I would also like to remind my colleagues of the vital strategic importance these wetlands serve to the Nation's energy security: Louisiana is one of the economy's largest producers of energy. Without wetlands as a buffer, storms could devastate the Nation's critical energy infrastructure.

It is for all of these reasons that this legislation is crucial. I ask that my colleagues support its prompt passage.

By Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, Mr. TESTER, Mr. HARKIN, and Mr. KERRY):

S. 1986. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on Rules and Administration.

Mr. FEINGOLD. Mr. President, today I will reintroduce, along with Senators KLOBUCHAR, TESTER, HARKIN and KERRY, the Same Day Registration Act of 2009, a bill that would significantly increase voter participation by allowing all eligible citizens to register to vote in federal elections on Election Day or the same day that they vote.

In many ways, the machinery of our democracy needs significant repair. We live in an age of low turnout and high cynicism. The American people have lost faith in our election system, in part because they are not confident that their votes will be counted or that the ballot box is accessible to each and every voter regardless of ability, race, or means.

What we see instead are long lines at polling places; faulty voting machines; under-trained, under-paid, over-worked poll workers; partisan election administrators; suspect vote tallies; caging lists; intimidation at the polling place; misleading flyers; illegal voter-file purges; and now, the Supreme Court approving discriminatory voter ID laws. If people cannot trust their elections, why should they trust their elected officials?

Three years ago, Professor Dan Tokaji, a leading election law expert, called for a ''moneyball approach to election reform.'' Named after Michael Lewis' book about the Oakland A's data-driven hiring system, Tokaji's approach is quintessentially progressive, as that term was understood at the turn of the century. ''I mean to suggest a research-driven inquiry,'' Tokaji wrote, ''in place of the anecdotal approach that has too often dominated election reform conversations. While anecdotes and intuition have their place, they're no substitute for hard data and rigorous analysis.''

This bill embodies the moneyball approach to election reform. In stark contrast to many so-called election reform proposals, this bill addresses a real problem—low voter turnout; it targets a major cause of the problem—archaic registration laws; and it offers a proven solution—same day registration SDR sometimes known as Election Day registration, EDR.

The bill is very simple: it amends the Help America Vote Act to require every state to allow eligible citizens to register and vote in a Federal election on the day of the election, or on any day where voting is permitted, like during early voting. Voters may register using any form that satisfies the requirements of the National Voter Registration Act, including the Federal mail in voter registration form and any state's standard registration form. North Dakota, which does not have voter registration, is exempted from the bill's requirements.

The bill itself is simple, but it addresses a significant problem: the low voter turnout that has plagued this country for the last 40 years. We live in a participatory democracy, where our government derives its power from the consent of the governed, a consent embodied in the people's exercise of their fundamental right to vote. It is self evident that a participatory democracy depends on participation.

This may be a government of the people, Mr. President, but the people are

not voting. Since 1968, American political participation has hovered around 50 percent for Presidential elections and 40 percent for congressional elections. Even in 2008, a record-breaking year, national turnout was only 61.7 percent of the voting age population. The U.S. may be the only established democracy in the world where the fact that nearly 40 percent of the electorate stayed home is considered cause for celebration.

In fact, our predecessors in the Senate would be surprised to find us celebrating such low turnout: a 1974 report by the Senate Committee on the Post Office and Civil Service bemoaned the ''shocking'' drop in turnout in the 1972 election. And what was the number that so troubled the Committee? Fifty-five percent.

The report went on: ''[i]t is the Committee's conviction that our disquieting record of voter participation is in large part due to the hodgepodge of registration barriers put in the way of the voter. Such obstacles have little, if anything, to recommend them. At best, current registration laws in the various states are outmoded and simply inappropriate for a highly mobile population. At worst, registration laws can be construed as a deliberate effort to disenfranchise voters who desperately need entry into the decision-making processes of our country.''

What a shame, that the Committee's findings are still valid. Our archaic registration laws have been reformed, but they are still archaic. We have passed a number of important bills designed to combat low turnout, but turnout is still low. America is even more mobile than it was in 1974, and yet our registration laws are still out of touch with the reality that more than 40 million Americans move every year. Worst of all, our registration laws still fall especially hard on the young, the old, and the poor.

We have long known that complicated voter registration requirements constitute one of the major barriers to voting. In fact, many states adopted voter registration in order to prevent certain segments of the population from voting. Alexander Keyssar, the preeminent scholar on the history right to vote in this country, writes that although ''[r]egistration laws emerged in the nineteenth century as a means of keeping track of voters and preventing fraud; they also served—and were intended to serve—as a means of keeping African-American, working-class, immigrant, and poor voters from the polls.''

It is time for a fundamental change. A large body of research tells us that unnecessarily burdensome voter registration requirements are the single largest factor in preventing people from voting. Simply put, voter registration restrictions should not keep eligible Americans from exercising their right to vote. The solution to this problem is same day registration.

Decades of empirical research confirm same day registration's positive impact on turnout. As one academic paper states, ''the evidence on whether EDR augments the electorate is remarkably clear and consistent. Studies finding positive and significant turnout impacts are too numerous to list.'' Mr. President, studies indicate that same day registration alone increases turnout by roughly 5 to 10 percentage points.

In general, States with same day registration boast voter turnout that is 10–12 percentage points higher than States that require voters to register before Election Day. Turnout in Minnesota and Wisconsin, which implemented same day registration over 35 years ago has been especially high: in 2004, for example, when national turnout was just 55 percent, 78 percent of eligible Minnesotans and 75 percent of eligible Wisconsinites went to the polls. The last time national voter turnout was above 70 percent, it was 1896, there were only 45 States, and the gold standard was the dominant campaign issue.

Critics might worry about the possibility of fraud, but same day registration actually makes the registration process more secure. Voters registering when they vote do so in the presence of an elections official who verifies the voter's residency and identity on the spot. Mark Ritchie, Minnesota's Secretary of State, points out that same day registration ''is much more secure because you have the person right in front of you—not a postcard in the mail. That is a no-brainer. We have 33 years of experience with this.''

In contrast to most election reforms, the cost of same day registration is negligible. A recent survey of 26 local elections officials in six same day registration States found that ''officials agreed that incidental expense of administering EDR is minimal.'' In fact, same day registration may actually result in a net savings because it significantly reduces the use of provisional ballots. Provisional ballots, which are required by the Help America Vote Act, are expensive to administer. The Congressional Budget Office estimates that provisional ballots cost State and local governments about $25 million a year.

In some States the number of provisional ballots cast is surprisingly large. For example, in 2004, more than 4 percent of California's registered voters cast provisional ballots—that is 644,642 provisional ballots. In Ohio, 157,714 provisional ballots were cast, about 2 percent of all registered voters.

In contrast, in 2004 only 0.03 percent of voters in SDR states cast a provisional ballot. In Wisconsin, only 374 provisional ballots were cast. In Maine, only 95 provisional ballots were cast. In fact, only 952 provisional ballots were cast in all the SDR states combined in 2004. To be sure, this bill is no cure-all: it does not address long lines, deceptive flyers, and faulty voting machines. Other bills, good bills, address those issues.

The bottom line is this: the Same Day Registration Act would substantially increase civic participation, improve the integrity of the electoral process, reduce election administration costs, and reaffirm that voting is a fundamental right. It has been proven effective by more than 30 years of successful implementation in Minnesota and Wisconsin and decades of empirical research. Same day registration is good for voters, good for taxpayers, and good for democracy.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1986

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 ''Same Day Registration Act''.

SEC. 2. SAME DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following new section:

''SEC. 304. SAME DAY REGISTRATION.

''(a) IN GENERAL.—

''(1) REGISTRATION.—Notwithstanding section 8(a)(1)(D) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6), each State shall permit any eligible individual on the day of a Federal election and on any day when voting, including early voting, is permitted for a Federal election—

''(A) to register to vote in such election at the polling place using a form that meets the requirements under section 9(b) of the National Voter Registration Act of 1993; and

''(B) to cast a vote in such election.

''(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to a State in which, under a State law in effect continuously on and after the date of the enactment of this section, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means, with respect to any election for Federal office, an individual who is otherwise qualified to vote in that election.

''(c) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of subsection (a) for the regularly scheduled general election for Federal office occurring in November 2010 and for any subsequent election for Federal office.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 401 of such Act (42 U.S.C. 15511) is amended by striking ''and 303'' and inserting ''303, and 304''.

(2) The table of contents of such Act is amended—

(A) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306, respectively; and

(B) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Same day registration.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 326—RECOGNIZING THE 40TH ANNIVERSARY OF THE GEORGE BUSH INTERCONTINENTAL AIRPORT IN HOUSTON, TEXAS

Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted the following resolution; which was considered and agreed to:

S. RES. 326

Whereas the George Bush Intercontinental Airport in the City of Houston, Texas (referred to in this resolution as ''IAH''), was first opened for operation on June 8, 1969;

Whereas in 1997, IAH was named in honor of the Nation's 41st President, George Herbert Walker Bush, a longtime resident of Houston who, as a member of the Houston congressional delegation, was present at the 1969 opening of the airport;

Whereas IAH is the largest airport in Houston, serving over 43,000,000 passengers in 2008, is the 8th largest airport in the United States and the 16th largest in the world for total passengers served;

Whereas more than 700,000,000 people have passed through IAH's gates since its opening;

Whereas IAH has grown to become a world-class international gateway offering service to more than 109 domestic and 65 nonstop international destinations in over 32 countries;

Whereas in 1990, the city of Houston named the IAH international arrivals building, now the IAH Terminal D, in honor of the distinguished Congressman for the 18th District of Texas, George Thomas ''Mickey'' Leland, a renowned antipoverty activist who died tragically in 1989 while on a humanitarian visit to Ethiopia;

Whereas IAH operates the largest passenger international arrivals facility in the Nation and was selected by the Department of State and the Department of Homeland Security as the first ''Model Port'' for its efficiency in welcoming international passengers arriving in the United States;

Whereas IAH is a regional and world leader in air cargo processing, consolidation, and distribution;

Whereas IAH is a critical component of the Houston economy, supporting more than 151,000 jobs and contributing over $24,000,000,000 in economic benefits to the Houston region; and

Whereas IAH serves 30 airlines and is the headquarters and major hub for award-winning Continental Airlines, which is celebrating its 75th anniversary in 2009: Now, therefore, be it

Resolved that the Senate—

(1) recognizes the 40th anniversary of the founding of the George Bush Intercontinental Airport; and

(2) congratulates officials of the George Bush Intercontinental Airport, the Houston Airport System, and the city of Houston, Texas, for the airport's record of excellent service to the citizens of Houston and the national air transportation system.

SENATE RESOLUTION 327—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH 2009 AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD CONTINUE TO RAISE AWARENESS OF DOMESTIC VIOLENCE IN THE UNITED STATES AND ITS DEVASTATING EFFECTS ON FAMILIES AND COMMUNITIES, AND SUPPORT PROGRAMS DESIGNED TO END DOMESTIC VIOLENCE

Ms. KLOBUCHAR (for herself, Mr. LEAHY, Mr. KOHL, Mr. FEINGOLD, Mrs. GILLIBRAND, Mr. CARPO, Ms. COLLINS, Mr. SPECTER, Ms. LANDRIEU, Ms. STABENOW, Mr. KAUFMAN, Mr. DURBIN, Mr. BROWN, Mr. BURRIS, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mrs. BOXER, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 327

Whereas the President has designated October 2009 as ''National Domestic Violence Awareness Month'';

Whereas domestic violence affects people of all ages as well as racial, ethnic, gender, economic, and religious backgrounds;

Whereas females are disproportionately victims of domestic violence, and 1 in 4 women will experience domestic violence at some point in her life;

Whereas on average, more than 3 women are murdered by their husbands or boyfriends in the United States every day;

Whereas in 2005, 1,181 women were murdered by an intimate partner constituting 78 percent of all intimate partner homicides that year;

Whereas women ages 16 to 24 experience the highest rates, per capita, of intimate partner violence;

Whereas 1 out of 3 Native American women will be raped and 6 out of 10 will be physically assaulted in their lifetimes;

Whereas the cost of intimate partner violence exceeds $5,800,000,000 each year, $4,100,000 of which is for direct medical and mental health care services;

Whereas ¼ to ½ of domestic violence victims report that they have lost a job due, at least in part, to domestic violence;

Whereas the annual cost of lost productivity due to domestic violence is estimated at $727,800,000 with over 7,900,000 paid workdays lost per year;

Whereas some landlords deny housing to victims of domestic violence who have protection orders or evict victims of domestic violence for seeking help after a domestic violence incident, such as by calling 911, or who have other indications that they are domestic violence victims;

Whereas 92 percent of homeless women experience severe physical or sexual abuse at some point in their lifetimes;

Whereas approximately 40 to 60 percent of men who abuse women also abuse children;

Whereas approximately 15,500,000 children are exposed to domestic violence every year;

Whereas children exposed to domestic violence are more likely to attempt suicide, abuse drugs and alcohol, run away from home, and engage in teenage prostitution;

Whereas one large study found that men exposed to physical abuse, sexual abuse, and adult domestic violence as children were almost 4 times more likely than other men to have perpetrated domestic violence as adults;

Whereas nearly 1,500,000 high school students nationwide experienced physical abuse from a dating partner in a single year;

Whereas 13 percent of teenage girls who have been in a relationship report being hit or hurt by their partners and 1 in 4 teenage girls has been in a relationship in which she was pressured by her partner into performing sexual acts;

Whereas adolescent girls who reported dating violence were 60 percent more likely to report one or more suicide attempts in the past year;

Whereas there is a need for middle schools, secondary schools, and post-secondary schools to educate students about the issues of domestic violence, sexual assault, dating violence, and stalking;

Whereas 88 percent of men in a national poll reported that they think that our society should do more to respect women and girls;

Whereas a recently released multi-State study shows conclusively that the Nation's domestic violence shelters are addressing victims' urgent and long-term needs and are helping victims protect themselves and their children;

Whereas a 2008 National Census Survey reported that 60,799 adults and children were served by domestic violence shelters and programs around the Nation in a single day;

Whereas those same understaffed programs were unable to meet 8,927 requests for help that day;

Whereas there is a need to increase funding for programs aimed at intervening and preventing domestic violence in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Domestic Violence Awareness Month 2009; and

(2) expresses the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2708. Mr. CASEY (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2699 submitted by Mr. ISAKSON (for himself and Mr. DODD) and intended to be proposed to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table.

SA 2709. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. TESTER, Mr. MERKLEY, Mr. WHITEHOUSE, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 3548, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2708. Mr. CASEY (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2699 submitted by Mr. ISAKSON (for himself and Mr. DODD) and intended to be proposed to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for

the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, line 4, strike all through page 7, line 9, and insert the following:

(a) AGE LIMITATION.—

(1) IN GENERAL.—Subsection (b) of section 36 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) AGE LIMITATION.—No credit shall be allowed under subsection (a) with respect to the purchase of any residence unless the taxpayer has attained age 18 as of the date of such purchase and is otherwise not eligible to be claimed as a dependent (as defined in section 152) on another tax return. In the case of any taxpayer who is married (within the meaning of section 7703), the taxpayer shall be treated as meeting the age requirement of the preceding sentence if the taxpayer or the taxpayer's spouse meets such age requirement.''.

(2) CONFORMING AMENDMENT.—Subsection (g) of section 36 of such Code is amended by striking ''subsections (c) and (f)(4)(D)'' and inserting ''subsection (b)(3), (c), and (f)(4)(D)''.

(b) DOCUMENTATION REQUIREMENTS.—

(1) IN GENERAL.—Subsection (d) of section 36 of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting a comma, and by adding at the end the following new paragraphs:

''(3) the taxpayer fails to attach to the return of tax for such taxable year a properly executed copy of the settlement statement used to complete such purchase, or

''(4) the taxpayer fails to attach to the return of tax for such taxable year a certified statement of the taxpayer's eligibility for the tax credit issued by the real estate reporting person (as defined in section 6045(e)(2)) with respect to such purchase.

Such certified statement shall be issued in such form and manner as prescribed by the Secretary and prepared based on the reasonable facts and circumstances made known to the reporting person from the taxpayer. The reporting person shall not be held liable due to false statements or facts made by the taxpayer, unless such reporting person had reasonable means to determine such statements or facts were false.''.

(2) ENSURING ELECTRONIC FILING.—The Commissioner of Internal Revenue shall develop rules that enable the Internal Revenue Service to enforce the documentation requirements resulting from the amendments made by paragraph (1) without hindering electronic means of filing tax returns.

(c) RESTRICTION ON MARRIED INDIVIDUAL ACQUIRING RESIDENCE FROM FAMILY OF SPOUSE.—Clause (i) of section 36(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting ''(or, if married, such individual's spouse)'' after ''person acquiring such property''.

(d) CERTAIN ERRORS WITH RESPECT TO THE FIRST-TIME HOMEBUYER TAX CREDIT TREATED AS MATHEMATICAL OR CLERICAL ERRORS.—Paragraph (2) of section 6213(g) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (M), by striking the period at the end of subparagraph (N) and inserting '', and'', and by inserting after subparagraph (N) the following new subparagraph:

''(O) an entry on a return claiming the credit under section 36 if—

''(i) the Secretary obtains information from the person issuing the TIN of the taxpayer that indicates that the taxpayer does not meet the age requirement of section 36(b)(3),

''(ii) information provided to the Secretary by the taxpayer on an income tax return for at least one of the 2 preceding taxable years is inconsistent with eligibility for such credit, or

''(iii) the taxpayer fails to attach to the return the form described in paragraph (3) or (4) of section 36(d).''.

(e) INVESTIGATION AND PROSECUTION; REPORT.—The Commissioner of Internal Revenue shall take such steps as are necessary to investigate and prosecute instances of fraud related to the first-time homebuyer tax credit under section 36 of the Internal Revenue Code of 1986. The Commissioner of Internal Revenue shall provide reports to Congress on the status of the investigatory and prosecutorial actions not later than 90 days after the date of the enactment of this Act, and quarterly thereafter.

(f) EFFECTIVE DATE.—

SA 2709. Mr. UDALL of Colorado (for himself, Mr. SCHUMER, Mr. TESTER, Mr. MERKLEY, Mr. WHITEHOUSE, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXPEDITED CARD REFORM FOR CONSUMERS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Expedited CARD Reform for Consumers Act of 2009''.

(b) EARLIER EFFECTIVE DATE FOR THE CREDIT CARD ACT OF 2009, GENERALLY.—Section 3 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (15 U.S.C. 1602 note) is amended by striking ''become effective 9 months after the date of enactment of this Act,'' and inserting ''take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,''

(c) EARLIER EFFECTIVE DATES FOR SPECIFIC PROVISIONS TO PREVENT FURTHER ABUSES.—

(1) REVIEW OF PAST CONSUMER INTEREST RATE INCREASES.—Section 148(d) of the Truth in Lending Act (15 U.S.C. 1665c(d)) (as added by section 101(c) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(A) by striking ''9 months after the date of enactment of this section'' and inserting ''December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,''; and

(B) by striking ''become effective 15 months after that date of enactment'' and inserting ''take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010''.

(2) REQUIREMENT THAT PENALTY FEES BE REASONABLE AND PROPORTIONAL TO THE VIOLATION.—Section 149(b) of the Truth in Lending Act (15 U.S.C. 1665d(b)) (as added by section 102(b) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(A) by striking ''9 months after the date of enactment of this section,'' and inserting ''December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,''; and

(B) by striking ''become effective 15 months after the date of enactment of the section'' and inserting ''take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, November 10, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on policy options for reducing greenhouse gas emissions.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by email to Gina_Weinstock@energy.senate.gov

For further information, please contact Jonathan Black at (202) 224–6722 or Gina Weinstock at (202) 224–5684.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. BINGAMAN. Mr. President, the Subcommittee on National Parks had previously announced a hearing to be held on Wednesday, November 4, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC. In addition to the bills previously listed, the following bill will be included:

H.R. 1287, to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Allison Seyferth at (202) 224–4905.

SUBCOMMITTEE ON WATER AND POWER

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, November 5, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 1757, to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District, and for other purposes; S. 1758, to provide for the allocation of costs to project power with respect to power development within the Diamond Fork System, and for other purposes; and S. 1759, to authorize certain transfers of water in the Central Valley Project, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to Gina_Weinstock@energy.senate.gov.

For further information, please contact Tanya Trujillo at (202) 224–5479 or Gina Weinstock at (202) 224–5684.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 28, 2009, at 9:30 a.m., to conduct a hearing entitled ''Dark Pools, Flash Orders, High Frequency Trading, and Other Market Structure Issues.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 28, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 28, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 28, 2009, at 9:30 a.m., in room 406 of the Dirksen Senate Office Building to hold a hearing entitled ''Legislative Hearing on S. 1733, Clean Energy Jobs and American Power Act.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 28, 2009.

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 28, 2009, at 10 a.m., in room SD–226 of the Dirksen Office Building, to conduct a hearing entitled ''Effective Strategies for Preventing Health Care Fraud.''

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

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Ms. STABENOW. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 28, 2009, at 2:30 p.m. to conduct a hearing entitled, ''Achieving the President's Objectives: New OMB Guidance to Combat Waste, Inefficiency, and Misuse in Federal Government Contracting.''

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

SPECIAL COMMITTEE ON AGING

Ms. STABENOW. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on October 28, 2009, from 2–4:30 p.m. in room 562 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON NATIONAL PARKS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on October 28, 2009, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Ms. STABENOW. Mr. President, on behalf of Senator MARK UDALL, I ask unanimous consent that a fellow in his office, Matt Bowen, be granted floor privileges for the duration of the month of October.

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

Mr. CARDIN. Mr. President, I ask unanimous consent that Lauren Bateman, Caren Street, and Maria Urbina, from Senator REID's office, be granted the privilege of the floor for the month of October.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 504, 505, 506 to and including 511, except the nomination of BG Michael J. Walsh, 512 to and including 514, 519, 520, and all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Marine Corps, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; provided further that the President be immediately notified of the Senate's action; and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS

IN THE DEPARTMENT OF DEFENSE

Gladys Commons, of Virginia, to be an Assistant Secretary of the Navy.

Christine H. Fox, of Virginia, to be Director of Cost Assessment and Program Evaluation, Department of Defense.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Mark A. Welsh, III

IN THE ARMY

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Colonel Kelly J. Thomas

The following named officer for appointment in the Reserve of the Army to the

grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. David L. Weeks

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. William B. Caldwell, IV

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Keith M. Huber

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Joseph J. Anderson
Brigadier General Mark S. Bowman
Brigadier General Robert B. Brown
Brigadier General Edward C. Cardon
Brigadier General Walter L. Davis
Brigadier General Genaro J. Dellarocco
Brigadier General William F. Grimsley
Brigadier General Michael T. Harrison, Sr.
Brigadier General David R. Hogg
Brigadier General Karl R. Horst
Brigadier General Reuben D. Jones
Brigadier General Brian A. Keller
Brigadier General Stephen R. Lanza
Brigadier General Michael S. Linnington
Brigadier General Francis G. Mahon
Brigadier General Joseph E. Martz
Brigadier General William C. Mayville, Jr.
Brigadier General James C. McConville
Brigadier General James M. McDonald
Brigadier General Phillip E. McGhee
Brigadier General Patricia E. McQuistion
Brigadier General William N. Phillips
Brigadier General Dana J. H. Pittard
Brigadier General David E. Quantock
Brigadier General Michael S. Repass
Brigadier General Todd T. Semonite
Brigadier General Thomas W. Spoehr
Brigadier General Kurt J. Stein
Brigadier General Michael J. Terry
Brigadier General Simeon G. Trombitas
Brigadier General Keith C. Walker
Brigadier General Perry L. Wiggins

IN THE NAVY

The following named officer for appointment in the United Sates Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. David J. Dorsett

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Robert S. Harward, Jr.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Harry B. Harris, Jr.

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. John S. Welch

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral (lower half)

Captain Daniel B. Abel
Captain Vincent B. Atkins
Captain Stephen E. Mehling
Captain Karl L. Schultz
Captain Sandra L. Stosz
Captain Cari B. Thomas
Captain Christopher J. Tomney

IN THE AIR FORCE

PN981 AIR FORCE nominations (51) beginning ROBERT B. O. ALLEN, and ending TED K. WINRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN1099 AIR FORCE nomination of Christopher J. Ogrady, which was received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1100 AIR FORCE nomination of Michael R. Spencer, which was received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1101 AIR FORCE nominations (4) beginning SCOTT A. PAFFENROTH, and ending ROBERT M. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1102 AIR FORCE nominations (4) beginning MISAEL C. ALONSO, and ending DERRICK B. WILLSEY, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1103 AIR FORCE nominations (6) beginning DANA J. ALBALATE, and ending LUZ E. RODRIGUEZ, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

IN THE ARMY

PN366 ARMY nomination of Charles T. Kirchmaier, which was received by the Senate and appeared in the Congressional Record of April 23, 2009.

PN984 ARMY nomination of Bruce P. Crandall, which was received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN985 ARMY nominations (5) beginning KENNETH E. DUVALL, and ending RANDALL M. ZEEGERS, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN986 ARMY nominations (11) beginning JENNIFER E. CHOATE, and ending RODNEY E. RUDOLPH, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN1039 ARMY nominations (11) beginning LEAR E. DUTTON, and ending MARCUS C. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2009.

PN1040 ARMY nominations (19) beginning DANIEL T. AMES, and ending THOMAS B. WHEATLEY, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2009.

PN1104 ARMY nominations (2) beginning KENNETH E. LAWSON, and ending KRISTINA D. MOELLER, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1105 ARMY nominations (5) beginning LAWRENCE C. DENNIS, and ending JOHN H. TATUM, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1106 ARMY nominations (13) beginning BARRY R. BARON, and ending ISTVAN SZASZ JR., which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

IN THE COAST GUARD

PN889 COAST GUARD nomination of Thomas J. Riley, which was received by the Senate and appeared in the Congressional Record of August 6, 2009.

PN890 COAST GUARD nomination of Shadrack L. Scheirman, which was received by the Senate and appeared in the Congressional Record of August 6, 2009.

PN891 COAST GUARD nomination of Chad R. Harvey, which was received by the Senate and appeared in the Congressional Record of August 6, 2009.

PN892 COAST GUARD nomination of Michele L. Schallip, which was received by the Senate and appeared in the Congressional Record of August 6, 2009.

PN977 COAST GUARD nominations (9) beginning Edgars Auzenbergs, and ending Michael F. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN978 COAST GUARD nominations (4) beginning Melinda D. Mcgurer, and ending Royce W. James, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN979 COAST GUARD nominations (64) beginning Nicholas A. Bartolotta, and ending Jerald L. Woloszynski, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN1035 COAST GUARD nominations (114) beginning Ladonn A. Allen, and ending James A. Williamson, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2009.

PN1095 COAST GUARD nominations (256) beginning Jennifer L. Adams, and ending Bradford W. Youngkin, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

IN THE MARINE CORPS

PN987 MARINE CORPS nomination of Bradley L. Lowe, which was received by the Senate and appeared in the Congressional Record of September 21, 2009.

IN THE NAVY

PN988 NAVY nomination of Daniel A. Freilich, which was received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN989 NAVY nominations (5) beginning ROBERT R. LIU, and ending NATASHA L. FLEMENS, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN990 NAVY nominations (11) beginning IRWIN ELSTEIN, and ending DOUGLAS A. TOMLINSON, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN991 NAVY nominations (7) beginning RUSSELL P. BATES, and ending TIMOTHY G. NASELLO, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN992 NAVY nominations (58) beginning OSCAR D. ANTILLON, and ending MATTHEW T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN993 NAVY nominations (55) beginning DOYLE S. ADAMS, and ending EUGENE WOZNIAK, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN994 NAVY nominations (30) beginning RYAN M. ANDERSON, and ending BRENT E. TROYAN, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN995 NAVY nominations (90) beginning RUBEN A. ALCOCER, and ending MICHAEL

P. YUNKER, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN996 NAVY nominations (87) beginning ANACLATO B. ANCHETA JR., and ending LAWRENCE S. ZOBACK, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN997 NAVY nominations (136) beginning OSMEL ALFONSO, and ending MARJORIE A. WYTZKA, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN998 NAVY nominations (28) beginning WILLIAM M. ANDERSON, and ending JEFFREY R. WESSEL, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN999 NAVY nominations (201) beginning PAUL J. ALEA, and ending GEOFFREY W. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2009.

PN1107 NAVY nomination of Raul L. Barrientos, which was received by the Senate and appeared in the Congressional Record of October 15, 2009.

PN1108 NAVY nominations (4) beginning RICARDO B. EUSEBIO, and ending DAVID L. WILKEY, which nominations were received by the Senate and appeared in the Congressional Record of October 15, 2009.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

RECOGNIZING THE 40TH ANNIVERSARY OF THE GEORGE BUSH INTERCONTINENTAL AIRPORT

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 326, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the title of the resolution.

The bill clerk read as follows:

A resolution (S. Res. 326) recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 326) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 326

Whereas the George Bush Intercontinental Airport in the City of Houston, Texas (referred to in this resolution as ''IAH''), was first opened for operation on June 8, 1969;

Whereas in 1997, IAH was named in honor of the Nation's 41st President, George Herbert Walker Bush, a longtime resident of Houston who, as a member of the Houston congressional delegation, was present at the 1969 opening of the airport;

Whereas IAH is the largest airport in Houston, serving over 43,000,000 passengers in 2008, is the 8th-largest airport in the United States and the 16th-largest in the world for total passengers served;

Whereas more than 700,000,000 people have passed through IAH's gates since its opening;

Whereas IAH has grown to become a world-class international gateway offering service to more than 109 domestic and 65 nonstop international destinations in over 32 countries;

Whereas in 1990, the city of Houston named the IAH international arrivals building, now the IAH Terminal D, in honor of the distinguished Congressman for the 18th District of Texas, George Thomas ''Mickey'' Leland, a renowned antipoverty activist who died tragically in 1989 while on a humanitarian visit to Ethiopia;

Whereas IAH operates the largest passenger international arrivals facility in the Nation and was selected by the Department of State and the Department of Homeland Security as the first ''Model Port'' for its efficiency in welcoming international passengers arriving in the United States;

Whereas IAH is a regional and world leader in air cargo processing, consolidation, and distribution;

Whereas IAH is a critical component of the Houston economy, supporting more than 151,000 jobs and contributing over $24,000,000,000 in economic benefits to the Houston region; and

Whereas IAH serves 30 airlines and is the headquarters and major hub for award-winning Continental Airlines, which is celebrating its 75th anniversary in 2009: Now, therefore, be it

Resolved, by the Senate, That the Senate—

(1) recognizes the 40th anniversary of the founding of the George Bush Intercontinental Airport; and

(2) congratulates officials of the George Bush Intercontinental Airport, the Houston Airport System, and the city of Houston, Texas, for the airport's record of excellent service to the citizens of Houston and the national air transportation system.

SUPPORTING THE GOALS OF THE NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH 2009

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 327, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 327) supporting the goals and ideals of National Domestic Violence Awareness Month 2009 and expressing the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 327) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 327

Whereas the President has designated October 2009 as ''National Domestic Violence Awareness Month'';

Whereas domestic violence affects people of all ages as well as racial, ethnic, gender, economic, and religious backgrounds;

Whereas females are disproportionately victims of domestic violence, and 1 in 4 women will experience domestic violence at some point in her life;

Whereas on average, more than 3 women are murdered by their husbands or boyfriends in the United States every day;

Whereas in 2005, 1,181 women were murdered by an intimate partner constituting 78 percent of all intimate partner homicides that year;

Whereas women ages 16 to 24 experience the highest rates, per capita, of intimate partner violence;

Whereas 1 out of 3 Native American women will be raped and 6 out of 10 will be physically assaulted in their lifetimes;

Whereas the cost of intimate partner violence exceeds $5,800,000,000 each year, $4,100,000 of which is for direct medical and mental health care services;

Whereas ¼ to ½ of domestic violence victims report that they have lost a job due, at least in part, to domestic violence;

Whereas the annual cost of lost productivity due to domestic violence is estimated at $727,800,000 with over 7,900,000 paid workdays lost per year;

Whereas some landlords deny housing to victims of domestic violence who have protection orders or evict victims of domestic violence for seeking help after a domestic violence incident, such as by calling 911, or who have other indications that they are domestic violence victims;

Whereas 92 percent of homeless women experience severe physical or sexual abuse at some point in their lifetimes;

Whereas approximately 40 to 60 percent of men who abuse women also abuse children;

Whereas approximately 15,500,000 children are exposed to domestic violence every year;

Whereas children exposed to domestic violence are more likely to attempt suicide, abuse drugs and alcohol, run away from home, and engage in teenage prostitution;

Whereas one large study found that men exposed to physical abuse, sexual abuse, and adult domestic violence as children were almost 4 times more likely than other men to have perpetrated domestic violence as adults;

Whereas nearly 1,500,000 high school students nationwide experienced physical abuse from a dating partner in a single year;

Whereas 13 percent of teenage girls who have been in a relationship report being hit or hurt by their partners and 1 in 4 teenage girls has been in a relationship in which she was pressured by her partner into performing sexual acts;

Whereas adolescent girls who reported dating violence were 60 percent more likely to report one or more suicide attempts in the past year;

Whereas there is a need for middle schools, secondary schools, and post-secondary schools to educate students about the issues of domestic violence, sexual assault, dating violence, and stalking;

Whereas 88 percent of men in a national poll reported that they think that our society should do more to respect women and girls;

Whereas a recently released multi-State study shows conclusively that the Nation's domestic violence shelters are addressing

victims' urgent and long-term needs and are helping victims protect themselves and their children;

Whereas a 2008 National Census Survey reported that 60,799 adults and children were served by domestic violence shelters and programs around the Nation in a single day;

Whereas those same understaffed programs were unable to meet 8,927 requests for help that day;

Whereas there is a need to increase funding for programs aimed at intervening and preventing domestic violence in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Domestic Violence Awareness Month 2009; and

(2) expresses the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.

MEASURES READ THE FIRST TIME—H.R. 3617 AND S. 1963

Mr. WHITEHOUSE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will state the bills by title.

The bill clerk read as follows:

A bill (H.R. 3617) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

A bill (S. 1963) to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

Mr. WHITEHOUSE. Mr. President, I ask for a second reading en bloc and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bills will receive their second reading on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the Republican leader, pursuant to Public Law 106–286, appoints the following Member to serve on the Congressional-Executive Commission on the People's Republic of China: The Honorable GEORGE LEMIEUX of Florida.

ORDERS FOR THURSDAY, OCTOBER 29, 2009

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, October 29; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first hour and the majority controlling the second hour; further, that any time during morning business, adjournment or recess of the Senate count postcloture.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:06 p.m., adjourned until Thursday, October 29, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

PHILIP E. COYLE, III, OF CALIFORNIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE ROSINA M. BIERBAUM.

SELECTIVE SERVICE SYSTEM

LAWRENCE G. ROMO, OF TEXAS, TO BE DIRECTOR OF THE SELECTIVE SERVICE, VICE WILLIAM A. CHATFIELD, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ANULI L. ANYACHEBELU
MYRNA C. CALLISON
DANNY B. JAGHAB
JOHN M. STANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ANTHONY C. BOSTICK
BRIAN J. GENTILE
CHRIS E. HANSON
ANNETTE K. HILDABRAND
KELLY A. MANN
JAMES T. SHEETS
JOSEPH G. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

RISA D. BATOR
MONA O. BINGHAM
ANN M. BLUNT
TRACI E. CRAWFORD
MARGARET A. DIXON
RICHARD L. EVANS, JR.
KEVIN T. GALLOWAY
LENA F. GAUDREAU
STEPHEN K. HALL
RICHARDSON D. JAMES
GARY M. LANG
GLENDA J. LOCK
WILLIAM J. MORAN, JR.
MARIE C. MORENCY
JOHN A. NERGES
JENNIFER L. PETERSEN
SHELLEY A. RICE
KIMBERLY A. SMITH
ORTIZ S. TILLMAN
STEPHANIE C. WILCHER
THOMAS R. YARBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JAMES R. ANDREWS
PAUL D. BLIESE
KARL C. BOLTON
MARK W. BOWER
JOHN D. BUTLER
NOEL J. CARDENAS
SCOTT A. CARPENTER
THOMAS C. DELK
RICK G. DICKINSON
RAYMOND S. DINGLE
WILLIAM S. DRENNON
EMERY B. FEHL
CHERYL L. FILBY
JONATHAN C. FRISTOE
WILLIAM T. GOFORTH
WENDY L. HARTER
EVELYN JACKSON
RONALD L. KROGH
JOHN P. LAMOUREUX
ALEJANDRO LOPEZDUKE
TIMOTHY P. LYONS
MATTHEW E. MATTNER
REBECCA I. PORTER
DAVID G. RICHARDSON
CAROL Z. RYMER
JOHN A. SMITH
ANDREA M. STAHL
KEVIN J. STEVENS
RANDY STORY
SCOTT A. SVABEK
MICHAEL A. SWALKO
MICHAEL J. TALLEY
JERRY S. THOMAS
STEVEN A. TOFT
VICKIE L. TUTEN
ROBERT L. VONTERSCH
SHANDA M. ZUGNER

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, October 28, 2009:

DEPARTMENT OF DEFENSE

GLADYS COMMONS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

CHRISTINE H. FOX, OF VIRGINIA, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JOHN S. WELCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPTAIN DANIEL B. ABEL
CAPTAIN VINCENT B. ATKINS
CAPTAIN STEPHEN E. MEHLING
CAPTAIN KARL L. SCHULTZ
CAPTAIN SANDRA L. STOSZ
CAPTAIN CARI B. THOMAS
CAPTAIN CHRISTOPHER J. TOMNEY

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. MARK A. WELSH III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL KELLY J. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DAVID L. WEEKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WILLIAM B. CALDWELL IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KEITH M. HUBER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JOSEPH J. ANDERSON
BRIGADIER GENERAL MARK S. BOWMAN
BRIGADIER GENERAL ROBERT B. BROWN
BRIGADIER GENERAL EDWARD C. CARDON
BRIGADIER GENERAL WALTER L. DAVIS
BRIGADIER GENERAL GENARO J. DELLAROCCO
BRIGADIER GENERAL WILLIAM F. GRIMSLEY
BRIGADIER GENERAL MICHAEL T. HARRISON, SR.
BRIGADIER GENERAL DAVID R. HOGG
BRIGADIER GENERAL KARL R. HORST
BRIGADIER GENERAL REUBEN D. JONES
BRIGADIER GENERAL BRIAN A. KELLER
BRIGADIER GENERAL STEPHEN R. LANZA
BRIGADIER GENERAL MICHAEL S. LINNINGTON
BRIGADIER GENERAL FRANCIS G. MAHON
BRIGADIER GENERAL JOSEPH E. MARTZ
BRIGADIER GENERAL WILLIAM C. MAYVILLE, JR.
BRIGADIER GENERAL JAMES C. MCCONVILLE
BRIGADIER GENERAL JAMES M. MCDONALD
BRIGADIER GENERAL PHILLIP E. MCGHEE
BRIGADIER GENERAL PATRICIA E. MCQUISTION
BRIGADIER GENERAL WILLIAM N. PHILLIPS
BRIGADIER GENERAL DANA J. H. PITTARD
BRIGADIER GENERAL DAVID E. QUANTOCK
BRIGADIER GENERAL MICHAEL S. REPASS
BRIGADIER GENERAL TODD T. SEMONITE
BRIGADIER GENERAL THOMAS W. SPOEHR
BRIGADIER GENERAL KURT J. STEIN
BRIGADIER GENERAL MICHAEL J. TERRY
BRIGADIER GENERAL SIMEON G. TROMBITAS
BRIGADIER GENERAL KEITH C. WALKER
BRIGADIER GENERAL PERRY L. WIGGINS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. DAVID J. DORSETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ROBERT S. HARWARD, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. HARRY B. HARRIS, JR.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT B. O. ALLEN AND ENDING WITH TED K. WINRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

AIR FORCE NOMINATION OF CHRISTOPHER J. OGRADY, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF MICHAEL R. SPENCER, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT A. PAFFENROTH AND ENDING WITH ROBERT M. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH MISAEL C. ALONSO AND ENDING WITH DERRICK B. WILLSEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

AIR FORCE NOMINATIONS BEGINNING WITH DANA J. ALBALATE AND ENDING WITH LUZ E. RODRIGUEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

IN THE ARMY

ARMY NOMINATION OF CHARLES T. KIRCHMAIER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF BRUCE P. CRANDALL, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH KENNETH E. DUVALL AND ENDING WITH RANDALL M. ZEEGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

ARMY NOMINATIONS BEGINNING WITH JENNIFER E. CHOATE AND ENDING WITH RODNEY E. RUDOLPH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

ARMY NOMINATIONS BEGINNING WITH LEAR E. DUTTON AND ENDING WITH MARCUS C. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 30, 2009.

ARMY NOMINATIONS BEGINNING WITH DANIEL T. AMES AND ENDING WITH THOMAS B. WHEATLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 30, 2009.

ARMY NOMINATIONS BEGINNING WITH KENNETH E. LAWSON AND ENDING WITH KRISTINA D. MOELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

ARMY NOMINATIONS BEGINNING WITH LAWRENCE C. DENNIS AND ENDING WITH JOHN H. TATUM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

ARMY NOMINATIONS BEGINNING WITH BARRY R. BARON AND ENDING WITH ISTVAN SZASZ, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

IN THE COAST GUARD

COAST GUARD NOMINATION OF THOMAS J. RILEY, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF SHADRACK L. SCHEIRMAN, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF CHAD R. HARVEY, TO BE LIEUTENANT.

COAST GUARD NOMINATION OF MICHELE L. SCHALLIP, TO BE LIEUTENANT.

COAST GUARD NOMINATIONS BEGINNING WITH EDGARS AUZENBERGS AND ENDING WITH MICHAEL F. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

COAST GUARD NOMINATIONS BEGINNING WITH MELINDA D. MCGURER AND ENDING WITH ROYCE W. JAMES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

COAST GUARD NOMINATIONS BEGINNING WITH NICHOLAS A. BARTOLOTTA AND ENDING WITH JERALD L. WOLOSZYNSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

COAST GUARD NOMINATIONS BEGINNING WITH LADONN A. ALLEN AND ENDING WITH JAMES A. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 30, 2009.

COAST GUARD NOMINATIONS BEGINNING WITH JENNIFER L. ADAMS AND ENDING WITH BRADFORD W. YOUNGKIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF BRADLEY L. LOWE, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF DANIEL A. FREILICH, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH ROBERT R. LIU AND ENDING WITH NATASHA L. FLEMENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH IRWIN ELSTEIN AND ENDING WITH DOUGLAS A. TOMLINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH RUSSELL P. BATES AND ENDING WITH TIMOTHY G. NASELLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH OSCAR D. ANTILLON AND ENDING WITH MATTHEW T. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH DOYLE S. ADAMS AND ENDING WITH EUGENE WOZNIAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH RYAN M. ANDERSON AND ENDING WITH BRENT E. TROYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH RUBEN A. ALCOCER AND ENDING WITH MICHAEL P. YUNKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH ANACLATO B. ANCHETA, JR. AND ENDING WITH LAWRENCE S. ZOBACK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH OSMEL ALFONSO AND ENDING WITH MARJORIE A. WYTZKA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH WILLIAM M. ANDERSON AND ENDING WITH JEFFREY R. WESSEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATIONS BEGINNING WITH PAUL J. ALEA AND ENDING WITH GEOFFREY W. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2009.

NAVY NOMINATION OF RAUL L. BARRIENTOS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH RICARDO B. EUSEBIO AND ENDING WITH DAVID L. WILKEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 15, 2009.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. ADERHOLT. Madam Speaker, on October 28, 2009, I missed rollcall vote 819 while visiting with World War II veterans from my district at the National World War II Memorial as part of the Birmingham and Gadsden Honor Flight program. Had I been present I would have voted "yea" on rollcall 819.

PERSONAL EXPLANATION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. BACHUS. Madam Speaker, on October 28, 2009, I missed rollcall vote 819 while visiting with World War II veterans from my district at the National World War II Memorial as part of the Birmingham and Gadsden Honor Flight program. Had I been present I would have voted "yea" on rollcall 819.

HONORING STAFF SERGEANT ORY MARIONEAUX, SR. ON THE OCCASION OF HIS 90TH BIRTHDAY

HON. BILL CASSIDY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. CASSIDY. Madam Speaker, I rise today in honor of Staff Sergeant Ory Marioneaux, Sr., U.S. Army, on the occasion of his 90th birthday.

Born in Baton Rouge, Louisiana on October 28, 1919, Ory Marioneaux has lived in Baton Rouge nearly all his 90 years. He graduated from McKinley High School in 1940 and rose to the rank of Staff Sergeant in the U.S. Army, fighting for our country in the European Theatre of World War II in 1942.

After his honorable discharge from military service, Ory returned to Baton Rouge and was reunited with his wife, Mary Agnes Honore', with whom he raised eight children, twenty-two grandchildren, and several great-grandchildren.

Ory worked in service to the people of Baton Rouge throughout his career, both as a private contractor and public employee. Ory worked as a maintenance supervisor for the Housing Authority, a construction supervisor for the city of Baton Rouge, and a teacher of the World War II defense program at Southern University.

Ory Marioneaux has led a life of service to his country and devotion to his family that should serve as an example to us all. I join his family in wishing him, on behalf of a grateful country, a happy 90th birthday.

BAY PINES HOSPITAL AND EMPLOYEES NAMED BEST IN THE VA

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. YOUNG of Florida. Madam Speaker, the Department of Veterans Affairs Hospital at Bay Pines, Florida, which I have the great honor to represent, will be honored Friday with the prestigious Robert W. Carey Trophy Award for Performance Excellence.

The hospital and its hundreds of dedicated employees and volunteers are being recognized with this, the Department's highest recognition across all its departments, including the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration.

Bay Pines was recognized by the VA last year as "A Top Quality Achiever" for organizational excellence in seven key areas: leadership; strategic planning; customer and market focus; measurement, analysis, and knowledge management; human resources; process management; and results.

With this award, Bay Pines is not just one of the best hospitals and VA organizations, it is the very best anywhere in the nation. This just confirms what veterans in the Tampa Bay area already know.

Hospital Director Wallace Hopkins and the entire team at Bay Pines work hard to provide veterans with the highest quality care they deserve and have earned from a grateful nation. And Bay Pines does not rest on its laurels. The hospital and its staff continue to find ways to improve the delivery of care and services.

The hospital has opened a new and larger Emergency Room that doubles the capacity for emergency care services including emergency mental healthcare. Bay Pines has under construction a Radiation Oncology Center to provide veterans with state of the art cancer treatment. The design is being completed and the ground will be broken soon on a new Mental Health Center of Excellence that will bring together under one room and improve the delivery of specialized inpatient, outpatient, and Post Traumatic Stress Disorder programs. And planning is underway for a new and larger Eye Care Clinic and Ambulatory Surgery Center.

The 2009 Carey Trophy Award is a great honor for all Bay Pines employees and is a signal that their dedication and hard work is recognized and appreciated. And it is appreciated the most by those who are the recipients of their professional and compassionate care—our nation's veterans and their families.

Madam Speaker, it is my hope that my colleagues will join me in saying well done to Wallace Hopkins and all the employees and volunteers at Bay Pines who work so hard and take such pride in honoring America's heroes everyday with the best health care services available anywhere in our great nation.

HONORING DENNIS DEYOUNG AS A "GREAT PERFORMER OF ILLINOIS"

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LIPINSKI. Madam Speaker, I rise today to honor Dennis DeYoung on his recognition as a Great Performer of Illinois. Great Performers of Illinois is an annual celebration of the very best art and culture in the State of Illinois. As both his talents and his humanitarian contributions to the State of Illinois attest, Mr. DeYoung is indeed worthy of recognition.

A musician from his youngest years, Mr. DeYoung found his audience when he formed the band that would later become Styx with a group of friends while growing up in Chicago. Over the course of Styx's storied career, Mr. DeYoung served as lead vocalist, songwriter, keyboardist, producer, and in many other capacities. The band's musical run has included a string of multi-platinum albums, worldwide fame, and top 10 hits in three different decades. That Styx remains one of the biggest-selling performers in the history of recorded music is a testament to Mr. DeYoung's remarkable talent and restless creativity. His numerous hits include such utterly original, distinctive, and memorable songs as "Lady," "Come Sail Away," "Babe," and "Mr. Roboto."

Mr. DeYoung's music is only part of his contribution to society. He is a tireless advocate and supporter of the fight against childhood cancer. In keeping with this mission, he performed a benefit concert in Chicago on October 24th, with proceeds going to the cause of childhood cancer research.

I ask you to join me in honoring Dennis DeYoung for his remarkable achievements in both music and society, and his recognition as a Great Performer of Illinois.

RECOGNIZING MAJOR LESLIE G. WILSON—SCOTTSDALE HEALTHCARE'S "SALUTE TO MILITARY" HONOREE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. MITCHELL. Madam Speaker, I rise today in recognition of a member of the Armed Forces from my home state of Arizona. Each month, Scottsdale Healthcare honors service members who perform diligent service to this country. For October, they recognized Major Leslie G. Wilson.

I commend Scottsdale Healthcare for paying tribute to such an outstanding service member for her bravery and service to our country.

During her military career, Major Wilson has been deployed three times as a military nurse officer. Most recently, Wilson was deployed in

Iraq where she saved lives, cared for the wounded and served her country with great distinction.

Beyond her tours of duty, Wilson is devoted to educating and training our military personnel. She teaches life-saving skills to military personnel so they will be able to provide the best possible care when deployed and under wartime conditions.

Madam Speaker, please join me in recognizing this outstanding Air Force Nurse Corps leader for serving our country and protecting the lives of fellow service men and women in combat.

SOLAR TECHNOLOGY ROADMAP ACT

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 22, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3585) to guide and provide for United States research, development, and demonstration of solar energy technologies, and for other purposes:

Mr. ISRAEL. Mr. Chair, I rise in strong support of the Solar Technology Roadmap Act because I believe that a strong commitment to solar technology is essential if we're going to lead our country into a robust clean energy economy.

I want to commend my colleague from New York, Mr. HINCHEY, for his leadership and for partnering with me to ensure that there's a diverse regional balance in the Solar Technology Roadmap.

I'd especially like to thank Chairman GORDON for incorporating the Israel Amendment into his Manager's Amendment. This language requires the Solar Roadmap Committee to work with the Departments of Interior and Defense, the National Park Service, and the General Services Administration on the potential for solar demonstration projects on federal lands. We must be using all the resources we have to tap into renewable energy.

We have significant resources in the National Parks and on military bases around the country. Just last month, I was hiking in the Grand Canyon and realized the enormous potential for renewable energy on the roofs of visitors centers alone. This past spring I was at Fort Drum touring the expansive land available there for a robust solar installation that will contribute to an independent energy supply for the base. Our National Parks and federal lands should be landmarks for innovation, efficiency and renewable energy.

Currently, National Parks' renewable energy generation rates are only 1.5 percent of their total average need. The Park Service needs to install 5.8 MW of renewable energy sources between now and 2013 to meet current federal mandates. Just 50 of our 391 National Parks use 80 percent of the total energy consumed by the National Park Service. Solar demonstration projects in these high-use parks could tremendously reduce the energy consumption of the entire National Park system.

The DOD is the single largest energy user in the United States. Any marginal increases in efficiency or the use of renewable sources could have significant impacts on civilian supply. According to DOD reports, the military consumes 1.2 percent of the energy required in the entire country. By 2013, the military must acquire 7.5 percent of its electricity from renewables. Energy is not just an economic and environmental issue, but this shows that it's a national security issue as well.

Again, I thank the gentleman for yielding and look forward to continuing to work with him to reform U.S. energy policy.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately on October 26, 2009, I was unable to cast my votes on H. Res. 368 and H. Res. 562 and wish the RECORD to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 814 on the motion to suspend the rules and agree to H. Res. 368, Congratulating the University of Iowa Hawkeyes wrestling team on winning the 2009 NCAA Division I National Wrestling Championships, I would have voted ''aye.''

Had I been present for rollcall No. 815 on the motion to suspend the rules and pass H. Res. 562, Congratulating Syracuse University for winning the National Collegiate Athletic Association Division I Mens Lacrosse Tournament, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. SMITH of Washington. Madam Speaker, on Monday, October 26 and Tuesday, October 27, 2009, I was unfortunately unable to be present for recorded votes while at home recovering from a collapsed lung.

Had I been present, I would have voted: ''yes'' on rollcall vote No. 814 (on the motion to suspend the rules and agree to H. Res. 368, as amended), ''yes'' on rollcall vote No. 815 (on the motion to suspend the rules and agree to H. Res. 562), ''no'' on rollcall vote No. 816 (on the motion to instruct conferees on H.R. 2996), ''yes'' on rollcall vote No. 817 (on the motion to suspend the rules and pass H.R. 2489, as amended), and ''yes'' on rollcall vote No. 818 (on the motion to suspend the rules and agree to H. Res. 854).

RECOGNIZING THE ''SWEATS FOR VETS'' INITIATIVE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. WOLF. Madam Speaker, I rise today to recognize the ''Sweats for Vets'' initiative taking place in Virginia's 10th District, which I am honored to represent in Congress.

When I visited Walter Reed Army Medical Center during August recess, I learned about an effort being undertaken by groups of veterans and other organizations across the United States to provide ''pieces of home'' to our wounded warriors in veterans' hospitals. Veterans of Foreign Wars Post 1177, based in Leesburg, Virginia, is one of these groups. Their ''Sweats for Vets'' program has provided sweatpants, sweatshirts, and books to patients at the Martinsburg Veterans Hospital, as part of the hospital's support program. This gesture helps make a hospital more comfortable for our wounded soldiers.

The town of Purcellville, also located in the 10th District, has joined with VFW Post 1177 and American Legion Post 293 in collecting sweat sets for patients in local veterans' hospitals. The ''Sweats for Vets'' initiative has become a tremendous morale booster. I would like to recognize the Purcellville mayor, Bob Lazaro, for leading the initiative in the town. By undertaking this project, he is leading an important effort to help our wounded warriors and improve their stay in the hospital.

I salute the efforts of both VFW Post 1177 and the town of Purcellville, to help bring comfort to those service personnel recovering in veterans' hospitals.

HONORING HENRY GAWRONSKI

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Henry Gawronski, a lifelong resident of Bucks County and dedicated public servant. For 44 years, Henry has served his country and his community, whether through his time in the Navy, his positions on the school board, or as a Township Supervisor.

Henry graduated from Central Bucks High School in 1955, and shortly thereafter enlisted in the U.S. Navy. He retired from the Navy twenty years later in July of 1975 and devoted his time to his auto body business on a fulltime basis. He has five children and was deeply involved in the school board, serving as Treasurer, Vice-President, and President of the Palisades School Board during his six years of service beginning in 1980.

In 1983, Henry became one of the founding members of the Palisades Republican Club. He felt that the formation of the this club would help unite the Republicans in his rural area and encourage local, county, and state candidates to attend so community members could see, hear, and question what they had to say in person.

Henry became a Township Supervisor in January of 1988. During his eighteen year tenure, he has served as Vice-Chairman and Chairman. In 1989, he spearheaded the project to build an addition to the Nockamixon Township Building, and managed to fund it through donations of money and labor—at no cost to the township. Six years ago, he made his dream of a huge party for the township a reality by forming and helping coordinate an annual Nockamixon Township Community Day. Generous donations allow residents and guests to be treated to free entertainment, food, and door prizes.

Henry has devoted the better portion of his life to public service—20 years in the Navy, 6

years on the Palisades School Board, and 18 years as a Nockamixon Township Supervisor. Throughout this time, he has been a dedicated husband, father of five, and grandfather of six.

His commitment to service and the dedication he has shown to improving his community are a model for others. Madam Speaker, I am proud to recognize Henry Gawronski for his outstanding efforts, and am extremely honored to serve as his Congressman.

INTRODUCING THE SERVICEMEMBER STUDENT LOAN INTEREST RELIEF ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mrs. DAVIS of California. Madam Speaker, our brave student servicemembers defending the United States in Iraq, Afghanistan and other countries abroad are often charged interest on their federal college student loans while deployed. Because this interest is costly and unfair, I rise today to introduce the Servicemember Student Loan Interest Relief Act to end the practice.

This legislation builds upon a provision included in the Higher Education Opportunity Act (H.R. 4137) in the 110th Congress, which prevents interest from accruing on loans originated after October 2008 during activations. The provision provided important relief to servicemembers who intended to take out loans in the future, but it did not address those who currently had student loan debt.

The bill I introduce today corrects that issue and provides interest relief to all active duty servicemembers with eligible loans. Our students in uniform could save up to $1,479 during a 12- to 15-month activation under this bill, according to estimates.

As our servicemembers put themselves in harm's way, the least we can do is put their student loans on hold until they return home. I'm pleased to work with Senator BAYH on this important issue.

I urge passage of this legislation and yield back the balance of my time.

HONORING THE WORLD WAR II VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. QUIGLEY. Madam Speaker, I rise today to honor the World War II veterans from my district who are traveling to Washington, DC with Honor Flight Chicago, a program whose goal is to provide as many World War II veterans as possible the opportunity to see the World War II Memorial here in Washington, DC, a memorial that was built to honor their courage and service.

The American veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsman traveling here today answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing thanks.

Dominick "Duke" Adducci, John J. Aldworth, Alvin Henry Arbeiter, Richard Batzkall, Raymond Bernard Beckman, Ralph Borgatell, William A. Boss, Halfdan Bruness, Albert Bruno, James M. Bulsback, John M. Collier, George W. Cvek, Frank "Fritz" DeLuca, Peter Ference, Nathan Firestone, Robert Foley, James C. Forster, Ernest "Ernie" Halverson, Harvey H. Hammerlund, Emmitt D. Hays, Richard A. Heffernan, Margaret J. Heinkel, Harold E. Heinkel, LeRoy "Lee" Herrick, Robert F. Holbach, George "Hoppy" Hopkins, Jr., David L. Jack, Jerome "Jerry" Jeslis, Rex L. Jones, William C. Jones, Robert C. Judd, Enoch Kanaya, George "Fred" Kays, Robert Knudsen, William B. Koerber, Phillip LaMantia, James L. Lausa, Wilbur Lewis, Pasqual "Pat" Lorenzo, Edward Malatesta, Gerald "Jerry" Mares, John E. McCambridge, Donnan A. McKie, Norbert M. Melsek, Anthony "Tony" Nauer, Kenneth G. Pearson, Melvin S. Peich, Antonio R. Petrella, Adam Petroline, Richard A. Pfundstein, Budd E. Revesz, William V. Ried, Anthony Rizzo, Harry Ross, Andrew "Bud" Ryder, Victor Schaedel, Norbert M. Schmuttenmaer, Walter E. Silge, Joseph B. Smart, Victor Sneller, Harvey "Harv" Sorensen, Harold Stanton, Allen "Lefty" Stauffer, Joseph Frank Stedronsky, Aloysius V. Sulka, Eugene E. Sullivan, Frank S. Summer, Roger D. Thorngren, George S. Trunek, Earl Uberfall, Truex "Bill" Upchurch, Gene Urban, Tony Vallos, Michael J. Vivona, Edward J. Walz, Edwin E. Wenta, Merle L. Younce, Chester Zdunek, Seymour Zimmerman, Stanley M. Zmuda, Joseph F. Zver.

CONGRATULATING SUSAN S. RINGLER, THE TEMPE COMMUNITY COUNCIL'S 2009 HUMANITARIAN OF THE YEAR

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Susan "Sue" Ringler, who has been named as the 2009 Humanitarian of the Year by the Tempe Community Council. The Tempe Community Council was founded in 1972 with the mission of "connecting those in need with those who care," and has been honoring exceptional individuals with the Don Carlos Humanitarian Award for the past 26 years. Sue exemplifies the definition of a humanitarian, and is incredibly deserving of this award.

Sue has worked to serve her community and the city of Tempe in numerous and incredible ways. Currently a faculty associate with Arizona State University's School of Nursing and Healthcare Innovation at the West Campus, Sue is also the pastor of Guardian Angels Catholic Community. In the past, Sue was the manager of Paz de Cristo food kitchen in Mesa when it began in 1988, and worked to make sure that this kitchen had a permanent location to feed the homeless. Sue also served as manager of Ten Thousand Villages, a non-profit fair trade shop that sells crafts made in third world countries and sends the profits directly back to the artists. Sue also played a critical role in the development of both the Interfaith Hospitality Emergency Lodging Program and Tempe Homeless Connect.

Sue has contributed so much to the Tempe community with her unwavering devotion to helping the homeless and those in need. She is a role model for our community, and demonstrates what it truly means to be a humanitarian. Please join me, Madame Speaker, in congratulating Sue for receiving the Don Carlos Humanitarian Award, and for recognizing all of her past achievements.

EARMARK DECLARATION

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. HOEKSTRA. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding funding that will benefit the Second Congressional District of Michigan as part of H.R. 3183.

Requesting Member: Congressman PETE HOEKSTRA

Bill Number: H.R. 3183

Account: Army Corps of Engineers, Operations and Maintenance

Legal Name of Requesting Entity: Detroit District of the U.S. Army Corps of Engineer

Address of Requesting Entity: 477 Michigan Avenue, Detroit, Michigan 48226–2550

Description of Request: Provide funding for operations and maintenance of Saugatuck Harbor. This request is consistent with the intended and authorized purpose of the Army Corps of Engineers, Operations and Maintenance account.

W.C. 'DUB' JONES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. POE of Texas. Madam Speaker, Today I come to remember W.C. "Dub" Jones of Port Arthur, Texas. Jones passed away on September 14, 2009 at the age of 69 after his fight against cancer. He was born in Bradley, Arkansas on June 20, 1940 to the late Tillman and Hattie Jones.

Jones moved to Port Arthur at a young age and later attended the local school. He began working in the late 1950's on inshore waterways of the Gulf Coast and then as a seaman serving abroad U.S. flagged cargo vessels. After spending several years out at sea, he went to work as a longshoreman in Port Arthur. Due to his continuous hard work, he rose to positions of greater influence and eventually became the Commissioner of the Port of Port Arthur in 2002.

He was known for his strong leadership and involvement with the local maritime industry

and Port of Port Arthur. Jones was a member of the International Longshoreman's Association Local No. 25 for 30 years. He served as president for 12 of those years. In 2001, Jones retired after years of service.

Jones was a great asset to the local union and the port. He was well admired for his work ethics and continued support. W.C. Jones leaves behind his wife of forty-nine years, Uvonne Jones and his son Tyrone Jones.

On behalf of the second congressional district of Texas, We will truly miss W.C. Jones. He has touched the lives of many and will be remembered for his service to Port Arthur, Texas.

MOVEMENT OF GUINEAN WOMEN IN THE UNITED STATES

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Ms. CLARKE. Madam Speaker, I rise today to acknowledge the Movement of Guinean Women in the United States, the Commission for Guinean Forces Vives in the United States and Alliance Guinea for organizing today's demonstration in front of the State Department. These organizations were protesting the atrocities that continue to take place in Guinea West Africa.

I would also like to express my concerns regarding the use of violence against civilian protestors that erupted on September 28 resulting in the killing of at least 157 people and wounding more than 1,200. I strongly believe that all citizens of Guinea should be afforded the right to have their voices heard without the threat of violence. I condemn any actions that resulted in gross and egregious human rights abuses.

Even more appalling are the reports of physical and sexual violence against women. According to the Movement of Guinean Women in the United States, there has been an increase in violence against women since the military junta uprising took place. Women are being randomly raped and kidnapped, without recourse. Madam Speaker, these rapes are absolutely deplorable and those responsible must be brought to justice.

The eruption of violence has taken a mental and physical toll on the people of Guinea and there is a dire need for emergency care and humanitarian assistance. The United States as well as the International community must come together to provide much needed medical assistance.

I strongly support Secretary Clinton and the State Department's position on admonishing those who committed such injustices. I also concur with the Secretary's call to the current leadership of Guinea to control their military troops and allow an international investigation into the matter. The United States has insisted that the National Council for Democracy and Development respect the commitment it has made not to field candidates in Guinea's upcoming elections. This is integral to ensuring a peaceful transition back to a functional democracy.

Guinea West Africa has carried the torch of freedom since its independence from the French in 1958. The country has been an example to the rest of the region throughout its history, as it was the first nation of French West Africa to gain its independence. That said, I am deeply concerned about the rising tensions within the country and its potential to ignite regional instability within the West African region.

HONORING MR. MERLIN DUMBRILLE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. CAMP. Madam Speaker, I rise today to honor and commend Mr. Merlin Dumbrille, a revered and prolific voice of the community.

Merlin will retire today, October 30, 2009, after 58 years of broadcasting on WTCM Traverse City.

His long history with the station began when, at 8 years old, Merlin first entered WTCM with his father as they tuned the station's pianos. Fascinated by what he saw, Merlin returned 8 years later and has never left. Few could have foreseen the impact that the day would have not only on his life, but for the residents of greater Traverse City.

Merlin has been the voice of the Traverse City community for 58 years. He started his show on WTCM, Farm and Orchard Time, in 1963, for which he has won numerous state and local honors. It has become one of the longest continuously-running shows in the nation. During his time behind the microphone, he has been a voice for Northern Michigan farmers. He also served as the Farm Director, and the Public Affairs Director for the station.

Merlin has been a standard-bearer in the studio and without. His service to his community deserves high praise. He was a longtime producer and host of the National Cherry Festival and Parade. For the past 3 decades, he has also been the audio technician for the Central United Methodist Church Sunday broadcast.

Despite all of these momentous accomplishments, I'm sure Merlin will say that the biggest blessings of his life are June, his wife of 55 years, his three children, and his three grandchildren.

On behalf of the 4th Congressional District of Michigan, I would like to extend my congratulations and I ask my colleagues to join me in recognizing Mr. Merlin Dumbrille and wishing him the best of luck in his retirement.

HONORING PATHSTONE CORPORATION'S 40TH ANNIVERSARY

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. MASSA. Madam Speaker, I rise today to recognize PathStone Corporation (formerly known as Rural Opportunities, Inc.) as it celebrates its 40th anniversary. PathStone is a not-for-profit regional community development and human service organization headquartered in Rochester, NY that provides vital services to low-income areas throughout the 29th Congressional District and beyond.

Its principle lines of business include: Farmworker Training and Employment, Housing Development, Homeownership Services and Small Business Lending, Training and Technical Assistance. These services continue to create substantial economic impact on New York's 29th. Critical economic impact metrics for the District include:

Total value of residential real estate developed: $29,994,942.00.

Total value of first-time homebuyer mortgages: $29,111,023.00.

Total value of housing rehabilitation and energy services: $4,932,597.00.

Total value of multifamily preservation: $8,704,000.00.

Total value of commercial properties: $915,000.00.

Total number of businesses receiving financing from the PathStone Enterprise Center: 106 loans for a total of $2,733,255.80

Total number of homeowners with foreclosure concerns helped by PathStone since March of 2008: 33

In these difficult economic times, it is encouraging to know that beneficial organizations such as this have not only survived the downturn, but are continuing to provide their vital services to current and new participants.

On behalf of the United States Congress, I am honored to formally acknowledge PathStone and its commitment to the disenfranchised through economic empowerment.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF PINE GROVE BAPTIST CHURCH

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition of the 100th Anniversary of the Pine Grove Baptist Church located in my Congressional district right outside of Lineville, Alabama.

In 1909, a small group of Christians organized Pine Grove Baptist Church. In August of 1911, the congregation voted to build a new church, and over the years, the church has been renovated into what stands today. In 1988, a fellowship hall with a baptistery was added and stained glass windows were installed in the church. In 1997, the lightning-damaged steeple was replaced with a new lighted one.

In 2004, Brother Gwen McCollum, Jr. was licensed to preach and in 2009, Brother Terry Helms was ordained to preach.

On Sunday, November 8, 2009, the congregation will celebrate the 100th Anniversary of Pine Grove Baptist Church. I congratulate this church on this important milestone, and wish the congregation all the best in its next century of ministry to the community.

TRIBUTE TO THE REVEREND CANON ERNEST D. SILLERS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. CALVERT. Madam Speaker, I rise today to celebrate the life of Reverend Canon Ernest

D. Sillers, the founder of St. Margaret's Episcopal School and two other Episcopal schools in Orange County. Orange County, California has been blessed by dynamic and dedicated leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Reverend Sillers dedicated his life and purpose to both God and education; he will be dearly missed.

Ernest Sillers was born October 2, 1910, in River John, Nova Scotia. When he was 18 years old, he answered his personal calling and decided to attend Gordon College in Wenham, Massachusetts. It was there he met the love of his life, Aldine, and they were married. Rev. Sillers graduated with a degree in theology and entered the ministry at First Baptist Church in Seabrook, New Hampshire. He studied for a master's degree and attended the Episcopal Seminary at Cambridge Seminary as a part-time student. His efforts led him to become an ordained Episcopal Priest. After serving in New England, Rev. Sillers moved to Pico Rivera where he was Vicar of the mission parish of St. Bartholomew. Because of his long time interest in education, Rev. Sillers obtained a teaching credential. In 1960, Rev. Sillers was called to be Rector of St. Mark's Episcopal Church in Downey, California. There, he was inspired to start his first school.

Fifteen years later, Ernest Sillers and Aldine were retired and living in Laguna Beach. The Bishop of the Diocese of Los Angeles had heard that people in the growing community of San Juan Capistrano would be served by an Episcopal church. He asked Rev. Sillers if he would be a temporary priest-in-chart to start the church and Sillers accepted. In October 1979, St. Margaret's Episcopal School was founded with 79 students and was located in temporary structures. The following year, the student population doubled and by 1986, a 12th grade class had graduated. Aldine, served as the school's founding librarian.

After the successful founding and growth of St. Margaret's, Rev. Sillers was ready for a new challenge. He went on to found St. John's Episcopal Church and School in Rancho Santa Margarita and, a few years later, St. Mary and All Angels Episcopal School in Aliso Viejo.

On October 15, 2009, Reverend Canon Ernest D. Sillers passed away. On behalf of all those who knew him, it is my honor to offer these remarks as a tribute to the life and legacy of Reverend Sillers. His life and presence will be sorely missed and I extend my condolences to his dear family and friends. His legacy of service and his vision of education live on.

CYBERSECURITY AWARENESS MONTH

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LANGEVIN. Madam Speaker, I rise today to recognize October as the sixth annual National Cybersecurity Awareness Month. The theme for 2009, "Our Shared Responsibility," emphasizes the need for government agencies, businesses and especially private users to each take responsibility for their own online safety and not fall victim to cyber attacks that can spread to other users.

It is vital that the public is engaged and aware of how to properly utilize security software in order to protect their Social Security numbers, financial information, health information, and other personal data. We must all work together and take responsibility for securing our own networks and computers to ensure that government systems, personal data and even critical infrastructure remain safe from attack.

Improving public awareness of threats to home or office computer networks is a crucial step in working to make the Internet, and our critical data, more safe and secure. Due to the massive scope and scale of the Internet, fraud and malicious attacks will always persist in some form. However, educating the public about small steps, such as keeping up-to-date with the latest security patches or installing basic anti-virus software, can easily strengthen our economic and national security.

I applaud the Department of Homeland Security for sponsoring this month of outreach. As a Co-Founder and Co-Chairman of the House Cybersecurity Caucus, I will continue to fight to deliver the latest tools and training to support both our national security infrastructure, and the personal data of all Americans.

CONGRATULATING SANTA CLARA UNIVERSITY AND CALIFORNIA COLLEGE OF THE ARTS SOLAR DECATHLON TEAM

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. HONDA. Madam Speaker, I rise today to honor Team California, a partnership between Santa Clara University and California College of the Arts, for placing third in the Department of Energy's 2009 International Solar Decathlon. I congratulate the students, faculty, administration, and sponsors for their tremendous accomplishments.

The Solar Decathlon competition challenged university teams from around the globe to design, build, and operate a solar energy powered home that incorporates energy efficiency, architectural creativity, and an applicable living style in order to illustrate the benefits and practical application of green living.

The team of Santa Clara University and the California College of the Arts was one of only 20 teams from around the world selected to compete in the 2009 Solar Decathlon, the only schools from California and from the entire West Coast involved in the competition. SCU and CCA were among the smallest schools in the Decathlon, but they excelled in the competition and received top scores for their remarkable "Refract House."

En route to placing 3rd overall, Team California placed first in the Architecture and Communications contests and earned second place for Appliances, Home Entertainment, and Engineering in the design and structure of their home. Their efforts and outstanding achievements at the 2009 Solar Decathlon are to be highly commended, and their work will contribute significantly to the future designs of solar powered homes.

The "Refract House" offered a wide array of eco-friendly features, including aesthetically-pleasing solar photovoltaic arrays, radiant heating and cooling, double-paned windows and doors and top-of-the line energy-efficient appliances. Moreover, the house was largely composed from recycled waste, illustrated by their walls composed of used billboards and salvaged redwood.

Through their work in the Solar Decathlon, Santa Clara University and the California College of the Arts have shown that it is within our grasp to reduce carbon emissions and live off renewable energy. Santa Clara University is demonstrating this even beyond the Solar Decathlon as well, recently earning recognition from the U.S. Environmental Protection Agency's Green Power Partnership as one of the Nation's Top 20 Colleges and Universities using green power and qualifying for EPA's Green Power Leadership Club.

During the Decathlon competition, I had the pleasure of hosting a briefing in the U.S. Capitol during which the Team California members talked about their solar house, the technologies they used, and policy issues surrounding renewable energy. I was honored to have my California colleagues Representative ZOE LOFGREN and SAM FARR attend the briefing, and was proud of the work the students, faculty, and administrators did to educate Members of Congress and the public about the promise of renewable energy, which does not produce greenhouse gases and can reduce global warming.

Global warming threatens our economy, our coastal cities, and possibly the very existence of humanity. Expanding the use of renewable energy is a key development for improving American livelihoods and the livelihoods of individuals all over the world, who will gain greater control over their own lives as they gain control over the means of generating their energy, and the work of Team California will help to make that a reality.

The "Refract House" highlights the strengths and technological innovation of Silicon Valley, and I once again extend my congratulations and my thanks to Santa Clara University and the California College of the Arts for their strong representation of California and outstanding performance in the 2009 Solar Decathlon.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. PASCRELL. Madam Speaker, I want to state that yesterday I missed the final three rollcall votes of the day. Unfortunately I missed these votes because I had to return to my district.

Had I been present I would have voted "Nay" on rollcall vote No. 816 On Motion to Instruct Conferees—H.R. 2996—Department of Interior and Related Agencies Appropriations, 2010.

Had I been present I would have voted "Yea" on rollcall vote No. 817 On Motion to Suspend the Rules and Pass, as Amended—H.R. 2489—National Land Remote Sensing Outreach Act.

Lastly, had I been present I would have voted "Yea" on rollcall vote No. 818 On Motion to Suspend the Rules and Agree—H. Res. 854—Recognizing Weber State University for the 120th anniversary of its founding as an institution of higher education.

HONORING DR. MARCO A. MASON

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Ms. CLARKE. Madam Speaker, today I rise to honor and recognize Dr. Marco A. Mason, a distinguished medical sociologist and activist from the great state of New York. Dr. Mason is a living legend in Brooklyn, NY, not only is a professor at Medgar Evers College Department of Social and Behavior Sciences but he is a founding member of the Caribbean Women's Health Association, the Chairman/CEO of the Panamanian Council of New York Inc and the President of the Institute for Pan-American Affairs.

Additionally, Dr. Mason serves on the advisory boards for SUNY Downstate Medical Center, Kingsbrook Jewish Medical Center, the Caribbean Research Center and the Journal of Immigrant and Refugee Services. He is recognized in the Global Directory of ''Who's Who in the World'' and the Vice-Chairman of New York City Community Board No. 9.

Dr. Mason is widely acknowledged as a technical expert on U.S. immigration policy and he is an accredited practitioner in immigration law before the Immigration and Naturalization Court and the Board of Immigration Appeals. His principal scholarly interests include the United States' immigration policy impact on ethnic communities and patterns of Caribbean immigration in the Western Hemisphere. He was cited by the U.S. Department of Justice for his ''Outstanding services in assisting immigrants with status adjustments.''

He is a seasoned global traveler with extensive professional-related international tours throughout Africa, Asia, the Middle East, Europe, Latin America and the Caribbean. He serves as a United Nations Social and Economic Council delegate and in this capacity has hosted numerous international conferences and field tours to study public health systems.

Dr. Mason is the recipient of more than 150 awards for his ''Dedicated service rendered to the Caribbean-American Community'' and was recognized in the Medical Herald in a special feature entitled ''Marco Mason: A Champion of Ethnicity.''

Dr. Mason's story is a quintessential American Immigrant story. A proud Panamainian-American of Caribbean decent whose life's work is a testiment to the virtues of courage and integrity.

Again, I rise to express the heartfelt appreciation and gratitude of all New Yorkers and the untold numbers of Brooklynites who are the beneficiaries of his outstanding life's work.

HONORING MIKE MILLS, OF FREEPORT, MINNESOTA AS A TRUE AMERICAN PATRIOT

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mrs. BACHMANN. I rise today, Madam Speaker, to honor Staff Sergeant Mike Mills of Freeport, Minnesota, who is the first Minnesota recipient of The American Patriot Award. He joins an exclusive group of only 8 American heroes who have been recognized by the American Patriot Project, comprised of nine volunteer organizations united by love of our national pastime, baseball, and a desire to honor those who have served in uniform.

Mike was wounded in 2005 in Iraq while serving with the Minnesota Army National Guard. On June 15, 2005 an Improvised Explosive Device (IED) exploded near Mike's vehicle. In the explosion he suffered a cracked clavicle and scapula bones, a dislocated shoulder and burns on more than 30 percent of his body. With extraordinary inner strength and the love and faith of his family and friends, he walked the long road of recovery. There are few awards that could properly acknowledge his service.

Given Mike's incredible experience, it would be understandable if he had turned to bitterness, sadness and anger. But, Mike turned around what he had gone through to help other veterans discharged or retired with injuries. He helps them turn their feelings of guilt, shame and failure into hope, pride and joy through his Web site, www.fortheveteran.com. By sharing his own powerful story through words and pictures, Mike has said to every veteran you are not alone and you will never be alone. It is a lesson that far too many veterans never hear, leaving them with feelings of isolation and guilt and depression. His Web site should be required reading for any returning citizen-soldier.

Like many veterans, Mike is the definition of a hero. But Mike stands out for his bravery and his sacrifice for our freedoms in a land thousands of miles away. I pray that Mike, his wife, Suki, and their children will continue to be a blessing to one another and to other veterans facing difficult times. I am so humbled to honor him today to this Congress, Madam Speaker.

REGARDING HEALTH CARE REFORM

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Ms. RICHARDSON. Madam Speaker, I rise today to show you the headlines from my community: ''It's Official: It's a Stinker.'' And what's a stinker? According to the U.S. Census and the American Community Survey, in Los Angeles County 22.3 percent of the people do not have health insurance. In Long Beach, 18.8 percent have no insurance; in Compton, 25.5 percent. In other words, one out of four people are without health insurance. And that should matter to all of us.

Why are we the only industrialized nation that doesn't provide health care? Why is it that my friends on the other side of the aisle can support spending billions for a war, but we can't spend the same for health care? Something is wrong.

Today, the rising number of uninsured, along with the increasing costs of healthcare, has adversely affected our economy. The rising cost of health care burdens American businesses as they weigh health benefit costs against other business investments. It is estimated that by 2015, the share of the national economy devoted to health care will increase from 14 to 20 percent. Growing health care expenses make our businesses much less competitive in the global marketplace, and restrict job creation here at home. In addition, every percentage increase in the unemployment rate results in 1 million more people becoming uninsured. Providing health care for the uninsured costs insured American families an extra $100 billion every year.

I applaud Congress and the Senate for stepping up and tackling this problem. We need to do this, and we need to do it now. The hour is late, the need is great, we cannot wait. Congress must pass comprehensive legislation this year.

20TH ANNIVERSARY OF THE VETERAN OF THE MONTH PROGRAM

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. MURPHY of Connecticut. Madam Speaker, I rise today to recognize the 20th anniversary of the ''Veteran of the Month'' program. I am honored to represent the patriotic citizens of Bantam, Connecticut, home of American Legion Post 44, where the ''Veteran of the Month'' program was founded to honor deceased honorably discharged veterans, soldiers that died while in the service, soldiers that remain missing in action, and special civilian employees of the U.S. Army, Air Force, Navy, Marines or Merchant Marines during World War II.

On the first Saturday of the month for the past 240 months, Post 44 conducts a flag raising ceremony in Bantam to celebrate the life and service of a new honoree. The list of honored veterans includes men and women who have served in seven different branches during eleven separate wars. They have all made unique and important contributions to their communities.

The ''Veteran of the Month'' program officially began with a flag raising on October 25, 1989. As with many great ideas, this program was born out of necessity. The American flag at the All Wars Memorial in Bantam was damaged, but the delivery of a new flag was delayed. In the meantime, Arthur Shaw offered his late father's burial flag to be flown until the new flag arrived. Post 44 Commander Francis Fabbri gladly accepted the use of the burial flag as a temporary solution until the replacement was received. When word that a burial flag was being flown began to spread around the community, local families of deceased veterans wanted to honor their loved ones by flying their flags as well. Mr. Shaw and Mr. Fabbri recognized that this would represent a fantastic opportunity to pay tribute to soldiers' lives, both during and after their military service.

In early 1990, Commander Arthur St. John developed the ceremony format that has been followed ever since. Mr. St. John has worked tirelessly to grow the ''Veteran of the Month'' program into a nationwide effort. It was adopted as an American Legion Americanism Program in 1993 as a model of how to pay tribute to local veterans for their service to our nation.

For their efforts, American Legion Post 44 has been awarded the Freedom Foundation at Valley Forge's highest honor, the George

Washington Honor Medal. In addition, Mr. St. John, Mr. Fabbri, and Mr. Shaw were awarded the Medal of Honor by the Sons and Daughters of the American Revolution. In 2007, Mr. St. John was inducted into the Connecticut American Legion Hall of Fame as part of its inaugural class.

Last Saturday, as on the 240 Saturdays prior, one flag was retired and another was raised in Bantam. We celebrate and remember the lives of not only the 2 veterans honored at the ceremony, but all those who have participated over the years.

TRIBUTE TO CONGRESSMAN JOSEPH D. EARLY IN RECOGNITION OF HIS ROLE IN LAUNCHING THE LIFE SCIENCE INDUSTRY IN WORCESTER, MA

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. McGOVERN. Madam Speaker, I rise today to congratulate my hometown of Worcester, Massachusetts on the twenty-fifth anniversary of the establishment of the life sciences industry as a major economic force within the city and the entire region. Due to scheduled votes here in the House of Representatives, I regret that I am unable to attend tonight's celebration of this occasion which has been organized by the Massachusetts Biomedical Initiatives (MBI) and will be hosted by Abbot Laboratories in Worcester's Biotechnology Park. I am personally grateful to Kevin O'Sullivan and the leadership of MBI for ensuring this important milestone did not pass without properly recognizing the many individuals who had the foresight to realize the limitless potential of this fledgling industry and who in turn planted a flag in the heart of the Commonwealth of Massachusetts announcing to the world that biotechnology will be the future of our proud city. I particularly want to acknowledge the extraordinary contributions of my friend Governor Michael Dukakis and the late William Short to this effort which now, a quarter century later, has spawned thousands of jobs and remarkable advances in healthcare right in Worcester, Massachusetts.

I am, however, especially pleased that my predecessor, friend and colleague, Congressman Joseph D. Early, is also being honored tonight for the absolutely pivotal role he played in the creation of Worcester's biotechnology cluster. In his own quiet but effective way, Congressman Early relentlessly championed federal funding on the House Appropriations Committee for both the biotech park and for medical research at the National Institutes of Health (NIH). Before anyone else, Congressman Early understood that the local economy of his beloved city was in need of a transformation from a rich heritage of heavy manufacturing towards a new 2lst century industry that would produce the next generation of highly skilled jobs. His prescient vision and dogged determination forced Worcester to confront a harsh reality at that time; the city's future prosperity was directly dependent upon the ability to marry the immense intellectual capital at the University of Massachusetts Medical School and the city's other fine colleges and universities with its renowned tradition of industrial innovation. Due in large part to Congressman Early's leadership, that marriage took the shape of Worcester's Biotechnology Park and its success today is part of his unrivaled legacy of service to his district and the untold number of constituents who have benefited from his advocacy.

Madam Speaker, all of us in elected office hope one day to be remembered not so much for the votes we have taken or the speeches we have given but for the very real, tangible and enduring examples of our public service. In that spirit, Congressman Joe Early's fingerprints are all over Worcester's Biotechnology Park and the rapidly expanding life science industry our city now enjoys. In as much as Congressman Early is a household name in Worcester, he remains a revered figure to those crusading pioneers at the National Institutes of Health who still remember and desperately miss his fierce commitment to federal funding for medical research.

As he modestly accepts the honor bestowed upon him tonight, I want Congressman Early to personally know how much I truly admire him for the contributions he has made to the life sciences in Worcester and around the world. He inspires me to work all that much harder to support and promote biotechnology in Worcester and I will forever be grateful for the example he has given me.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. CAPUANO. Madam Speaker, last week and earlier this week I missed several rollcall votes and I wish to state for the record how I would have voted had I been present: rollcall No. 812—"yes"; rollcall No. 813—"yes"; rollcall No. 814—"yes"; rollcall No. 815—"yes".

HONORING FRIENDS OF CHILDREN WITH SPECIAL NEEDS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. STARK. Madam Speaker, I rise today to pay tribute to Friends of Children With Special Needs (FCSN), a nonprofit organization dedicated to providing support, friendship, and life skills training to developmentally disabled individuals and their families. Formed in 1996, FCSN is based in Fremont, California.

FCSN offers special needs children an accepting, educational, and fun environment. The organization provides resources and information for families with special needs children and advocates for full-inclusion educational systems that allow special needs children to interact with their peers. FCSN also educates family members, friends, and students to promote better understanding of developmental disabilities.

The organization assists thousands of special needs individuals each year. In 2006, FCSN opened the Dream Center in Fremont, California, which now serves over 250 children and adults with autism, Down's syndrome, and cerebral palsy. In May 2008, FCSN began offering programs in San Jose to support the South Bay community. There are plans to transform the South Bay Center into another fully operative Dream Center in 2010. These centers allow FCSN to provide additional services, such as job training, therapeutic modalities and day programs.

FCSN's mission is to "help children with special needs and their families find hope, love, respect, and support through integrated community involvement." I applaud everyone who has come together to support the continuing success of Friends of Children With Special Needs as they strive to meet these goals.

CONGRATULATING THE CLOPTON HIGH SCHOOL LADY HAWKS SOFTBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LUETKEMEYER. Madam Speaker, I ask my colleagues to join me in congratulating the Clopton High School Lady Hawks Softball team for winning the Class 1A Missouri State Championship on October 24th.

The young women and their coaches should be commended for all their hard work throughout the regular season and bringing home the 1A Softball Championship to their school and community.

I ask that you join me in recognizing the Clopton Lady Hawks for a job well done.

A PROCLAMATION HONORING THE 150TH ANNIVERSARY OF THE FIRST UNITED CHURCH OF CHRIST

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. SPACE. Madam Speaker,

Whereas, the First United Church of Christ was founded in 1859, and

Whereas, the church will celebrate its 150th anniversary with an All Saints Day service filled with celebration and music, and

Whereas, New Philadelphia Christians met as early as 1857 without a minister until they declared Rev. John Rettig to be their first minister in 1859, and

Whereas, the group merged with the German Reformed church to form the German Evangelical Reformed Church in 1886; now, therefore, be it

Resolved That along with the residents of the 18th Congressional District, I commend the First United Church of Christ for 150 years of service to the community and their continued dedication to cooperation and learning.

S. 1793, THE RYAN WHITE HIV/AIDS TREATMENT EXTENSION ACT OF 2009

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. LARSON of Connecticut. Madam Speaker, I rise in support of S. 1793, the Ryan White HIV/AIDS Treatment Extension Act of 2009. This program is a last resort in providing life-saving care to the more than 500,000 Americans currently living with HIV/AIDS. Named after Ryan White, who courageously fought this illness and helped bring to the forefront a national dialogue about HIV/AIDS, this program helps the most vulnerable receive the treatment and support they need to maintain a high quality of life. While we race to find a cure, the Ryan White Act provides access to doctors, drugs, counseling and the care many people living with HIV/AIDS would otherwise not receive.

In my home State of Connecticut, there are over 10,000 reported cases of people living with HIV/AIDS. A disproportionate amount of these cases occur in low-income areas of the State where people are less likely to have the ability to access HIV/AIDS treatment. In Hartford alone, the largest city in my district, there are over 2,000 reported cases. For many of my constituents, the Ryan White Act is vitally important.

Because of the Ryan White Act, the most vulnerable of those living with HIV/AIDS have access to important services like housing, food, substance abuse treatment, and medical care that are shown to help people make safe choices and live constructive lives. Of those that are served by the Ryan White HIV/AIDS program, 33 percent do not have health insurance and 56 percent are underinsured. In a country with as much wealth and advances in medical technology as ours, it would be unconsionable to allow the most vulnerable to go without essential care. This legislation is a clear example of action we can take that will truly make a positive difference. I am proud to support the Ryan White HIV/AIDS Treatment Extension Act of 2009, which will bring hope to so many lives.

TRIBUTE TO RIVERSIDE COUNTY'S RECIPIENTS OF OPERATION RECOGNITION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to a group of individuals—heroes—who are receiving the recognition and honor they deserve for their service to our country. Operation Recognition is operated by the Riverside County Office of Education with assistance from the Riverside County Department of Veterans' Services. The program awards high school diplomas to veterans who missed completing high school due to military service in World War II, the Korean War, or the Vietnam War, or due to internment in WWII Japanese-American relocation camps.

A recognition ceremony will be held on November 11, 2009, for the following individuals who received their high school diplomas through Operation Recognition:

Robert Wayne Archer, Vincent O. Arellano, Linzy Ray Banks, Frank L. Bernich, Charles E. Billups, Floyd J. Birch, Camillo Razo Calderon, Arthur A. Carvalho, Leon Chagolla, James Franklin Colvin, Harry W. Cutting, Raymond Ortiz Guerrero, Eugene B. Guilbert, Sr., Richard Louis Haller, Charles R. Hazen, Jr., Randall N. Klauk, Rodney Scott Lloyd, Robert Magan, Salvador Soria Murillo, Ronald Edward Pearson, Harry Peterson, Hubert Pierce, Si Porter, Edward A. Sandoval, Harold E. Six, Sr., Garey Dale Smith, Jerry E. Tidwell, Roger Jay Williams, and Eldon Ray Wilson.

Our country owes a debt of gratitude to all the above recipients for their service and sacrifice. I salute all the above individuals and congratulate them on receiving their high school diploma.

CONGRATULATING ST. LUKE'S QUAKERTOWN HOSPITAL

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to congratulate Edward Nawrocki, Richard Anderson, and all of the hardworking staff of St. Luke's Quakertown Hospital on their achievements as part of the Premier healthcare alliance's groundbreaking QUEST: High-Performing Hospitals collaborative.

St. Luke's Quakertown Hospital has been recognized as one of the 32 national hospitals to reach the top levels of performance in the areas preventing mortality, reducing costs, and improving the delivery of evidence-based care delivery. In reaching this level of performance, they are truly putting patients first and setting the standard for clinical excellence.

St. Luke's Quakertown Hospital is helping improve the quality care not only in Quakertown, Pennsylvania, but nationwide. As a group, QUEST hospitals across the country have saved over 8,000 lives, reduced costs by $577 million, and provided 24,818 additional patients with all evidence-based appropriate care. According to an analysis of these Year 1 results, if all hospitals were to achieve the improvements found among the QUEST participants, they could save an estimated 52,760 lives and $1.16 billion in costs. In addition, 27,771 more patients could receive all recommended care.

I am pleased that the residents of my district are being served by a top-performing hospital and congratulate them on their outstanding accomplishments in improving patient care.

TRIBUTE TO THE JACKSONVILLE STATE UNIVERSITY MARCHING BAND, THE MARCHING SOUTHERNERS

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 28, 2009

Mr. ADERHOLT. Madam Speaker, I rise today to commend the actions of the Jacksonville State University Marching Band, the Marching Southerners.

During halftime of every football game this season, the Marching Southerners, under the direction of Kenneth Bodiford, the Director of Bands, perform a patriotic musical and visual tribute to our veterans, entitled "Of Thee I Sing". The performance is a special presentation to all veterans in honor of the many sacrifices that our brave men and women make during time of war.

The Marching Southerners first took to the field in the fall of 1956 and have been defining the future of marching band ever since. Comprised of students from all over our great nation, the Southerners perform for thousands each season—sending chills up the spine and tears down the face.

With class and excellence, the Southerners extend "The friendliest campus in the South" wherever they go, both on and off the field.

I commend the Marching Southerners and the community that supports them for producing and performing such a show. I wish them success in all their future endeavors and I ask my colleagues to join me in honoring our fellow patriots.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 29, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 3

11 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine life in a Russian newsroom.

1539, Longworth Building

2:30 p.m.

Health, Education, Labor, and Pensions

To hold hearings to examine increasing health costs facing small businesses.

SD–430

Intelligence

To receive a closed briefing on certain intelligence matters from officials of the intelligence community.

S–407, Capitol

NOVEMBER 4

10 a.m.

Homeland Security and Governmental Affairs

Business meeting to resume consideration of S. 1649, to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, S. 1862, to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System, H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, S. 1755, to direct the Department of Homeland Security to undertake a study on emergency communications, H.R. 730, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, S. 1825, to extend the authority for relocation expenses test programs for Federal employees, S. 1860, to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms, H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office'', H.R. 1516, to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the ''Sergeant Marcus Mathes Post Office'', H.R. 1713, to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley ''Wes'' Watkins, H.R. 2004, to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the ''Akron Veterans Memorial Post Office'', H.R. 2760, to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the ''Johnny Grant Hollywood Post Office Building'', H.R. 2972, to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the ''Conrad DeRouen, Jr. Post Office'', H.R. 3119, to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office'', H.R. 3386, to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office'', H.R. 3547, to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the ''Rex E. Lee Post Office Building'', and H.R. 2215, to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the ''John J. Shivnen Post Office Building''.

SD–342

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine the future of ocean governance, focusing on building our national ocean policy.

SR–253

2 p.m.

Judiciary

To hold hearings to examine certain nominations.

SD–226

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine the Federal acknowledgment process.

SD–628

2:30 p.m.

Foreign Relations

To hold hearings to examine the nominations of Jide J. Zeitlin, of New York, to be Alternate Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative to the United Nations for U.N. Management and Reform, and to be Representative to the United Nations for U.N. Management and Reform, with the rank of Ambassador, Department of State.

SD–419

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 1369, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, S. 1405, to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site'', S. 1413, to amend the Adams National Historical Park Act of 1998 to include the Quincy Homestead within the boundary of the Adams National Historical Park, S. 1767, to authorize a land exchange to acquire land for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, S. Res. 275, honoring the Minute Man National Historical Park on the occasion of its 50th anniversary, H.R. 2802, to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, H.R. 3113, to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and H.R. 1287, to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore.

SD–366

NOVEMBER 5

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine the Employment Non-Discrimination Act.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine business formation and financial crime, focusing on finding a legislative solution.

SD–342

Veterans' Affairs

To hold hearings to examine Veterans' Affairs and Indian Health Service cooperation.

SR–418

2 p.m.

Judiciary

Crime and Drugs Subcommittee

To hold hearings to examine reducing recidivism at the local level.

SD–226

2:30 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine S. 1757, to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District, S. 1758, to provide for the allocation of costs to project power with respect to power development within the Diamond Fork System, and S. 1759, to authorize certain transfers of water in the Central Valley Project.

SD–366

Intelligence

To hold closed hearings to consider certain intelligence matters.

S–407, Capitol

NOVEMBER 10

10 a.m.

Energy and Natural Resources

To hold hearings to examine policy options for reducing greenhouse gas emissions.

SD–366

2:15 p.m.

Foreign Relations

Business meeting to consider S. 1524, to strengthen the capacity, transparency, and accountability of United States

foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, S. 1739, to promote freedom of the press around the world, S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, H. Con. Res. 36, calling on the President and the allies of the United States to raise in all appropriate bilateral and multilateral for a the case of Robert Levinson at every opportunity, urging Iran to fulfill their promises of assistance to the family of Robert Levinson, and calling on Iran to share the results of its investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, and the nominations of Jose W. Fernandez, of New York, to be Assistant Secretary for Economic, Energy, and Business Affairs, William E. Kennard, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador, John F. Tefft, of Virginia, to be Ambassador to Ukraine, Michael C. Polt, of Tennessee, to be Ambassador to the Republic of Estonia, and Cynthia Stroum, of Washington, to be Ambassador to Luxembourg, all of the Department of State, and James LaGarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development.

S–116, Capitol

NOVEMBER 18

9:30 a.m.

Veterans' Affairs

To hold hearings to examine easing the burdens through employment.

SR–418

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine managing Federal forests in response to climate change, focusing on natural resource adaptation and carbon sequestration.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10793–S10867

Measures Introduced: Seventy-three bills and two resolutions were introduced, as follows: S. 1941–2013, and S. Res. 326–327. **Pages S10850–51**

Measures Reported:

Report to accompany S. 1692, to extend the sunset of certain provisions of the USA PATRIOT Act and the authority to issue national security letters. (S. Rept. No. 111–92) **Page S10850**

Measures Passed:

George Bush Intercontinental Airport 40th Anniversary: Senate agreed to S. Res. 326, recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas. **Page S10865**

National Domestic Violence Awareness Month 2009: Senate agreed to S. Res. 327, supporting the goals and ideals of National Domestic Violence Awareness Month 2009 and expressing the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence. **Pages S10865–66**

Measures Considered:

Unemployment Compensation Extension Act: Senate continued consideration of the motion to proceed to consideration of H.R. 3548, to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation.

Pages S10807–47

A unanimous-consent agreement was reached providing that on Thursday, October 29, 2009, any time during morning business, adjournment or recess of the Senate count post-cloture. **Page S10866**

Appointments:

Congressional-Executive Commission on the People's Republic of China: The Chair, on behalf of the President of the Senate, and after consultation with the Republican Leader, pursuant to Public Law 106–286, appointed the following Member to serve on the Congressional-Executive Commission on the People's Republic of China: Senator LeMieux.

Page S10866

Nominations Confirmed: Senate confirmed the following nominations:

Gladys Commons, of Virginia, to be an Assistant Secretary of the Navy.

Christine H. Fox, of Virginia, to be Director of Cost Assessment and Program Evaluation, Department of Defense.

1 Air Force nomination in the rank of general.

36 Army nominations in the rank of general.

8 Coast Guard nominations in the rank of admiral.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, and Navy.

Pages S10863–65, S10866–67

Nominations Received: Senate received the following nominations:

Philip E. Coyle III, of California, to be an Associate Director of the Office of Science and Technology Policy.

Lawrence G. Romo, of Texas, to be Director of the Selective Service.

Routine lists in the Army. **Page S10866**

Messages from the House: **Page S10849**

Measures Referred: **Page S10849**

Measures Read the First Time: **Pages S10849–50**

Executive Reports of Committees: **Page S10850**

Additional Cosponsors: **Pages S10851–52**

Statements on Introduced Bills/Resolutions: **Pages S10852–61**

Additional Statements: **Pages S10848–49**

Amendments Submitted: **Pages S10861–62**

Notices of Hearings/Meetings: **Pages S10862–63**

Authorities for Committees to Meet: **Page S10863**

Privileges of the Floor: **Page S10863**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:06 p.m., until 9:30 a.m. on Thursday, October 29, 2009. (For Senate's program, see

the remarks of the Acting Majority Leader in today's Record on page S10866.)

Committee Meetings

(Committees not listed did not meet)

MARKET STRUCTURE ISSUES

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance, and Investment concluded a hearing to examine dark pools, flash orders, high frequency trading, and other market structure issues, after receiving testimony from Senator Kaufman; James Brigagliano, Co-Acting Director, Division of Trading and Markets, United States Securities and Exchange Commission; Frank Hatheway, NASDAQ OMX, Washington, D.C.; William O'Brien, Direct Edge, Jersey City, New Jersey; Christopher Nagy, TD Ameritrade, Omaha, Nebraska; Daniel Mathisson, Credit Suisse, Robert C. Gasser, Investment Technology Group, and Adam C. Sussman, TABB Group, all of New York, New York; and Peter Driscoll, Security Traders Association, Chicago, Illinois.

COMBATING DISTRACTED DRIVING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine combating distracted driving, focusing on managing behavioral and technological risks, after receiving testimony from Senator Schumer; Ray LaHood, Secretary of Transportation; and Julius Genachowski, Chairman, Federal Communications Commission.

NATURAL GAS IN MITIGATING CLIMATE CHANGE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the role of natural gas in mitigating climate change, after receiving testimony from Richard Newell, Administrator, Energy Information Administration, Department of Energy; Lamar McKay, BP America Inc., and Jack Fusco, Calpine Corporation, both of Houston, Texas; David Wilks, Xcel Energy Inc., Minneapolis, Minnesota; Edward Stones, Dow Chemical Company, Washington, D.C.; and Dennis McConaghy, TransCanada Pipelines, Limited, Calgary, Canada.

CLIMATE CHANGE

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine current and expected impacts of climate change on units of the National Park System, after receiving testimony from Jonathan B. Jarvis, Director, National Park Service, Department of the Interior; Reed F. Noss, University of Central Florida, Orlando; Iliff McMahan, Jr., Cocke County Mayor, Newport, Tennessee; and Steven Williams, Wildlife Management Institute, Gardners, Pennsylvania.

CLEAN ENERGY JOBS AND AMERICAN POWER ACT

Committee on Environment and Public Works: Committee continued hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, after receiving testimony from former Senator John Warner; Kathleen Hicks, Deputy Under Secretary of Defense for Strategy, Plans, and Forces; Mayor Michael A. Nutter, Philadelphia, Pennsylvania; Peter Brehm, Infinia Corporation, Kennewick, Washington, on behalf of the Solar Energy Industries Association; Dan W. Reicher, Google, Mountain View, California; David Foster, Blue Green Alliance, Minneapolis, Minnesota; Kate Gordon, Apollo Alliance, San Francisco, California; Bill Klesse, Valero Energy Corporation, San Antonio, Texas, on behalf of the National Petrochemical and Refiners Association; Brett A. Vassey, Virginia Manufacturers Association, Richmond; Vice Admiral Dennis McGinn, USN, (Ret.), Center for Naval Analysis, Alexandria, Virginia; Captain Andrew Sloan, USA (Ret.), Truman National Security Project, and Lieutenant Colonel James Jay Carafano (Ret.), Heritage Foundation, both of Washington, D.C.; David Crane, NRG Energy Inc., Princeton, New Jersey; Ralph Izzo, Public Service Enterprise Group, Newark, New Jersey; Kevin S. Law, Long Island Power Authority, Uniondale, New York; Nathaniel O. Keohane, Environmental Defense Fund, New York, New York; Joel Bluestein, ICF International, Arlington, Virginia; Barry Hart, Association of Missouri Electric Cooperatives, Jefferson City; Dustin Johnson, South Dakota Public Utilities Commission, Pierre; Shari T. Wilson, Maryland Department of the Environment, Baltimore; Ronald E. Young, Elsinore Valley Municipal Water Agency, Sacramento, on behalf of the California Association of Sanitation Agencies and National Association of Clean Water Agencies; Peter C. Frumhoff, Union of Concerned Scientists, Cambridge, Massachusetts; Larry J. Schweiger, National Wildlife Federation, Reston, Virginia; Fawn Sharp, Quinault Indian Nation, Taholah, Washington; James T. Sims, Western Business Roundtable, Lakewood, Colorado; and Major General Robert H. Scales, (Ret.), Dayton, Maryland.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Rafael Borras, of Maryland, to be

Under Secretary of Management for Homeland Security, David S. Ferriero, of North Carolina, to be Archivist of the United States, National Archives and Records Administration, and Susan Tsui Grundmann, of Virginia, and Anne Marie Wagner, of Virginia, both to be a Member of the Merit Systems Protection Board.

FEDERAL GOVERNMENT CONTRACTING

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine new Office of Management and Budget (OMB) guidance to combat waste, inefficiency, and misuse in federal government contracting, after receiving testimony from Jeffrey D. Zients, Deputy Director for Management, Office of Management and Budget.

HEALTH CARE FRAUD

Committee on the Judiciary: Committee concluded a hearing to examine effective strategies for preventing health care fraud, after receiving testimony from William V. Corr, Deputy Secretary of Health and Human Services; and Tony West, Assistant Attorney General, Department of Justice.

401(k) TARGET DATE FUNDS

Special Committee on Aging: Committee concluded a hearing to examine 401(k) target date funds, including building and maintaining 401(k) savings, and measures to improve participation and savings levels, after receiving testimony from Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security, Government Accountability Office; Andrew J. Donohue, Director, Division of Investment Management, United States Securities and Exchange Commission; Phyllis C. Borzi, Assistant Secretary of Labor, Employee Benefits Security Administration; John Rekenthaler, Morningstar, Chicago, Illinois; Ralph Derbyshire, Fidelity Investments, Marlborough, Massachusetts; and Michael Case Smith, Avatar Associates, New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 3947–3960; and 2 resolutions, H. Con. Res. 206 and H. Res. 874, were introduced.

Pages H12043–44

Additional Cosponsors: **Pages H12044–45**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2996, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010 (H. Rept. 111–316);

H. Res. 875, providing for consideration of the bill (H.R. 3854) to amend the Small Business Act and the Small Business Investment Act of 1958 to improve programs providing access to capital under such Acts (H. Rept. 111–317);

H. Res. 876, providing for consideration of the conference report to accompany the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010 (H. Rept. 111–318); and

H.R. 3570, to amend title 17, United States Code, to reauthorize the satellite statutory license and to conform the satellite and cable statutory licenses to all-digital transmissions, with amendments (H. Rept. 111–319). **Pages H11871–H11983, H12043**

Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Jacob Luski, Congregation B'Nai, St. Petersburg, Florida. **Page H11871**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958: S. 1929, amended, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958;

Pages H11986–87

Allowing the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012: S. 1694, to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 819;

Pages H11987–89, H12008–09

Expressing support for designation of October 13, 2009, as National Metastatic Breast Cancer Awareness Day: H. Res. 787, to express support for

designation of October 13, 2009, as National Metastatic Breast Cancer Awareness Day; **Pages H11990–92**

Supporting the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers: H. Res. 790, amended, to support the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers;

Pages H11992–95

Recognizing the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia: H. Res. 568, amended, to recognize the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia; **Pages H11995–97**

Supporting the goals and ideals of National Adoption Day and National Adoption Month: H. Res. 831, to support the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; **Pages H12001–04**

Raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as "Celebrate Safe Communities" Week, and October as "Crime Prevention Month": H. Con. Res. 177, to raise the awareness of the need for crime prevention in communities across the country and to express support for designation of October 1, 2009, through October 3, 2009, as "Celebrate Safe Communities" Week, and October as "Crime Prevention Month"; and

Pages H12004–06

Federal Judiciary Administrative Improvements Act of 2009: H.R. 3632, to provide improvements for the operations of the Federal courts.

Pages H12006–08

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the strength and culture of the United States: H. Res. 783, amended, to recognize Hispanic Heritage Month and to celebrate the vast contributions of Hispanic Americans to the strength and culture of the United States and **Pages H11997–99**

Expressing support for designation of a "National Firefighters Memorial Day" to honor and celebrate the firefighters of the United States: H. Res. 729, amended, to express support for designation of a "National Firefighters Memorial Day" to honor and celebrate the firefighters of the United States. **Pages H11999–H12001**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, October 27th:

Welcoming to the United States and to Washington, D.C., His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch: H. Res. 838, amended, to welcome to the United States and to Washington, D.C., His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his upcoming trip on October 20, 2009, through November 6, 2009, by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 820 and

Page H12010

Agreed to amend the title so as to read: "Welcoming to the United States and to Washington, D.C., His All Holiness Bartholomew, Archbishop of Constantinople, New Rome, Ecumenical Patriarch on his current trip on October 20, 2009, through November 6, 2009.". **Page H12010**

Honoring the 2560th anniversary of the birth of Confucius: H. Res. 784, to honor the 2560th anniversary of the birth of Confucius and recognizing his invaluable contributions to philosophy and social and political thought, by a ⅔ yea-and-nay vote of 361 yeas to 47 nays with 13 voting "present", Roll No. 821. **Pages H12010–11**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Monday, October 26th:

Congratulating the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship: H. Res. 824, to congratulate the Northwestern University Wildcats on winning the 2009 NCAA women's lacrosse championship, and to commend Northwestern University for its pursuit of athletic and academic excellence, by a ⅔ recorded vote of 416 ayes with none voting "no", Roll No. 822. **Pages H12011–12**

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H12008–09, H12010, H12010–11, and H12011–12. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:23 p.m.

Committee Meetings

FOOD-CONSERVATION-ENERGY ACT IMPLEMENTATION

Committee on Agriculture: Subcommittee on Horticulture and Organic Agriculture held a hearing to review the implementation of the Horticulture and Organic Agriculture Title of the Food, Conservation, and Energy Act of 2008. Testimony was heard from Rayne Pegg, Administrator, Agricultural Marketing Service, USDA.

DISCUSSION DRAFT—INVESTOR PROTECTION ACT OF 2009

Committee on Financial Services: Began consideration of October 1, 2009 Discussion Draft of the Investor Protection Act of 2009 (to be reported as H.R. 3817, To provide the Securities and Exchange Commission with additional authorities to protect investors from violations of the securities laws).

Will continue November 3.

IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

Committee on Foreign Affairs: Ordered reported, as amended, H.R. 2194, Iran Refined Petroleum Sanctions Act of 2009.

MIDDLE EAST REGIONAL OVERVIEW

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on A Regional Overview of the Middle East. Testimony was heard from Jeffrey D. Feltman, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State.

FOOTBALL HEAD INJURIES

Committee on the Judiciary: Held a hearing on Legal Issues Relating to Football Head Injuries. Testimony was heard from Representative Pascrell; Roger Goodell, Commissioner, National Football League; DeMaurice Smith, Executive Director, NFL Players Association; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 2213, as amended, To reauthorize the Neotropical Migratory Bird Conservation Act; H.R. 2888, as amended, Devils's Staircase Wilderness Act of 2009; H.R. 2781, as amended, To amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System; H.R. 86, as, amended, To eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California, and meet the original Congressional intent of preserving Orange County's rocks and small islands; and H.R. 118, To authorize the addition of 100 acres to Morristown National Historical Park.

EXECUTIVE COMPENSATION

Committee on Oversight and Government Reform: Held a hearing entitled ''Executive Compensation: How Much is Too Much?'' Testimony was heard from Kenneth R. Feinberg, Special Master for TARP Executive Compensation; and public witnesses.

CONFERENCE REPORT—INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FY 2010

Committee on Rules: Granted, by a non-record vote, a rule providing for consideration of the conference report to accompany H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010. The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. Finally, the rule provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit if applicable. Testimony was heard from Representatives Dicks and Simpson.

SMALL BUSINESS FINANCING AND INVESTMENT ACT OF 2009

Committee on Rules: Granted, by a record vote of 7–3, a structured rule providing for consideration of H.R. 3854, the ''Small Business Financing and Investment Act of 2009''. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Small Business. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment printed in part A of the report of the Committee on Rules shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule waives all points of order against provisions of the bill, as amended.

The rule makes in order only those further amendments printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled

by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments in part B except for clauses 9 and 10 of rule XXI are waived. The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The rule provides one motion to recommit with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Small Business Committee or a designee. The rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill. The rule provides that it shall be in order at any time through the legislative day of October 30, 2009, for the Speaker to entertain motions that the House suspend the rules relating to a measure addressing unemployment compensation. Testimony was heard from Chairwoman Velázquez and Representatives Ryan of Ohio, Graves and Foxx.

RECOVERY ACT BROADBAND INVESTMENTS

Committee on Small Business: Held a hearing entitled "The Recovery Act and Broad Evaluation of Broadband Investments on Small Businesses and Job Creation." Testimony was heard from Lawrence E. Strickling, Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce; Jonathan Adelstein, Administrator, Rural Utilities Service, USDA; and a public witness.

NEXTGEN AVIATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on NEXTGEN: A Review of the RTCA Mid-Term Implementation Task Force Report. Testimony was heard from the following officials of the Department of Transportation: Hank Krabowski, Chief Operating Officer, Air Traffic Organization; Margaret Gilligan, Associate Administrator, Aviation Safety, both with the FAA; and Calvin L. Scovel III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

VETERANS' MEASURES

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 3949, Veterans' Small Business Assistance and Servicemenbers Protection Act of 2009; and, as amended, H.R. 1168, Veterans Retraining Act of 2009.

BRIEFING—OVERHEAD ARCHITECTURE

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to receive a briefing on Overhead Architecture. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

Commission on Security and Cooperation in Europe. Commission concluded a hearing to examine advancing United States interests in the Organization for Security and Cooperation in Europe (OSCE) region, after receiving testimony from Philip H. Gordon, Assistant Secretary for European and Eurasian Affairs, and Michael H. Posner, Assistant Secretary for Democracy, Human Rights, and Labor, both of the Department of State; and Alexander Vershbow, Assistant Secretary of Defense for International Security Affairs.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1230)*

H.R. 2892, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010. Signed on October 28, 2009. (Public Law 111–83)

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 29, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development, to hold hearings to examine modernizing affordable housing for seniors and people with disabilities, 10:30 a.m., SD–538.

Full Committee, business meeting to consider an original bill entitled "Comprehensive Iran Sanctions, Accountability and Divestment Act of 2009", and revised subcommittee organization for the 111th Congress, 2:30 p.m., SD–538.

Committee on the Budget: to hold hearings to examine performance-informed budgeting, focusing on opportunities to reduce cost and improve service, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine reauthorization of the National Transportation Safety Board, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 555, to provide for the exchange of certain land located

in the Arapaho-Roosevelt National Forests in the State of Colorado, S. 607, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, S. 721, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, S. 1122, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 1328 and H.R. 689, bills to provide for the exchange of administrative jurisdiction over certain Federal land between the Forest Service and the Bureau of Land Management, S. 1442, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service-learning opportunities on public lands, establish a grant program for Indian Youth Service Corps, help restore the Nation's natural, cultural, historic, archaeological, recreational, and scenic resources, train a new generation of public land managers and enthusiasts, and promote the value of public service, and H.R. 129, to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to continue hearings to examine S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, 9:30 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine helping workers preserve retirement security through a recession, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine Federal cyber defense, 2:30 p.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 448, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, H.R. 985, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, S. 714, to establish the National Criminal Justice Commission, S. 1490, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, S. 139, to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, S. 1472, to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and the nominations of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Carmen Milagros Ortiz, to be United States Attorney for the District of Massachusetts, and Edward J. Tarver, to be United States Attorney for the Southern District of Georgia, both of the Department of Justice, and Ketanji Brown Jackson, of Maryland, to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., S–407, Capitol.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review the future of next generation biofuels, 10 a.m., 1300 Longworth.

Committee on Armed Services, Defense Acquisition Reform Panel, hearing on Can DOD Improve Innovation and Competition in Acquisition by Better Utilizing Small Business? 8 a.m., 1310 Longworth.

Subcommittee on Oversight and Investigations, hearing on Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Reviewing the Performance and Oversight of the Joint IED Defeat Organization (JIEDDO), 10 a.m., 210 HVC.

Committee on Education and Labor, hearing on Nevada's Workplace Health and Safety Enforcement Program: OSHA's Finding and Recommendations, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up H.R. 3126, Consumer Financial Protection Agency Act of 2009, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''Systemic Regulation, Prudential Matters, Resolution Authority and Securitization,'' 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on A Call to Action on Food Security: the Administration's Global Strategy, 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Management, Investigations and Oversight, hearing entitled ''Creating 'One DHS' Part I: Standardizing Department of Homeland Security Financial Management,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Racial Disparities in the Criminal Justice System, 9:30 a.m., and to mark up H.R. 1064, Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, 10:30 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, to mark up the following measurers: H.R. 1506, to provide that

claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances; H. Res. 159, Honoring the New Hampshire State Senate for becoming the 1st statewide legislative body with a majority of women in the United States; H. Res. 727, Supporting the goals and ideals of National Ovarian Cancer Awareness Month; H. Res. 736, Honoring President Lincoln's Gettysburg Address on " Dedication Day", November 19, 2009; H. Res. 742, Congratulating the Warner Robins Little League softball team from Warner Robins, Georgia, on winning the 2009 Little League Softball World Series; H. Res. 743, Honoring the life of Frank McCourt for his many contributions to American literature, education and culture; H. Res. 780, Recognizing the celebration of Filipino American History Month in October; H. Res. 798, Conveying the best wishes of the House of Representatives to those celebrating Diwali; H.R. 1849, World War I Memorial and Centennial Act of 2009; H.R. 3250, To designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building;" H.R. 3539, To designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building;" H.R. 3634, To designate the United States Postal Service located at 109 Main Street in Switon, Arkansas, as the "George Kell Post Office;" H.R. 3667, To designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building;" H.R. 3767, To designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building;" H.R. 3788, To designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building;" S. 748, To redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the "Cesar E. Chavez Post Office;" and S. 1211, A bill to designate the facility of the United States Postal Service located at 60 School Street, Orchard Park, New York, as the "Jack F. Kemp Post Office Building;" 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on the Next Generation of Fusion Energy Research, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing on Addressing the Problem of Distracted Driving, 9:30 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 11 a.m., 304 HVC.

Select Committee on Energy Independence and Global Warming, hearing entitled "Fraudulent Letters Opposing Clean Energy Legislation," 9:30 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the impact of the Recovery Act on economic growth, 10 a.m., 2237 Rayburn Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, October 29

Senate Chamber

Program for Thursday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 29

House Chamber

Program for Thursday: Consideration of the conference report to accompany H.R. 2996—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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